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BEFORE THE MISSOURI GAMING COMMISSION
3417 KNIPP DRIVE
JEFFERSON CITY, MISSOURI 65109

TRANSCRIPT OF HEARING

May 29, 2024

9:30 A.M.

JAN ZIMMERMAN, Commission Chairman

DAVID W. HANE, Commissioner

PAT CONWAY, Commissioner

KEVIN SPAULDING, Commissioner (Appearing via Zoom)

PEGGY D. RICHARDSON, Executive Director

P R O C E E D I N G S

1
2 CHAIRMAN ZIMMERMAN: Good morning and welcome,
3 everyone, to the May meeting of the Missouri Gaming
4 Commission. I'll call the May 29, 2024 Missouri Gaming
5 Commission meeting to order. Angie, would you call the roll?

6 MS. FRANKS: Chairman Zimmerman?

7 CHAIRMAN ZIMMERMAN: Present.

8 MS. FRANKS: Commissioner Conway?

9 COMMISSIONER CONWAY: Present.

10 MS. FRANKS: Commissioner Hane?

11 COMMISSIONER HANE: Present.

12 MS. FRANKS: Commissioner Spaulding?

13 COMMISSIONER SPAULDING: Present.

14 CHAIRMAN ZIMMERMAN: We have a quorum, so let's get
15 started.

16 First we have some Team Member Recognition. Judge,
17 I'll defer to you as this is your last meeting, who do you
18 want to recognize?

19 DIRECTOR RICHARDSON: If you don't mind, I'm going to
20 stand over here, okay. Unlike Tim McGrail, I always have to
21 write my comments out.

22 well, today we're happy to do a couple of team member
23 recognitions. First of all, Jennifer Bruns. Where is
24 Jennifer? She's only like four foot tall, so jump up and
25 down. well, there she is.

1 Today we want to recognize Jennifer, and I'll bring her
2 up here in a little bit. We want to recognize Jennifer Bruns
3 for 25 years of service to the Missouri Gaming Commission.
4 Now, we have a lot of Jennifers that work at the Gaming
5 Commission, so we affectionately refer to her as "J Bru."
6 When they call her by her full name, I have to stop and think
7 who they're talking about.

8 So J Bru and her team make sure that all the admission
9 fees and the daily tax remittals are reconciled and received.
10 If I say any of this wrong, I know she's going to correct me.
11 I'm counting on you.

12 MS. BRUNS: I know.

13 DIRECTOR RICHARDSON: They keep track of all the gaming
14 revenue and prepare the reports and the charts that we use in
15 our daily business and also the very nice charts that you see
16 in our annual report. Thank you for always being willing to
17 modify those, Jennifer.

18 In her spare time, J Bru loves to travel. We all live
19 vicariously through J Bru and her travels. Also, she is a
20 loyal Kansas City Chiefs and a Kansas City Royals fan, even
21 though in her house it is a house divided because not
22 everybody in her house are Royals fans. Thank you for
23 remaining loyal.

24 She is an avid fisherman, fisherwoman, fisher. She
25 loves fishing, and if you want some tips on the best way to

1 fish, that's the gal to talk to. And you've still got that
2 hot car; right?

3 MS. BRUNS: Yes.

4 DIRECTOR RICHARDSON: At local car shows on any nice
5 day, you might find Jennifer and her husband showing off their
6 1971 Dodge Charger Super Bee, a very nice looking car.

7 So, Jennifer, come on up here. You know, 25 years is
8 quite an accomplishment. We do have a lot of long-term
9 employees here, but 25 years is a big deal. So, Jennifer or
10 J Bru, for your 25 years of dedicated service with the
11 Missouri Gaming Commission, we thank you, we appreciate your
12 service, and this comes with eight hours of administrative
13 leave, the best part.

14 MS. BRUNS: That is the best part.

15 DIRECTOR RICHARDSON: You get that, and Liz is going to
16 take a picture here.

17 [ROUND OF APPLAUSE]

18 MS. BRUNS: Thank you.

19 DIRECTOR RICHARDSON: Yes, Susie, I know I went off
20 script a little bit there.

21 Well, in 1976, a young Randy Nielsen became a trooper
22 with the Missouri State Highway Patrol. After 20 years with
23 the Patrol, he signed on with the Gaming Division where he
24 served until his retirement from the Patrol in 2009.

