BEFORE THE MISSOURI GAMING COMMISSION
STATE OF MISSOURI

MEETING
April 27, 2016
10:00 A.M.
3417 Knipp Drive
Jefferson City, Missouri

BEFORE:
Herbert M. Kohn, Chairman
Brian Jamison, Vice Chairman
Larry D. Hale, Commissioner
Thomas Neer, Commissioner
Richard F. Lombardo, Commissioner

Reported by:
Julie K. Kearns, CCR 993
Midwest Litigation Services
3432 West Truman Boulevard, Suite 207
Jefferson City, Missouri 65109
(573)636-7551
AGENDA

I. Call to Order

II. Consideration of Minutes
   A. March 23, 2016

III. Consideration of Hearing Officer Recommendations
   B. Michael C. Sullivan - Bryan Wolford
      1. Resolution No. 16-014
   C. Yonatan Ghebregziabher - Chas. H. Steib
      1. Resolution No. 16-015
   D. Kenneth B. Twilla
      1. Resolution No. 16-016
   E. Colin Barnes
      1. Resolution No. 16-017

IV. Consideration of Disciplinary Actions
   F. Gaming Partners International, USA
      1. DC-16-067
   G. Tropicana St. Louis, LLC
      1. DC-16-068
   H. IOC - Caruthersville, LLC
      1. DC-16-069

V. Consideration of Placement of Individuals on Exclusion List
   I. Alfred Brown
      1. Resolution No. 16-018
   J. Paul Parker
      1. Resolution No. 16-019

VI. Consideration of Rules & Regulations
   K. Final Orders of Rulemaking
      1. 11 CSR 45-12.010 - Excursion Liquor License Required
      2. 11 CSR 45-12.020 - Excursion Liquor License and Definitions
      3. 11 CSR 45-12.030 - License Criteria
      4. 11 CSR 45-12.040 - Applications
      5. 11 CSR 45-12.050 - Excursion Liquor License Fees
      6. 11 CSR 45-12.060 - Renewal
      7. 11 CSR 45-12.070 - Posting Licenses and Tax Stamps
      8. 11 CSR 45-12.080 - Hours of Operation
AGENDA CONTINUED

9.11 CSR 45-12.090 - Rules of Liquor Control

VII. Consideration of Licensure of Certain Supplier & Key Business Entity
   L. Everi Games Holding Inc.
      1. Resolution No. 16-020
   M. Everi Games Inc.
      1. Resolution No. 16-021

VIII. Consideration of Relicensure of Certain Supplier
   N. Ainsworth Game Technology Limited
      1. Resolution No. 16-022

IX. Consideration of Licensure of Certain Level I/Key Applicants
   O. Resolution No. 16-023

X. Consideration of Waiver of Institutional Investors
   P. Bennelong Funds Management Group PTY LTD
      1. Resolution No. 16-024
   Q. Fuller & Thaler Asset Management, Inc.
      1. Resolution No. 16-025

XI. Motion for Closed Meeting under Sections 313.847 RSMo., Investigatory, Proprietary and Application Records and 610.021(1), RSMo., Legal Actions, (3) & (13) Personnel and (14) Records Protected from Disclosure by Law

XII. Motion to Open Meeting

XIII. Adjournment
PROCEEDINGS

(Meeting started at 10:00 A.M.)

CHAIRMAN KOHN: It looks like ten o'clock to me.

I'm going to call the meeting to order, the April 27, 2016 Missouri Gaming Commission. Angie, please call roll.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Present.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Present.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Present.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Present.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Present. So we have a quorum, ready to proceed with the meeting. First item of business will be a Consideration of the Minutes from the meeting of the -- March 23, 2016. Is there a motion to approve those minutes?

COMMISSIONER HALE: So move.

COMMISSIONER JAMISON: Second.

CHAIRMAN KOHN: Angie, please call roll.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve. By your vote, you've adopted the minutes of the March 23, 2016 meeting.
Mr. Seibert, are you ready?
EXECUTIVE DIRECTOR SEIBERT: Yes, sir. Next order of business is Consideration of Hearing Officer Recommendations. Mr. Steib will present.
HEARING OFFICER STEIB: Good morning. May it please the Commission.
CHAIRMAN KOHN: Good morning.
HEARING OFFICER STEIB: The first item on the agenda I have to address is number 16-015, Mr. Yonatan Ghebregziabher.
CHAIRMAN KOHN: Congratulations.
HEARING OFFICER STEIB: I've worked at it.
Mr. Ghebregziabher holds a Level II Occupational Gaming License. In July of 2010, he executed the standard Commission notice of duty to disclose arrests and convictions. On October 29 of 2014, Mr. Ghebregziabher pled guilty to the Class A misdemeanor of committing,
In 40 years of practicing law, I had never seen this and did not know what that was. However, this stems from Mr. Ghebregziabher being on a parking lot outside a Department of Motor Vehicles office on the cell phone talking to a friend of his who was in the Department of Motor Vehicles office taking the test for an operator's license. So that apparently is the crime of committing -- assisting in committing fraud or deception.

In addition to that, on May 22, 2015, the Platte County Circuit Court entered a judgment denying Mr. Ghebregziabher's petition for a limited driving privilege. And further, on June 3, 2015, the highway patrol officer who did the investigation revealed that the petitioner had not disclosed those items as was his duty pursuant to the standards form which he had executed.

Based on this information, a hearing was conducted in January and it was the conclusion, based on those facts and the law, that Mr. Ghebregziabher did not meet his burden of proof to show clearly and convincingly that he should not be subject to discipline and hence the decision of the Executive Director that his license should be revoked is the findings of fact of the Hearing Officer in this matter.
CHAIRMAN KOHN: Are there any questions of the Hearing Officer?

COMMISSIONER JAMISON: None.

COMMISSIONER NEER: No, sir.

CHAIRMAN KOHN: Would Counsel for the Gaming Commission like to address the Commission?

MS. KERR: Yes. We would just concur with the Hearing Officer's recommendation. The revocation in this case is appropriate. The regulation 11 CSR 45-4.260 Section 5 gives the Commission the authority to revoke the license if the licensee has pled guilty in any jurisdiction where the crime had an essential element of which is fraud or deception. And in this case, I think the Hearing Officer's recommendation should stand. And I believe Mr. Ghebregziabher is here as well.

CHAIRMAN KOHN: Yeah, I'm going to call on him in a minute. Any questions? Okay. Mr. Ghebregziabher -- I'm going to mess it up. You are present. Would you like to address the Commission?

MR. GHEBREGZIABHER: Yes. Thank you for inviting me for this meeting. I am a --

COMMISSIONER JAMISON: Could you speak up?

CHAIRMAN KOHN: Speak into the microphone, yeah.

At the time I signed for gaming in Ameristar, still I was new. I didn't even talk enough English. I improve it. I didn't even see the rules. I didn't know within ten days I have to report any case. Now I know.