25 Apparently Randy enjoyed gaming so much that he came to

1 work for the Missouri Gaming Commission as an EGD Specialist
2 in our Kansas City office.

3 Randy is not only a valued employee, he is the father
4 of two grown children. He also likes to fish and hunt and
5 garden, but he also likes to serve other people. For several
6 years now, Randy has volunteered on the divorce care program
7 at his church, and this program counsels couples going through
8 the turmoil of a divorce, and sometimes marriages are saved.

9 So, Randy, why don't you come on up here, if you would.
10 As an EGD Specialist, Randy is responsible for ensuring the
11 integrity and the accuracy of the electronic gaming devices,
12 and that is no small task because the Kansas City office
13 serves six casinos and thousands of machines.

14 So, Randy, I'll step out here so our photographer --
15 wherever she went to. First of all, I want to present you
16 with this Certificate of Appreciation for your 15 years of
17 service to the Missouri Gaming Commission. So this also
18 comes -- now, I know you've got other plans, but this also
19 comes with eight hours of administrative leave. I hope you
20 have time to take that.

21 Don't go away. Wait, let's see here, Liz wants to take
22 your picture. All right, so don't go away.

23 Like the length of your beard, Randy, our appreciation
24 and respect for you and the work that you do has grown over
25 the years, and today we want to recognize you on the occasion

1 of your retirement. Fifteen years with the Missouri Gaming
2 Commission and 33 years with the Missouri State Highway Patrol
3 makes Randy a 48-year public servant.

4 Randy, we have this Certificate of Retirement for you,
5 and we want to thank you not only for your service to the
6 Missouri Gaming Commission and also to the people of the State
7 of Missouri for your 48 years altogether. Thank you so much.
8 How about a hand for Randy?

9 [ROUND OF APPLAUSE]

10 DIRECTOR RICHARDSON: Thank you, Chairman.

11 CHAIRMAN ZIMMERMAN: Thank you. And congratulations to
12 both Jennifer and Randy.

13 The first item this morning is the Adoption of the
14 Agenda. I move that we adopt today's agenda. Is there a
15 second?

16 COMMISSIONER CONWAY: Second.

17 CHAIRMAN ZIMMERMAN: Any discussion? Seeing none,
18 Angie, would you call the roll?

19 MS. FRANKS: Chairman Zimmerman?

20 CHAIRMAN ZIMMERMAN: Approved.

21 MS. FRANKS: Commissioner Conway?

22 COMMISSIONER CONWAY: Approved.

23 MS. FRANKS: Commissioner Hane?

24 COMMISSIONER HANE: Approved.

25 MS. FRANKS: Commissioner Spaulding?

1 COMMISSIONER SPAULDING: Approved.

2 MS. FRANKS: By your vote, you've adopted the agenda.

3 CHAIRMAN ZIMMERMAN: The next item of business is
4 Consideration of the Minutes from the April meetings. I move
5 that the minutes of the April 23 and 24, 2024 meetings be
6 approved. Is there a second?

7 COMMISSIONER HANE: Second.

8 CHAIRMAN ZIMMERMAN: Any discussion? Seeing none,
9 Angie, would you call the roll?

10 MS. FRANKS: Chairman Zimmerman?

11 CHAIRMAN ZIMMERMAN: Approved.

12 MS. FRANKS: Commissioner Conway?

13 COMMISSIONER CONWAY: Approved.

14 MS. FRANKS: Commissioner Hane?

15 COMMISSIONER HANE: Approved.

16 MS. FRANKS: Commissioner Spaulding?

17 COMMISSIONER SPAULDING: Approved.

18 MS. FRANKS: By your vote, you've adopted the minutes
19 of the April 23 and 24, 2024 meetings.

20 CHAIRMAN ZIMMERMAN: Next we have Consideration of
21 Resolution 24-024, Licensure of Level I Key Applicants.
22 Sergeant Sammy Seaton will be making the presentation.

23 SERGEANT SEATON: Chairman Zimmerman and Commissioners,
24 good morning. Missouri State Highway Patrol Investigators and
25 Missouri Gaming Commission Financial Analysts conducted

1 comprehensive background investigations on multiple key and
2 Level I applicants. These investigations included, but were
3 not limited to, civil, criminal, financial, and general
4 character inquiries that were made in the jurisdictions where
5 the applicants have lived, worked, and frequented.

6 The following applicants are being presented for your
7 consideration.

8 Lydia Joann D'Amore, Gaming Laboratories International,
9 LLC, Director of Regulatory Compliance.

10 Salah Debs, Affinity Interactive, Director of Internal
11 Audit.

12 Sally Ann Denby, Aristocrat Leisure Limited, Chief
13 Financial Officer.

14 Tracey Lee Elkerton, Aristocrat Leisure Limited, Chief
15 Compliance Officer.

16 Todd Dwaine Grantz, Hollywood Casino St. Louis,
17 Director of Casino Operations.

18 Tracy Sophia Harris, Bally's Corporation, Director.

19 Jason Roedel Huntington, River City Casino,
20 Surveillance Manager.

21 Debra Lee Nutton, Everi Holdings, Incorporated,
22 Director, Member of the Board of Directors.

23 John Charles Roeger, Junior, Ameristar Casino Kansas
24 City, Assistant General Manager.

25 Craig Terence Toner, Aristocrat Technologies,

1 Incorporated, Director, Secretary and Treasurer.

2 The respective investigative findings were provided to
3 the Missouri Gaming Commission Staff for their review, and the
4 investigators are available to answer any questions you might
5 have. Thank you.

6 CHAIRMAN ZIMMERMAN: Any questions for Sergeant Seaton?

7 COMMISSIONER HANE: That's quite a list.

8 CHAIRMAN ZIMMERMAN: Questions?

9 COMMISSIONER CONWAY: No.

10 CHAIRMAN ZIMMERMAN: Seeing none, thank you, Sergeant.

11 I move to approve Resolution 24-024. Is there a second?

12 COMMISSIONER CONWAY: Second.

13 CHAIRMAN ZIMMERMAN: Is there any further discussion?

14 Angie, would you call the roll?

15 MS. FRANKS: Chairman Zimmerman?

16 CHAIRMAN ZIMMERMAN: Approved.

17 MS. FRANKS: Commissioner Conway?

18 COMMISSIONER CONWAY: Approved.

19 MS. FRANKS: Commissioner Hane?

20 COMMISSIONER HANE: Approved.

21 MS. FRANKS: Commissioner Spaulding?

22 COMMISSIONER SPAULDING: Approved.

23 MS. FRANKS: By your vote, you've adopted Resolution
24 Number 24-024.

25 CHAIRMAN ZIMMERMAN: Our next item of business is

1 consideration of Resolution 24-025, Relicensure of Key
2 Persons. Corporal Don Doza will be making the presentation.

3 CORPORAL DOZA: Good morning, Ms. Chairman and
4 Commissioners.

5 Missouri State Highway Patrol Investigators conducted
6 background investigation updates on Key Person License
7 renewals. The investigations included an application review
8 as well as civil, criminal, and general character inquiries
9 made in the jurisdictions where the applicants currently
10 reside.

11 The following renewals are being presented for your
12 consideration.

13 Diana Fine Cantor, Director, VICI Properties,
14 Incorporated.

15 Linda Verlaine Castle, Senior Vice President, AML
16 Compliance, Caesars Entertainment, Incorporated.

17 Maureen Therese Mullarkey-Miller, Director, Everi
18 Holdings, Incorporated.

19 Aaron Bradley Rosenthal, SVP, Regional Operations, PENN
20 Entertainment, Incorporated.

21 And Donald Craig Wren, VP and General Manager, Affinity
22 Interactive.

23 There are no pending requests for these investigations.
24 Investigative findings were provided to the Missouri Gaming
25 Commission Staff for their review, and I would be glad to

1 answer any questions you might have. Thank you.

2 CHAIRMAN ZIMMERMAN: Any questions for Corporal Doza?

3 All right, thank you, Corporal.

4 I move to approve Resolution 24-025. Is there a
5 second?

6 COMMISSIONER HANE: Second.

7 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
8 would you call the roll?