The thing happened from the beginning is I assist my friend. He didn't know English either. He was taking exam for driving license. I was -- the one I translate everything and tell him English, all the rules and questions. And this guy, accidentally, he texted me a question from the test. I didn't even know he was cheating. Accidentally I respond for his questions.

I was helping him before all this how to learn English, but he called and he went to the Court. I told them honestly what I have done. I helped him, I did a mistake and I learned from my mistake. They charged me, for one year revoke my license. I was in probation. I took my lesson. I did perfectly on my probation. I did my community service. I finished it. I learned my lesson. Now it's costing me my job because of that.

Right now I really need my job. I did mistake, I accept that mistake and I just want to keep my job in any cost. And the gaming sent me a lot of similar cases who have been involved in this situation, more than 60 people. Out of all the 60 people, very few, one or two people have been revoked. They have worse than my case,
ach actually. I have seen all one by one. I don't know why I
have been revoked even though I am out of this case at
all. And I just ask to reduce my penalty and keep my job.

CHAIRMAN KOHN: Tell us again what is your job.

MR. GHEBREGZIABHER: My job is in Argosy
Riverside. I am a count room.

CHAIRMAN KOHN: You're in the count room.

MR. GHEBREGZIABHER: Yeah. I have been working
in Argosy since 2012, almost four years, more than four
years. I have been behaving myself very good. I never
involved in any situation. This was happen just one day I
did mistake and I learned from my mistake. I took a

CHAIRMAN KOHN: And what did you do during your
year of probation and what was your community service?

MR. GHEBREGZIABHER: My community service was 40
hours. I did in a thrift shop. I did everything what
they asked me, to help people, to do everything and my
probation was to go every month for one year to the
office, probation office, to tell them I never have done
anything in trouble, contact police, nothing. They want
to make sure I have never been -- I haven't did any
mistake and I have done.

I didn't drive my car for one year. I have been
in -- going to work 2:30 A.M. in the morning, sometimes by
transportation, sometimes by my coworkers were helping me
to give me transport and I have done it one year.

CHAIRMAN KOHN: Is there anybody here from the
Argosy?

MR. ROSENTHAL: Yeah. My name is Aaron
Rosenthal. I'm the General Manager of the Argosy.

CHAIRMAN KOHN: And what is your view or
position with regard to this revocation?

MR. ROSENTHAL: Well, from a performance
standpoint, he's an ideal employee, very committed to the
job. His job is difficult to fill and is in good standing
with the property. So we always try and support our
employees and don't feel that there's significant risk in
him being -- remaining as an employee.

CHAIRMAN KOHN: Any questions by Commissioners?

COMMISSIONER JAMISON: I have a question. Where
were you when you answered this text question?

MR. GHEBREGZIABHER: I was outside on the
building in the downtown. He was taking exam.

COMMISSIONER JAMISON: Okay.

MR. GHEBREGZIABHER: I was outside in the
parking --

COMMISSIONER JAMISON: Did you bring him to the
exam?

MR. GHEBREGZIABHER: I am the one that bringing
COMMISSIONER JAMISON: So you knew what he was doing inside the building was taking the test?

MR. GHEBREGZIABHER: He took the first test on the computer. He failed. He came to tell me I am -- I haven't passed and he said he want to bring the book, the one you -- he went through and they asked him to do again, I think.

COMMISSIONER JAMISON: So you knew he was back in taking the test again?

MR. GHEBREGZIABHER: He was taking exam.

COMMISSIONER JAMISON: Right.

MR. GHEBREGZIABHER: But I thought he was coming back. He already failed. I didn't know he was taking another exam. And he text me and in a second I responded the question. I thought it was on the back of the book. The book has all questions on the back.

COMMISSIONER JAMISON: So if he had the book and he wasn't taking the test, why did he need to ask you the question?

MR. GHEBREGZIABHER: I mean the book is to learn, you have to --

COMMISSIONER JAMISON: I understand what the book's for, but my question is when you say this was an accident, I'm a little questioning the accidental part of
this when he's there taking the test, you brought him
there to take the test, you're sitting out in the parking
lot and he texts you a question and you give him the
answer.

MR. GHEBREGZIABHER: Yes.

COMMISSIONER JAMISON: You see how I'm confused
that it may be an accident?

MR. GHEBREGZIABHER: Let me explain.

COMMISSIONER JAMISON: Okay.

MR. GHEBREGZIABHER: The test, I have taken the
test on the computer, the -- on the computer you take the
test. That's all I know. I never know they give you a
paperwork, too, but this time they give him a paperwork,
paperwork, and he took a picture of that question. It
looks like from the book of the -- you learn test, but the
real test is from the computer. There is no way he
take -- I was confused, too.

When he told me he was caught, when they caught
him, they called me from outside. I told them the truth,
honestly. I didn't know. I know he was taking a test,
but I didn't know he was taking another chance and they
gave him paperwork to take a test other than the computer.

COMMISSIONER JAMISON: So where did you think
the question that he took the photograph came from?

MR. GHEBREGZIABHER: After they -- after they
told me it was a test, but --

COMMISSIONER JAMISON: I know, but where did you think it came from when you answered it?

MR. GHEBREGZIABHER: The book, the book has a question behind.

COMMISSIONER JAMISON: I know, but if he had the book, it's for learning, right? And the book has the answers in it.

MR. GHEBREGZIABHER: It doesn't have nothing to do with the -- with the real questions. They just teach you similar questions.

COMMISSIONER JAMISON: I understand. But what I'm saying is if you got the question, you get photographed a question and you answer the question, I'm trying to figure out how you accidentally didn't help him?

MR. GHEBREGZIABHER: I mean, before he takes the test, I am the one, I was helping him.

COMMISSIONER JAMISON: I got that.

MR. GHEBREGZIABHER: Translate the -- everything, the book --

COMMISSIONER JAMISON: I'm just talking about when you're helping him with your phone while he's in the exam room and you're in the parking lot.

MR. GHEBREGZIABHER: Yeah.

COMMISSIONER JAMISON: I'm trying to get to the
accidental part because that's how you're claiming this, is this was an accident.

MR. GHEBREGZIABHER: Exactly because I'm --
COMMISSIONER JAMISON: I'm having trouble getting to the accidental part.

MR. GHEBREGZIABHER: Honestly, I thought he already finished testing, he failed. He went to bring the book and it's too far from where I was, but after I knew he was taking a test and caught, I regret to respond him.

COMMISSIONER JAMISON: Okay.
CHAIRMAN KOHN: Anyone else have a question?
COMMISSIONER HALE: If I might, Mr. Chairman.
CHAIRMAN KOHN: Sure.
COMMISSIONER HALE: When did you arrive in the U.S.?

MR. GHEBREGZIABHER: March 2010.
COMMISSIONER HALE: 2010, okay.
MR. GHEBREGZIABHER: Yeah.
COMMISSIONER HALE: Okay. And did I understand you correctly to say that you were from Europe?

MR. GHEBREGZIABHER: I have lived in Italy for ten years, but I'm originally from Africa. I came from Italy. I've got the DV lottery to have a job and anything in US.

COMMISSIONER HALE: Okay. All right. And you
did plead guilty to the misdemeanor offense of assisting another; is that correct?

MR. GHEBREGZIABHER: Yes.

COMMISSIONER HALE: In a court?

MR. GHEBREGZIABHER: In a court.

COMMISSIONER HALE: Thank you, sir.

MR. GHEBREGZIABHER: You're welcome.

CHAIRMAN KOHN: Any other questions?

COMMISSIONER LOMBARDO: Did you ever tell your employer about this until such time as it was brought to your attention after the highway patrol's review?

MR. GHEBREGZIABHER: Yes. I told -- just talking to my coworkers and my supervisor and my supervisor told me if you have been in court, you know you have to go to the Missouri Gaming license -- office. He told me. After he told me, right away after two days, I went to tell to the gaming office about this thing. I am the one, I told them. But they put it that they found out -- they find it renewing my badge, but that was not true. I am the one, I told them.

COMMISSIONER LOMBARDO: When did you tell your supervisor?

MR. GHEBREGZIABHER: It was around May 2014 on the second court when I was rejected from having limited driving license from Platte County.
COMMISSIONER LOMBardo: And then you said you went to the gaming office?

MR. GHEBREGZIABHER: Yes.

COMMISSIONER LOMBardo: Where?

MR. GHEBREGZIABHER: In Argosy, Riverside.

COMMISSIONER LOMBardo: And how long after you talked to your supervisor was that?

MR. GHEBREGZIABHER: It was right -- I guess it was one or two days because I had to bring the paper, find the paper from the Court, and I went with that paper to tell them I didn't know I have to report it was in ten days. But as soon as I knew, I came to tell you guys and they start to investigate.

COMMISSIONER LOMBardo: What was the question that you helped your friend answer? Do you remember the question?

MR. GHEBREGZIABHER: Oh, I don't remember. It was really difficult to understand the English. He was new. There was two questions, I think, about -- I'm not -- I don't remember exactly. I don't want to --

COMMISSIONER LOMBardo: Okay.

MR. GHEBREGZIABHER: Yeah.

CHAIRMAN KOHN: Have you applied for U.S. citizenship?
MR. GHEBREGZIABHER: I am about to apply right now.

CHAIRMAN KOHN: You are applying right now?

MR. GHEBREGZIABHER: Yeah. Because I have to finish my court everything, my probation. Now I am ready to apply, my citizenship.

CHAIRMAN KOHN: Any other questions? Okay. We have before us Resolution 15-015. Is there a motion to approve?

MS. FRANKS: Mr. Chairman, that would be 16-015.

CHAIRMAN KOHN: I'm sorry, 16.

MS. FRANKS: That's okay.

CHAIRMAN KOHN: I'm just a year behind. Is there a motion to approve Resolution No. 16-015? Okay. The resolution dies for lack of a motion. Do we need to vote on that?

MR. GREWACH: I think the cleanest way to do it is if the Commission doesn't believe there should be any discipline, there should be a motion to reject the Hearing Officer's findings, in which case we've closed the file by a resolution showing no discipline.

If the Commission believes there should be something less than revocation, you would make a motion to modify the Hearing Officer's findings to issue some lesser punishment than revocation, but I think we would need to
have some sort of resolution to close the file.

CHAIRMAN KOHN: Let me take them one at a time.

MR. GREWACH: Sure.

CHAIRMAN KOHN: Is there -- here's what I'm going to do just for the commissioners. I'm going to ask for a motion to reject the Hearing Officer's report, we'll vote on that and then -- assuming there's a motion. And then we will take up a motion to modify or amend the Hearing Officer's report. So if that's okay, we'll do it in that order. Is there a motion --

COMMISSIONER JAMISON: Can -- I've got a point of order, though. Can we -- wouldn't it be easier just to modify it instead of rejecting it and then going back to it if we've rejected it?

MR. GREWACH: In the order that the motions are taken up?

COMMISSIONER JAMISON: Yeah.

CHAIRMAN KOHN: I think we need to reject it first and then come back and modify it.

MR. GREWACH: Actually, Mr. Chairman, those are two different options under the rule because under the rule the Commission has the option to either accept, reject or modify the Hearing Officer's recommendation. So the motion would just be one motion to do one of those three things. So once you reject it, you mean there's --
CHAIRMAN KOHN: Don't we need to say what we're modifying?

COMMISSIONER JAMISON: Yeah.

MR. GREWACH: You could for --

COMMISSIONER JAMISON: I got a motion for you.

COMMISSIONER LOMBARDO: It's the same one I do.

Let's discuss it in closed session.

COMMISSIONER NEER: If we reject his, can we recommend a different one?

COMMISSIONER JAMISON: Yeah. I --

CHAIRMAN KOHN: Okay. Let's do this by priority. We'll start with the Vice Chairman's motion.

COMMISSIONER JAMISON: I would move that we accept the resolution amended to a 30-day suspension as opposed to a revocation. That would be my motion.

COMMISSIONER LOMBARDO: Second.

CHAIRMAN KOHN: That takes care of yours?

COMMISSIONER LOMBARDO: Yeah.

CHAIRMAN KOHN: All right. Motion has been made and seconded that the Hearing Officer's report be amended to provide for a 30-day suspension in lieu of a revocation. Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

CHAIRMAN KOHN: I'm sorry. Is there any
discussion on that motion?

COMMISSIONER HALE: No.
CHAIRMAN KOHN: Okay. Go ahead.
MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.
MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.
MS. FRANKS: By your vote, you have amended the
Hearing Officer's findings to give a 30-day suspension.
MR. GHEBREGZIABHER: Thank you very much. I
behave myself. I'll be good citizen. I will never
involving any situation like this. I will take a lesson
for rest of my life.
CHAIRMAN KOHN: We can't ask for more than that.
MR. GHEBREGZIABHER: Excuse me?
COMMISSIONER HALE: Thank you.
COMMISSIONER LOMBARDO: Thank you.
CHAIRMAN KOHN: Thank you.
MR. GHEBREGZIABHER: Thank you very much.
CHAIRMAN KOHN: Okay. We're ready for Resolution 16-016. Who's presenting that?

EXECUTIVE DIRECTOR SEIBERT: Mr. Steib.

HEARING OFFICER STEIB: May it please the Commission, the next item on the agenda is Resolution 16-016, Kenneth B. Twilla. Mr. Twilla has a Level II Occupational License. He is a pit manager at the Lady Luck Casino in Caruthersville.

On July 11, 2015, the petitioner observed a dealer, one Karla Benitez, expose a card to a patron enabling the patron to cheat at that table. Several weeks prior to that, petitioner observed the same Karla Benitez exposing cards to a patron.

The regulations of the Commission provide that the petitioner shall -- or an applicant shall immediately notify an MGC agent of any suspicion regarding cheating or irregularities or suspicious activity. Under oath the petitioner at the hearing as an admission against interest stated, quote, I'm not denying, hey, I could have come forward a week sooner, end quote.