9 MS. FRANKS: Chairman Zimmerman?

10 CHAIRMAN ZIMMERMAN: Approved.

11 MS. FRANKS: Commissioner Conway?

12 COMMISSIONER CONWAY: Approved.

13 MS. FRANKS: Commissioner Hane?

14 COMMISSIONER HANE: Approved.

15 MS. FRANKS: Commissioner Spaulding?

16 COMMISSIONER SPAULDING: Approved.

17 MS. FRANKS: By your vote, you've adopted Resolution
18 Number 24-025.

19 CHAIRMAN ZIMMERMAN: The next item on our agenda is
20 consideration of Disciplinary Actions DC-24-052, Ameristar
21 Casino St. Charles and DC-24-053, Harrah's of Kansas City.
22 General Counsel Heather Richenberger will make both
23 presentations, but we'll vote separately on it.

24 MS. RICHENBERGER: Good morning, Chairman and
25 Commissioners.

1 Under Tab E is Ameristar Casino St. Charles. This
2 Preliminary Order of Discipline is directed at Ameristar
3 Casino St. Charles for alleged violations of the Commission's
4 Minimum Internal Control Standards, the MICS.

5 In this matter, MGC completed a compliance audit for
6 the period of November 1 of 2020 through May 31 of 2023 and
7 issued MGC Audit Report Numbers 23-13 and 23-14 to the casino
8 on September 25 of 2023.

9 During that audit, three exceptions were noted which
10 have been previously noted in MGC audit reports, the first
11 being that unauthorized employees had access to create player
12 accounts and/or print player cards in violation of the MICS,
13 Chapter I, Section 12.03.

14 That section authorizes only certain casino positions
15 to create player reward accounts and to print player cards.
16 Those positions are identified as ticketing employees, table
17 game supervisors, assistant pit managers, and pit managers.

18 The current audit, 23-13, noted that eight employees
19 who were not authorized had excess -- correction, had system
20 access to create player accounts and/or print player cards.
21 The eight employees with the inappropriate access were the
22 cook, an Asia Restaurant Manager, two host/cashiers for the
23 Star Club, a restaurant manager, a food server at the Star
24 Club, a restaurant assistant manager, and an executive casino
25 host.

1 The previous Audit Report Number 20-20 issued on
2 December 30 of 2020 included a finding that four employees who
3 were not ticketing employees had access to create player
4 accounts. Those four employees with the inappropriate access
5 were the vice president of finance, security shift manager,
6 cage and credit manager, and an executive casino host.

7 A followup to this finding was conducted in June and
8 July of 2021, and it was found that the cage and credit
9 manager and 11 executive casino hosts had inappropriate access
10 to create player accounts. The second repeat exception
11 involved employees who had system access to create player
12 accounts as well as system access to add or adjust player
13 points.

14 This was a violation of the MICS, Chapter I, Section
15 13.03 which states that casino employees who issue player
16 cards shall not be allowed to add or adjust player reward
17 points except for the table game supervisors, assistant pit
18 managers, and the pit managers.

19 The current Audit Report 23-13 noted that the corporate
20 digital media manager, human resources internal communications
21 and community relations manager, the prior marketing manager,
22 who was no longer employed by the casino, and the director of
23 casino marketing had system access to create player accounts
24 and to add or adjust points.

25 The previous Audit Report Number 20-20 issued on

1 December 30 of 2020 included a finding which noted that the
2 vice president of finance, two compliance specialists, a
3 security shift manager, the cage and credit manager, executive
4 casino host, and the director of regulatory compliance had
5 system access to create player accounts and system access to
6 add and adjust points.

7 A followup to this finding was conducted in June and
8 July of 2021, and it was found that the director of regulatory
9 compliance and compliance specialist had access to create
10 player accounts and adjust points in the newly installed table
11 games system.

12 The audit report prior to Report number 20-20 also
13 noted this same violations. That was Report 18-23. It was
14 issued on November 21 of 2018 and noted that four MyChoice
15 supervisors, five lead MyChoice representatives, the MyChoice
16 manager, two compliance specialists, the director of
17 regulatory compliance, and the player development coordinator
18 had system access to issue player cards and adjust player
19 points.

20 The third repeat violation was that a current list of
21 all user accounts, including the employee's name and the
22 individual's corresponding user provisioning access for all
23 critical IT systems, including OneLink, was not retained for
24 at least one day of each month for the most recent five years.
25 This was a violation of the MICS, Chapter S, Section 9.04.

1 The current Audit Report 23-13 found that the required
2 list of all user accounts and corresponding provisioning
3 access for all critical IT systems was not being retained.
4 The previous Audit Report 20-21 issued December 30 of 2020
5 included this same finding.