Based on the petitioner's admission against interests that he should have come sooner and there was a period of time after which he suspected there was some cheating going on, he did not come to -- before the Commission representative and advise them that there was
an irregularity at the table. Based on those facts and
the law in this matter, it is the opinion of the Hearing
Officer that the petitioner did not meet his burden of
proof that he should not be subject to discipline and that
the recommendation of the Staff and the Executive Director
that he be suspended for three calendar days is
appropriate.

CHAIRMAN KOHN: Any questions of the hearing
officer?

COMMISSIONER LOMBARDO: No.
COMMISSIONER NEER: No, sir.

CHAIRMAN KOHN: Okay. Are we going to hear from
Counsel Kerr on this?

MS. KERR: We concur with the Hearing Officer's
recommendation.

CHAIRMAN KOHN: Okay. Is there a motion with
regard to Resolution No. 16-016?

COMMISSIONER JAMISON: Is he here?

CHAIRMAN KOHN: I don't think he is. Is he --
is Mr. Twilla here? I don't believe he is. Is there a
motion with respect to Resolution No. 16-016?

COMMISSIONER NEER: Motion to approve.

COMMISSIONER HALE: Second.

CHAIRMAN KOHN: Discussion on the motion?

Angie.
MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.
MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.
MS. FRANKS: By your vote you've adopted Resolution No. 16-016.
CHAIRMAN KOHN: Okay. One more, Mr. Steib.
HEARING OFFICER STEIB: Yes. Thank you, sir.
The next item is DC-15-333, In Re: Colin Barnes. In October of 2015, Mr. Barnes submitted an applicant interview form on which he disclosed a misdemeanor conviction for stealing in Gladstone, Missouri in 2011. Applicant further disclosed a guilty plea in Kansas City, Missouri in 2014 for possession of drug paraphernalia. He also disclosed in that interview form a plea in Kansas City, Missouri for failure to lead to a police vehicle. All of those things were disclosed by Mr. Barnes. However, after requesting the hearing, which was to occur in January of 2015, the halls were called
thrice and Mr. Barnes appeared not and hence defaulted in this. And based on that default and the record which was introduced at that time by Counsel for the Gaming Commission, it is the recommendation that -- of the Hearing Officer that the applicant did not meet his burden of proof to show clearly and convincingly that he should not be subject to discipline and, therefore, he should not be granted a Level II Occupational Gaming License.

CHAIRMAN KOHN: Is Mr. Barnes here? Okay.

Counsel.

MS. KERR: We concur with the Hearing Officer's recommendation.

CHAIRMAN KOHN: Any commissioners have any questions?

COMMISSIONER JAMISON: No.

CHAIRMAN KOHN: Okay. Is there a motion to approve Resolution No. 16-017?

COMMISSIONER LOMBARDO: Motion to approve.

COMMISSIONER JAMISON: Second.

CHAIRMAN KOHN: Discussion on the motion.

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.
MS. FRANKS: By your vote you've adopted Resolution No. 16-017.
CHAIRMAN KOHN: Mr. Seibert.
EXECUTIVE DIRECTOR SEIBERT: Next order of business is Consideration of Disciplinary Actions.
Mr. Grewach will present.
HEARING OFFICER STEIB: Thank you, gentlemen.
MR. GREWACH: Good morning.
CHAIRMAN KOHN: Good morning.
COMMISSIONER HALE: Morning, sir.
MR. GREWACH: Under tab F, we have a Preliminary Order of Discipline directed to Gaming Partners International, USA. GPI supplies playing cards to Missouri casinos. On September the 7th, 2015, Ameristar Kansas City Casino discovered some decks of cards which had been supplied by GPI which had a small dot on the back of every nine of diamonds. This defect is a violation of Rule 5.183(1)(D). The problem with this type of defect is it allows the players to identify the cards when they're
The history of this case is that these cards came out of the same lot or shipment of playing cards that was supplied by GPI in August of 2014. When those defects were discovered, they still had some of that lot in their warehouse at their property. Instead of destroying the balance of that lot, they kept those cards in their inventory, subsequently shipped them to Ameristar Kansas City, which gave rise to this violation and the recommended fine is $5,000.

CHAIRMAN KOHN: Let me make sure I understand. They -- Ameristar found the first batch of defective cards, reported it and then they sent another batch of the same thing?

MR. GREWACH: Correct. And that was, you know, about a year apart. When they had originally shipped the first shipment, they didn't send the entire lot. They still -- they had some of them back at their warehouse. What GPI should have done upon finding that first -- finding in August of '14 that that defect was in this lot, they should have destroyed the remaining parts in their inventory. They didn't. Then they got subsequently shipped to the casino a year later.

CHAIRMAN KOHN: Was this an intentional act? I
mean, they shipped the second lot knowing that they were defective?

MR. GREWACH: No. And when they -- when they responded to the notice of investigation, they indicated that they just had a problem in their quality control because they typically ship an entire lot. They don't usually split one up. So when they found this defect, they just didn't have that step in their quality control procedures to go back and look and say, okay, is there -- did we ship this entire lot or didn't we. They've indicated to us that they've now added an extra step to their quality control process to catch this problem should it come up again.

CHAIRMAN KOHN: And they did not ship to any other casino?

MR. GREWACH: No; not to our knowledge, no. This was the last part of that lot and it has all been destroyed at this point in time.

COMMISSIONER LOMBARDO: Ed, did they have any explanation about how this happened to begin with? I understand it got past their quality control, but what was the part of the process that allowed this to happen?

MR. GREWACH: I don't have that information. No, they didn't address it because at this point in time, we're addressing why didn't you destroy the entire lot. I
don't think it's completely unheard of that there's a
defect in a playing card. As a matter of fact, we require
the casinos to do very thorough checks of the backs of the
cards. Now, sometimes that's to look for any chip or cut
or mark that's been placed on them after they've been put
into play, but they're actually inspected throughout the
process to try to find this kind of defect.

COMMISSIONER LOMBardo: I was just wondering how
in the manufacturing process that mark gets on the back of
a nine of diamonds.

COMMISSIONER JAMISON: If you go to the last one
in the -- the last -- same previous events, it said that
that one showed a defect on the back of the card and it
was a foreign substance that came onto contact with the
engraving plate of that particular card.

COMMISSIONER LOMBardo: So they were all that
way after it got on the engraving plate.

COMMISSIONER JAMISON: Yeah. I don't know that
that's the answer to this one, but that's --

COMMISSIONER LOMBardo: Okay.

CHAIRMAN KOHN: Okay. Any questions of Ed? Is
there a motion to adopt DC-16 --

COMMISSIONER HALE: 067.

CHAIRMAN KOHN: -- 067?

COMMISSIONER HALE: So moved.
COMMISSIONER NEER: Second.

CHAIRMAN KOHN: Discussion on the motion.

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted DC-16-067.