6 These three repeat audit exceptions involve a failure
7 by the casino to ensure proper IT system access for employees,
8 to include proper segregation to safeguard assets and
9 reliability of the casino's systems, and to provide necessary
10 IT access system reports.

11 The Disciplinary Review Board has proposed that the
12 Commission fine Ameristar Casino St. Charles the amount of
13 \$15,000 for these violations. The casino has not contested
14 that fine.

15 I'm happy to answer any questions you might have.

16 CHAIRMAN ZIMMERMAN: well, I have some questions. And
17 thank you, Ms. Richenberger, for providing the detail that you
18 have.

19 I guess my major concern -- and a statement more so
20 than a question -- are that this continues to be a pattern of
21 behavior for the casino, that these findings are found in
22 audit after audit and that the most recent Audit 23-13, which
23 found that eight employees, including, but not limited to, a
24 cook and a server was really of a huge concern to me, among
25 the host of others that had inappropriate access to the IT

1 system as well.

2 So my question really is, in the audit of 7-21, in July
3 of 2021, with all of the repeat findings that came back from
4 the 2018 audit, they were fined 12,500; just curious why the
5 DRB only went to 15,000, considering the fact that this
6 continues to happen.

7 MS. RICHENBERGER: You know, I might just respond that
8 to fix the matter, my understanding is that the casino has
9 added a requirement that IT access changes must be all
10 approved through the director of compliance now. I can't
11 speak directly to the decision of DRB, but I'd welcome you to
12 ask any questions of our Compliance Audit Manager Leshia
13 Kempker if there's further information that might be helpful.

14 But that is my understanding, that they have instituted
15 this additional requirement for approval of any changes in --
16 IT access changes must be approved through the director of
17 compliance now at the casino. So would you like for
18 Ms. Kempker to answer any --

19 CHAIRMAN ZIMMERMAN: I don't know that it's really
20 going to address my feeling that maybe the fine here is not
21 appropriate, that perhaps the fine -- and I appreciate the
22 fact that they're taking steps to make sure that inappropriate
23 people on the staff don't have access to the IT system, but I
24 mean this is a serious violation when you've got a whole host
25 of people who could create player cards, they could add player

1 points and all of the things that come with that type of
2 unfettered computer access.

3 So I guess I would defer to my fellow commissioners to
4 see if you feel that a \$15,000 fine is appropriate. And I'm
5 glad that they're getting the issue fixed, but it shouldn't
6 have taken three audits to get to fixing the problem.

7 COMMISSIONER HANE: Well, it certainly should have been
8 brought to their attention in 2018 when they were fined
9 12,500.

10 CHAIRMAN ZIMMERMAN: I think the 12,500 fine was in
11 '21; is that correct, Heather? I believe that twelve-five
12 fine was from the audit in 2021; is that correct?

13 MS. RICHENBERGER: I believe it was a part of five
14 findings in total with regard to that amount as far as the
15 fine.

16 CHAIRMAN ZIMMERMAN: So from the '18 and 20?

17 COMMISSIONER HANE: Yeah, failure to address audit
18 findings from an audit of July 2018 is what the note says.

19 CHAIRMAN ZIMMERMAN: Okay.

20 COMMISSIONER HANE: And that fine was levied in October
21 of '22.

22 MS. RICHENBERGER: You know, if it would be helpful,
23 I'd ask our Compliance Audit Manager Leshia Kempker to give
24 maybe some further details if the Commission would like.

25 CHAIRMAN ZIMMERMAN: That would be fine.

1 MS. KEMPKER: Thank you. Leshia Kemper, Compliance
2 Audit Manager.

3 So the fine was for a follow-up to the 20-20 audit, the
4 2021 audit, so it was Report Number 2020, it was follow-up to
5 that. And like Heather said, there were five findings, and it
6 was a total of 12,500. So this repeat has three findings, not
7 that we say 5,000 per finding, but essentially that's how you
8 can do the math; so it was kind of progressive in the amounts
9 based on this versus the last one that had five repeat
10 findings.

11 CHAIRMAN ZIMMERMAN: So the additional 2,500 then added
12 on as a progressive discipline then?

13 MS. KEMPKER: Correct. And I can also tell you that we
14 reviewed the access reports, and these employees did not use
15 the inappropriate access that was given to them.