CHAIRMAN KOHN: Okay. Ed.

MR. GREWACH: Under tab G, we have a Preliminary Order of Discipline directed to Lumiere Place Casino for a violation of minimum internal control standard E 1.10. That rule requires that all electronic gaming devices contain approved software.

On October 15, 2015, the MGC conducted a floor audit and discovered an electronic gaming device with revoked bill validator software. Now, the background of this matter is that there was also discovered in May of
2013 an electronic gaming device with revoked bill
validator software. At that point in time a compliance
directive was given to the casino telling them to perform
a floor audit to determine if there were any other revoked
bill validator software on the electronic gaming devices
on their floor.

Now, when we looked specifically at the problem
we found here in October of 2015, this software had been
installed in 2008. When we checked the log on the
machine, it had not been checked or changed since that
installation in 2008. In the preliminary order, you'll
also see there are two more recent cases in July of 2015
and September of 2015 for this specific property involving
revoked or unapproved bill validator software and the
recommended fine is $5,000.

CHAIRMAN KOHN: Any questions? Is there a
motion to approve Resolution 16-067?

COMMISSIONER JAMISON: 068.

CHAIRMAN KOHN: 68, I'm sorry.

COMMISSIONER JAMISON: I move to approve.

COMMISSIONER LOMBARDO: Second.

CHAIRMAN KOHN: We're talking about 16-068. Any
discussion on the motion? Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.
1     MS. FRANKS: Commissioner Neer.
2     COMMISSIONER NEER: Approve.
3     MS. FRANKS: Commissioner Hale.
4     COMMISSIONER HALE: Approve.
5     MS. FRANKS: Commissioner Jamison.
6     COMMISSIONER JAMISON: Approve.
7     MS. FRANKS: Chairman Kohn.
8     CHAIRMAN KOHN: Approve.
9     MS. FRANKS: By your vote you've adopted
10     DC-16-068.
11     CHAIRMAN KOHN: Before you begin on this next
12     item, I'm recusing myself because my law firm does some
13     estate planning and real estate work for one of the
14     shareholders of the Isle of Capri. So Mr. Jamison will
15     take over.
16     COMMISSIONER JAMISON: Ed, please proceed,
17     please.
18     MR. GREWACH: Thank you. Tab H is a Preliminary
19     Order of Discipline directed to Isle of Capri
20     Caruthersville for a violation of Minimum Internal Control
21     Standard Chapter G Section 7.10. This violation comes out
22     of a repeat audit finding. The rule cited requires count
23     team members to clear their hands if moving to or from the
24     table. That's a process of showing their palms and the
25     back of their hands to the other count team members and to
surveillance. During a routine audit by the MGC for a time period from July 2012 to July 2014, a finding was made in the audit of a failure to -- for the count team members to clear their hands in 82 percent of the times observed. The MGC did a follow-up to that audit in July of 2015 and then those observations noted that there was a failure to clear hands by count team members in 64 percent of the times observed. And the recommended fine is $5,000.

COMMISSIONER JAMISON: Okay. Are there any questions in reference to this resolution?

COMMISSIONER NEER: No.

COMMISSIONER HALE: No, sir.

COMMISSIONER LOMBARDO: No.

COMMISSIONER JAMISON: If not, the Chair would entertain a motion on DC-16-069.

COMMISSIONER NEER: Motion to approve.

COMMISSIONER LOMBARDO: Second.

COMMISSIONER JAMISON: Angie, call the roll, please.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: By your vote you've adopted DC-16-069.

CHAIRMAN KOHN: Thank you. Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: Next order of business is Consideration of Placement of Individuals on Exclusion List. Mr. Grewach will present.

MR. GREWACH: Thank you. Under tab I is a resolution to place Alfred Brown on the involuntary exclusion list. Now, this is different from the voluntary exclusion list or the DAP list that we've discussed on prior occasions. The Commission can place a person on this list if they meet the criteria of Rule 15.030.

Mr. Brown fits the criteria in that he was convicted of a felony involving a crime of moral turpitude. Mr. Brown was a pastor of a church in south St. Louis which also operated a day care. Because Mr. Brown had previously been convicted of ten counts of felony theft of healthcare payments in 2003, he was prohibited from being employed with or operating the day care establishment.

Also since 2003, he owed an amount in excess of 250,000 to the Internal Revenue Service. In order to
avoid collection from the Internal Revenue Service, he only reported $7,000 a year as his salary as pastor of the church. However, between 2007 and 2010, he withdrew over $500,000 from the church using the church's checks --

CHAIRMAN KOHN: Say that number again.

MR. GREWACH: $500,000.

CHAIRMAN KOHN: 500,000.

MR. GREWACH: -- using the church's checks, credit cards and debit cards. Through the government's investigation, a substantial amount of those withdrawals were done in area casinos. Now, however, Mr. Brown had very little play at the casinos.

As a matter of fact, there was never a year during that time period where he wagered more than $20,000 and there was never a year in which he lost more than $2,000. So it appears that he would just use the casino as a bank or an ATM or another avenue in which to get money out of the church's account, gamble just a little bit and then leave the property. So he pled guilty, was convicted of filing a false tax return and was sentenced to one year in prison.

CHAIRMAN KOHN: And what is your -- do you have a recommendation?

COMMISSIONER JAMISON: They're placing him on the exclusion list.
CHAIRMAN KOHN: Oh, that is the --

MR. GREWACH: The resolution then does place him on the involuntary exclusion list. How this works, then, he'll get notice of the Commission's action in this regard, he'll have 30 days to request a hearing. If he doesn't request a hearing, then the placement on the list becomes final. If he does request a hearing, we'll have a hearing similar to the hearings that Mr. Steib presented today at a future Commission meeting date.

CHAIRMAN KOHN: Okay. And how is that -- how is that enforced?

MR. GREWACH: That is enforced -- the Commission keeps a database of everyone who's on the voluntary DAP list and everybody who's on the involuntary DAP list. The casinos are required with every seven days to download an update of that list. So the casino is required to have a current list from our computer database of everyone who's on either the DAP list or the involuntary exclusion list.

If one of those persons is found on the property, if they win a taxable jackpot, if they attempt to make a cash transaction at a cage, any of those items happen, the person is arrested for trespassing at that point in time.

CHAIRMAN KOHN: And this applies to all casinos in Missouri as well as all casinos outside of Missouri
or --

MR. GREWACH: Only applies in Missouri. Now, some states, as we do, as you can see from the text, the 15.030, that's in the first paragraph of the proposed resolution, we also have a provision that if you're on another state's list, we can automatically add you to ours. So there could be other states that take our list on a regular basis and use it to update theirs. But we only have authority to exclude people for the 13 casinos in Missouri.

CHAIRMAN KOHN: Any questions?

COMMISSIONER LOMBARDO: No.

COMMISSIONER NEER: No, sir.

CHAIRMAN KOHN: Is there a motion to approve Resolution No. 16-018?

COMMISSIONER LOMBARDO: Motion to approve.

COMMISSIONER HALE: Second.

CHAIRMAN KOHN: Discussion on the motion?

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approved.
MS. FRANKS: By your vote you've adopted Resolution No. 16-018.

CHAIRMAN KOHN: Mr. Grewach, you're still up.
MR. GREWACH: Tab J is another resolution to place Paul G. Parker, II on the involuntary exclusion list. Mr. Parker was an insurance agent and he embezzled $260,000 from clients between 2012 and 2013. He had an extensive gambling history in St. Louis area casinos. Matter of fact, between -- through 2012 through 2014, his losses totaled $590,000.

He pled guilty on April the 9th, 2015 of mail fraud and filing a false tax return and received a three-year prison sentence and was ordered to pay restitution in the sum of $280,000. So he qualifies for the list of -- by being convicted of a crime involving -- a felony involving moral turpitude.

CHAIRMAN KOHN: So this is the same involuntary DAP list?
MR. GREWACH: Correct. Involuntary list.
CHAIRMAN KOHN: Any questions?
COMMISSIONER HALE: I have none.
COMMISSIONER NEER: No, sir.

CHAIRMAN KOHN: Is there a motion to approve Resolution No. DC-16-1 -- dash 018.

COMMISSIONER HALE: So moved.

CHAIRMAN KOHN: I'm sorry. I'm still back. 16-019.

COMMISSIONER HALE: So move.

COMMISSIONER NEER: Second.

CHAIRMAN KOHN: Discussion on the motion.

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 16-019.

CHAIRMAN KOHN: Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: Next order of business is Consideration of Rules and Regulations.
MR. GREWACH: Thank you. Under tab K, we have Final Orders of Rulemaking to Chapter 12 of our rules, Liquor Control. As a background there's state statute 313.840, which designates the Commission as a sole liquor licensing authority for the casinos and any property owned and operated by the licensee adjacent to the casinos.

Now, this review and amendment to Chapter 12 really came from two sources. The staff here, it came to our attention that there was a pattern of the same questions coming up repeatedly on issues of liquor control. So one thing we did is we got together the people that dealt with it here on a daily basis to brainstorm and talk about those questions. And so we then set out to adapt changes to the rules, to clarify and to give some final answers to those questions that tended to come up on a frequent basis.

Additionally, we had some input from the industry because our rules were different than the state alcohol and tobacco control, the state liquor control rules, and they expressed some interest in having a level playing field with other licensees that state liquor control licensed who were neighboring to the casinos where they operated. So we looked at our regulations and attempted to import, as much as we could, from state
liquor control regulations to create that level playing field.

We then drafted a Proposed Order of Rulemaking, which this Commission approved on January the 13th, 2016. There was a public written comment period after that and then there was a public hearing on March 29, 2016. The only comment we received was on Rule 12.090. So when you look at the resolutions before you, for those rules in which we received no comment, the actual original proposed rule is not reprinted here and that's per the Secretary of State's guidelines.

But just to kind of go back over some of the main topics that were covered in those other rules, one was that we changed it so that the liquor outlets on the boat are all licensed separately and the reasoning behind that is if there are repeated violations of one particular liquor outlet on a boat, we can take some action to suspend or possibly revoke that specific outlet as opposed to having to suspend or revoke the entire casino's liquor outlet. Because, in our experience, we've found that some outlets have more troubles and problems than others.

The -- another major area and questions that had come up were employees' consumption of alcohol. The changes to the rule prohibited any employee from consuming alcohol on the gaming floor or anywhere while they were on
duty. Another general area that was really more in
response to questions that we received is we changed the
rule to allow private functions, renting, let's say, a
conference room or a ballroom from a casino, to provide
their own alcohol, however, we require the licensee's
employees to serve that alcohol.

We did get, as I indicated, comments on Section
12.090. That was the rule that defines lewd and improper
acts on the license premises. Again, initially, we had
incorporated verbatim the state liquor control rules. In
response to the comments, we've made the changes that you
see in the Order of Rulemaking before you.

We've discussed and got input from Mike Winter,
the Executive Director of the Missouri Gaming Association,
concerning these rules and if the Commission approves this
Final Order of Rulemaking, this rule will become effective
on August the 30th, 2016.

CHAIRMAN KOHN: So you've covered 12.010 through
12.090?

MR. GREWACH: Correct.

CHAIRMAN KOHN: Any questions of Mr. Grewach?

COMMISSIONER HALE: No, sir.

CHAIRMAN KOHN: Okay. And can we approve all --
can we approve 11 CSR 45-12.010 through 019?

MR. GREWACH: You do. You just have to --
CHAIRMAN KOHN: 090.

COMMISSIONER JAMISON: List all them out.

MR. GREWACH: -- list all the rules in the
motion, but they can all be done in the same motion.

CHAIRMAN KOHN: That sounds like a job for you.

COMMISSIONER JAMISON: I move for approval of 11
CSR 45-12.010, .020, .030, .040, .050, .060, .70 -- .070,
let me correct that, .080, and .090.

CHAIRMAN KOHN: Would anyone like to repeat
that? Is there a second to the motion?

COMMISSIONER NEER: I'll second.

CHAIRMAN KOHN: Discussion on the motion.

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted the
Final Orders of Rulemaking 11 CSR 45-12.010, 12.020,
MR. GREWACH: Thank you.
CHAIRMAN KOHN: Brian, she does it better.
COMMISSIONER JAMISON: She does do it better.
CHAIRMAN KOHN: Mr. Seibert.
COMMISSIONER JAMISON: And there's a lot of
things she does better than I do.
EXECUTIVE DIRECTOR SEIBERT: Mr. Chair, the next
order of business is Consideration of Licensure of Certain
Supplier & Key Business Entity. Sergeant Gary Davidson
will present.
CHAIRMAN KOHN: Sergeant.
SERGEANT DAVIDSON: Mr. Chairman, Commissioners,
good morning.
CHAIRMAN KOHN: Good morning.
SERGEANT DAVIDSON: If you'd please refer to
Resolution 16-020 under tab L and 16-021 under tab M
involving the licensure of Everi Games Holding
Incorporated and Everi Games Incorporated. On January 21,
2015, Multimedia Games Holding Company, Incorporated and
Multimedia Games, Incorporated made application to the
Missouri Gaming Commission to be licensed as a Supplier
Key Business Entity and Supplier respectively.
On August 24, 2015, the name of Multimedia Games
Holding, Incorporated was changed to Everi Games Holding Incorporated and Multimedia Games, Incorporated was changed to Everi Games Incorporated.

Missouri State Highway Patrol and Missouri Gaming Commission Financial Investigators conducted background investigations to assist the Missouri Gaming Commission in determining each company's suitability for licensure. These investigations included the evaluation of jurisdictional inquiries, disciplinary actions, litigation, business credit profiles, feedback from affected gaming company clients, financial analyses and a review of the key persons associated with each of the companies.