16 CHAIRMAN ZIMMERMAN: That's a relief. Just curious,
17 did these employees even know they had inappropriate access?

18 MS. KEMPKER: I don't suspect that most of them did.
19 There were a couple who transferred from a position that did
20 have the access; for example, the cook was a cage cashier and
21 they did have that access to create accounts rightfully so in
22 that position, but whenever they transferred to a cook, that
23 access just didn't get removed.

24 CHAIRMAN ZIMMERMAN: well, that makes more sense. Any
25 questions?

1 COMMISSIONER CONWAY: Not really a question, but a
2 comment. I did notice on the Harrah's issue -- are we talking
3 about that one?
4 CHAIRMAN ZIMMERMAN: No.
5 COMMISSIONER CONWAY: Oh, we're on the prior one.
6 CHAIRMAN ZIMMERMAN: Yeah, we're not to Harrah's yet.
7 COMMISSIONER CONWAY: I'll wait then.
8 CHAIRMAN ZIMMERMAN: Any questions? Commissioner
9 Spaulding, do you have any questions?
10 COMMISSIONER SPAULDING: No, ma'am.
11 CHAIRMAN ZIMMERMAN: So any other questions for
12 Ms. Kempker or Ms. Richenberger?
13 All right, I move to approve DC-24-052. Is there a
14 second?
15 COMMISSIONER CONWAY: Second.
16 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
17 would you call the roll?
18 MS. FRANKS: Chairman Zimmerman?
19 CHAIRMAN ZIMMERMAN: Approved.
20 MS. FRANKS: Commissioner Conway?
21 COMMISSIONER CONWAY: Approved.
22 MS. FRANKS: Commissioner Hane?
23 COMMISSIONER HANE: Approved.
24 MS. FRANKS: Commissioner Spaulding?
25 COMMISSIONER SPAULDING: Approved.

1 MS. FRANKS: By your vote, you've adopted DC-24-052.

2 CHAIRMAN ZIMMERMAN: The next item on our agenda is
3 Consideration of Disciplinary Action DC-24-053.

4 Ms. Richenberger, you still have the floor.

5 MS. RICHENBERGER: Thank you. Under Tab F is the
6 Preliminary Order of Discipline directed at Harrah's Kansas
7 City, LLC. This discipline is a result of two significant
8 audit findings that were found in the audit period of March 1,
9 2021 through October 31, 2023.

10 The Preliminary Order of Discipline alleges violation
11 of the Code of State Regulations, Chapter 45, Section 8.040,
12 and the Commission's Minimum Internal Control Standards, the
13 MICS, Chapter H, Sections 3.15, 7.04, and 7.13.

14 11 CSR 45-8.040(1) states in pertinent part that each
15 licensee shall maintain complete, accurate, legible, and
16 permanent records of all transactions pertaining to its
17 revenues and expenses, assets, liabilities, and equity. The
18 MICS, Chapter H, Section 3.15 states in relevant part that to
19 ensure proper segregation of duties, cage employees shall not
20 create paid-ins or paid-outs or other similar documents to be
21 used as a source document for transactions at front line
22 windows.

23 MICS, Chapter H, Section 7.04 states that reconciliation
24 of the redemption kiosk shall be performed by the main bank
25 cashier. The reconciliation shall be and the documentation

1 signed by the employee performing that reconciliation.

2 In MICS Chapter H, Section 7.13 that states that an
3 individual who reconciles the redemption kiosk shall not be
4 one of the individuals who initially prepared the currency in
5 any of the cassettes used in the redemption kiosk.

6 The facts surrounding the two significant audit
7 findings are as follows:

8 MGC auditors discovered two different processes in
9 which there was deliberate misrepresentation on the paperwork
10 as to the identity of the casino employee performing the
11 tasks, specifically as the paid-out transactions and kiosk
12 reconciliations.

13 The MGC audit report revealed that frontline cashiers
14 were conducting transactions to reimburse patrons for credit
15 card fees. A review of the paperwork for the gaming days of
16 April 17 through April 23 of 2023 revealed numerous
17 discrepancies in these transactions. It was observed that the
18 handwriting that recorded the information on the paid-out
19 forms did not match the handwriting of the signatures on the
20 same paid-out forms.