A comprehensive summary report for each detailing the results of these investigations were provided to the Gaming Commission for their review and there are investigators here present to answer any questions that you may have.

CHAIRMAN KOHN: Are there any questions of Sergeant Davidson?

COMMISSIONER LOMBARDO: No.

CHAIRMAN KOHN: Is there a motion to approve Resolution 16-020?

COMMISSIONER LOMBARDO: Motion to approve.

COMMISSIONER HALE: Second.
CHAIRMAN KOHN: Discussion on the motion.

Angie.

MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.
MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.
MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Approve.
MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.
MS. FRANKS: By your vote, you've adopted Resolution No. 16-020.
CHAIRMAN KOHN: Is there a motion to approve Resolution 16-021?
COMMISSIONER LOMBARDO: Motion to approve.
COMMISSIONER HALE: Second.
CHAIRMAN KOHN: Discussion on the motion.
Angie.

MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.
MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.
MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted Resolution No. 16-021.

CHAIRMAN KOHN: Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: Next order of business is Consideration of Relicensure of Certain Supplier. Sergeant Sammy Seaton will present.

SERGEANT SEATON: Mr. Chairman, Commissioners,

good morning.

CHAIRMAN KOHN: Good morning.

SERGEANT SEATON: Missouri State Highway Patrol Investigators and Missouri Financial Investigators conducted an investigation of Ainsworth Game Technology Limited to determine the company's suitability to continue operating as a licensed gaming supplier company in Missouri. This investigation consisted of multiple jurisdictional inquiries, feedback from affected gaming company clients, a review of disciplinary actions and current litigation, a financial analysis, as well as a review of the key persons associated with the company.

The results of our investigation were provided
to the Gaming Commission Staff for their review and
specific details related to those findings are contained
in the comprehensive summary report before you. The
investigators are available to entertain any questions you
may have. Thank you.

CHAIRMAN KOHN: Are there any questions?

COMMISSIONER HALE: Yes, sir. As I understand
it, it was an earlier application from Mr. Ainsworth or
involving Mr. Ainsworth that initially was rejected?

SERGEANT SEATON: Yes, sir. That is correct.

COMMISSIONER HALE: Okay. I know from my review
of the report regarding this application that there were
issues in connection with the earlier application that
were issues of concern, as I understand it, for the
Commission Staff. I didn't see -- and I may have missed
it, but I did not see specifically what those issues were.
Is there any way you guys could address that?

MR. GREWACH: If you're talking about the --
there was a prior case where there was initial --

COMMISSIONER HALE: That's what I'm talking
about.

MR. GREWACH: Right. And that involved some
of -- some of the criminal history involving the CEO of
the company and some associations. That came before the
Commission. The Commission found Mr. Ainsworth, the CEO
and the company all suitable for licensure at that point in time. And as far as we know, those issues aren't -- those specific issues that existed then really aren't presented in this report that you have before you today.

COMMISSIONER HALE: I take it from what you've just said, then, that those concerns that were previously expressed regarding these people are no longer concerns?

MR. GREWACH: That would be correct.

COMMISSIONER HALE: Okay. All right. Thank you.

CHAIRMAN KOHN: Any other questions?

COMMISSIONER NEER: Were these -- it says currently six legal litigations pending, lawsuits pending. Did you look into any of those to indicate -- I see the general nature of them here, but it's your opinion that regardless of what the results of any of that litigation, it would not negatively impact their ability to do business with Missouri Gaming?

SERGEANT SEATON: Yes, sir. We did review the litigation that they have and it seemed routine in nature and we did inquire with Ainsworth and their general counsel and received a statement from them that a negative ruling in any of that litigation would have no material effect on the company.

COMMISSIONER NEER: Okay. Thank you.
CHAIRMAN KOHN: Any other questions? Seeing none, is there a motion to approve Resolution 16-022?

COMMISSIONER JAMISON: So moved.

COMMISSIONER NEER: Second -- second.

CHAIRMAN KOHN: Any discussion on the motion?

Okay. Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted Resolution No. 16-022.

CHAIRMAN KOHN: Okay. Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: Next order of business is Consideration of Licensure of Certain Level I and Key Applicants. Sergeant Jason McTheeney will present.

SERGEANT McTHEENEXY: Mr. Chairman and Commissioners, good morning.
CHAIRMAN KOHN: Good morning.

SERGEANT McTHEENEY: Missouri State Highway Patrol Investigators, along with the Missouri Gaming Commission Financial Investigators, conducted comprehensive background investigations on multiple Key and Level I applicants. The investigations included, but were not limited to criminal, financial and general character inquiries which were made in the jurisdictions where the applicants lived, worked and frequented.

The following individuals are being presented for your consideration: Sandra W. Beaver, Vice President North America Gaming with IGT Global Solutions Corporation; Marc A. Beilinson, a Director with Caesars Acquisition Company; Alberto Dessy, Director, International Games Technology PLC; Jeremy James Hanley, Director with International Games Technology PLC; Daniel Ray Harris, Security Manager, Lady Luck Casino, Caruthersville; and James Francis McCann, Director with International Games Technology PLC.

The results of these investigations were provided to the Gaming Commission Staff for their review and you have all related summary reports before you. Thank you.

CHAIRMAN KOHN: Is there -- I haven't heard this part of the process before. Is there some reason that
these are all combined into one? Even though they're
different companies and different --

MR. GREWACH: I --

CHAIRMAN KOHN: These are all the
investigations?

MR. GREWACH: Yes, it is and probably just for
the sake of efficiency to have one resolution and then
attach the list to those persons. Now, if there's ever
any one person on the list that the Commissioners have
doubts should be licensed, then obviously there could be a
vote to -- directing us to amend the resolution to delete
that person.

But we have to, if we did that, make a specific
finding of unsuitability and the rule provides that if
you're going to find someone unsuitable, there's certain
requirements in that resolution that we have to outline
and delineate of what we believe give rise to the grounds
for unsuitability. But other than saying this is the way
we've always done it, I can only guess that it was just
done for efficiency's sake.

CHAIRMAN KOHN: I love that answer.

COMMISSIONER JAMISON: But, historically, we
have done that in the past. We've approved like five out
of the six and then taken the sixth one to a closed
session and did some discussion and then brought it back
for licensure at a later meeting.

CHAIRMAN KOHN: So should we at least allow discussion on individuals before we vote on the one resolution?

MR. GREWACH: It depends. The difficulty with the individuals is in the reports you're going to find a lot of non-public information that we have the right to access to because we're a regulatory agency, tax records, financial records, possibly arrests that didn't lead to any charges or convictions, domestic issues, things that if you're going to take one individual off of here and want to talk about them, my suggestion would be that you go into closed session, talk about that individual, then come back out and vote on the resolution as a whole at that point in time. I think that would be the most efficient way to do that.

CHAIRMAN KOHN: And in closed session we would have access to that information?

MR. GREWACH: Absolutely.

CHAIRMAN KOHN: I will leave it up to the Commissioners, but I would opt for following that process.

COMMISSIONER HALE: I would agree.

COMMISSIONER JAMISON: Which one do you --

CHAIRMAN KOHN: Go into closed session to --

COMMISSIONER JAMISON: Which one do you want to
CHAIRMAN KOHN: I don't know.
COMMISSIONER HALE: I've got Marc Alan Beilinson that I'd like to discuss in closed session.
COMMISSIONER JAMISON: I guess my thoughts is you would only take the ones out that any commissioner has a question of that we've already referenced.
CHAIRMAN KOHN: You'd rather vote on the others now?
COMMISSIONER HALE: Approve them.
CHAIRMAN KOHN: I was going to vote on all of them and come back.
COMMISSIONER JAMISON: I'd vote on the -- if Larry wants to remove one, then he can make a motion to approve the rest of them minus the one and then take the other one in closed.
COMMISSIONER HALE: We can do that.
CHAIRMAN KOHN: Are there any others that any commissioner would like to remove from the general resolution?
COMMISSIONER LOMBARDO: No.
CHAIRMAN KOHN: Why don't you make a motion?
COMMISSIONER HALE: At this time, Mr. Chairman, I would move that we consider -- the Commission consider the resolution excluding the name of Marc Alan Beilinson,
which I'd like to discuss in closed session.

CHAIRMAN KOHN: So when you say consider, you mean approve?

COMMISSIONER HALE: Consider for approval, correct.

CHAIRMAN KOHN: Okay. Is there a second to that motion?

COMMISSIONER NEER: I'll second.

CHAIRMAN KOHN: Any discussion on that motion?

Okay. Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted Resolution No. 16-023 excluding Marc Alan Beilinson.

CHAIRMAN KOHN: Okay. And we will report out after closed session. Mr. Seibert.

EXECUTIVE DIRECTOR SEIBERT: The next order of
business is Consideration of Waiver of Institutional Investors. Miss Martha LeMond will present.

MS. LeMOND: Mr. Chairman, Commissioners, good morning.

CHAIRMAN KOHN: Good morning.

MS. LeMOND: Behind tab P and Q are resolutions regarding waivers of licensure for institutional investors holding and/or requesting to hold publicly traded interests of up to 20 percent in gaming licensees. These investors have submitted requests for waivers to hold interest in these licensees in compliance with 11 CSR 45-4. The submitted waiver request certifies the holding is for institutional investment purposes only with no intent to be involved in the management or operation of the licensee.

Because the holdings may exceed the 10 percent threshold for which the Executive Director may grant a waiver, these resolutions are before the Commission today. Resolution No. 16-024 is for Bennelong Funds Management Group Proprietary Limited and Resolution No. 16-025 is for Fuller & Thaler Asset Management, Inc. Any questions?

CHAIRMAN KOHN: What are they investing in and what percent will their investment constitute?

MS. LeMOND: They are investing only in a single licensee. Bennelong is investing in Aristocrat and Fuller
& Thaler is investing in Everi.

CHAIRMAN KOHN: And what are the casinos?

MS. LEMONDE: They're suppliers that we license,
yes.

CHAIRMAN KOHN: Okay. So suppliers to all the
casinos or more than one?

MS. LEMONDE: They supply -- yeah, that's
correct.

CHAIRMAN KOHN: All right. Any questions?

COMMISSIONER HALE: No, sir.

CHAIRMAN KOHN: Is there a motion to approve
16-024?

COMMISSIONER HALE: So moved.

COMMISSIONER LOMBARDO: Second.

CHAIRMAN KOHN: Discussion on the motion?

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approve.

MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Approve.

MS. FRANKS: By your vote you've adopted Resolution No. 16-024.

CHAIRMAN KOHN: Is there a motion to approve Resolution 16-025?

COMMISSIONER HALE: So moved.

CHAIRMAN KOHN: Is there a second?

COMMISSIONER LOMBARDO: Second.

CHAIRMAN KOHN: Discussion on that motion?

Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approved.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 16-025.

CHAIRMAN KOHN: I think that concludes our business for this open session. Is there a motion to go into closed session? Brian, that's your job.
COMMISSIONER JAMISON: Okay. I move to move into closed meeting under Sections 313.847 Revised Missouri Statutes, Investigatory, Proprietary and Application Records and 610.021, Subsection 1, Revised Missouri Statutes, Legal Actions, Subsection 3 and Subsection 13, Personnel and Subsection 14, Records Protected from Disclosure by Law.

CHAIRMAN KOHN: Is there a second?

COMMISSIONER LOMBARDO: Second.

CHAIRMAN KOHN: Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approved.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approved.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved. We will go into closed session and come out with our -- whatever we need to do in open session afterwards. Okay. This session is adjourned.

(Break in proceedings.)

CHAIRMAN KOHN: The Missouri Gaming Commission
session of April 27 is reopened. We need a roll call.

MS. FRANKS: Yes, please.
CHAIRMAN KOHN: Okay.

MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Present.

MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Present.

MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Present.

MS. FRANKS: Commissioner Jamison.
COMMISSIONER JAMISON: Present.

MS. FRANKS: Chairman Kohn.
CHAIRMAN KOHN: Present. We have one additional resolution to consider and approve which was discussed in our closed session. Is there a motion to approve Resolution No. 16-026?

COMMISSIONER JAMISON: So moved.
COMMISSIONER HALE: Second.
CHAIRMAN KOHN: Discussion on the motion?

Angie.

MS. FRANKS: Commissioner Lombardo.
COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.
COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.
COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

MS. FRANKS: By your vote you've adopted Resolution No. 16-026.

CHAIRMAN KOHN: Is there any additional business to come before this meeting? If not, we are adjourned.

MS. FRANKS: We need to --

COMMISSIONER JAMISON: I move for adjournment.

CHAIRMAN KOHN: Is there a second to the motion?

COMMISSIONER NEER: Second.

CHAIRMAN KOHN: Angie.

MS. FRANKS: Commissioner Lombardo.

COMMISSIONER LOMBARDO: Approve.

MS. FRANKS: Commissioner Neer.

COMMISSIONER NEER: Approve.

MS. FRANKS: Commissioner Hale.

COMMISSIONER HALE: Approve.

MS. FRANKS: Commissioner Jamison.

COMMISSIONER JAMISON: Approved.

MS. FRANKS: Chairman Kohn.

CHAIRMAN KOHN: Approved.

(Proceedings concluded at 11:40 A.M.)
CERTIFICATE OF REPORTER

I, Julie K. Kearns, Certified Court Reporter (MO), Certified Shorthand Reporter (IL), Registered Professional Reporter and Certified Realtime Reporter within and for the State of Missouri, do hereby certify that I was personally present at the proceedings had in the above-entitled cause at the time and place set forth in the caption sheet thereof; that I then and there took down in Stenotype the proceedings had; and that the foregoing is a true and correct transcript of such Stenotype notes so made at such time and place.

______________________________
Julie K. Kearns, CCR #993, CSR, RPR, CRR