21 In an interview with the frontline cashier, the
22 employee revealed that it was customary for frontline cashiers
23 to create paid-outs for reimbursement of patron credit card
24 fees. Frontline cashiers would write the amount of the
25 reimbursement and the patron's account number on the paid-out

1 form, then reimburse the patron and later have the employee
2 window cashier sign the form. The employee window cashier
3 would retain the paid-out form and would return the funds to
4 the frontline cashier in the amount paid to the patron.

5 This paid-out process gave the appearance that the
6 employee window cashier had conducted the paid-out transaction
7 with the patron. It also resulted in there being no record of
8 the transactions between the frontline cashier and the patron
9 and no record of the transaction between the frontline cashier
10 and the employee window cashier.

11 These transactions were in direct violation of the Code
12 of State Regulations, Chapter 45, Section 8.040(1) requiring
13 complete and accurate records of all financial transactions.
14 The actions also violated the Commission's Minimum Internal
15 Control Standards, specifically Chapter H, Section 3.15, which
16 prohibits frontline cashiers from creating paid-outs for this
17 purpose and for conducting this type of transaction.

18 As to the issue -- as to the second issue of kiosk
19 reconciliation, there were two findings within this process.
20 First, a review of signatures recorded on the reconciliation
21 reports for April 20 and April 30, 2023, as well as an
22 interview with the senior main bank cashier revealed that cage
23 supervisors who did not reconcile the redemption kiosk were
24 signing the reconciliation forms and in some instances, those
25 supervisors were not even present in the main bank during the

1 reconciliation.

2 These actions violated the CSR, Chapter 45, Section
3 8.040, requiring complete and accurate records of all
4 financial transactions. The actions also violated the MICS,
5 Chapter H, Section 7.04, which states that all kiosk
6 reconciliations shall be documented and signed by the employee
7 performing the reconciliation.

8 The second finding as to redemption kiosk reconciliation
9 showed that the main bank cashiers who filled the kiosk
10 cassettes with currency also later performed the reconciliation
11 of those same cassettes. This violated the segregation of
12 duties specifically set forth in MICS, Chapter H, Section
13 7.13, which states that the individual who reconciles the
14 redemption kiosk shall not be one of the individuals who
15 initially prepared the cassettes used in the redemption
16 kiosks.

17 For these violations, the Missouri Gaming Commission
18 Disciplinary Review Board is recommending a fine in the amount
19 of \$15,000. In response to this recommendation of discipline,
20 Harrah's has stated that it is not disputing that these
21 violations occurred; however, Harrah's does dispute any
22 implication that the violations were part of a scheme to
23 deceive or otherwise cover up issues. Harrah's position on
24 these violations is that they were caused by the lack of
25 proper vetting of casino procedures and that the casino

1 procedures have been amended to ensure compliance with the
2 MICS.

3 I'm happy to answer any questions you might have.

4 CHAIRMAN ZIMMERMAN: Just one quick question,
5 Ms. Richenberger. When you say the casino procedures have
6 been amended to ensure that the appropriate person is signing,
7 do you have any familiarity with what that amendment might
8 look like in order to ensure that?

9 MS. RICHENBERGER: I would again ask my subject matter
10 expert, Compliance Audit Manager Leisha Kempker, to give you
11 further information on that.

12 CHAIRMAN ZIMMERMAN: Okay, thank you.

13 MS. KEMPKER: Leisha Kempker, Compliance Audit Manager.
14 So for the first finding for the frontline cashiers creating
15 those paid-outs, they no longer do that. If the customer
16 comes up and wants that reimbursement of the credit card fee,
17 they'll have the patron wait if the employee window cashier is
18 not there.

19 CHAIRMAN ZIMMERMAN: Okay.

20 MS. KEMPKER: And for the second one, they have a
21 segregation of duties that they implemented so the swing at
22 the grave shift is the shift that fills the cassettes and the
23 day shift is supposed to count and reconcile them, so to clear
24 segregation duties.

25 CHAIRMAN ZIMMERMAN: And I did take note of the fact

1 that Harrah's had asked, you know, based on their concern that
2 there was some implication of deception or that this was a
3 scheme in order to deceive the audit, that the fine was
4 reduced from 20,000 to 15,000 by the DRB?

5 MS. RICHENBERGER: That is correct, yes.

6 CHAIRMAN ZIMMERMAN: Thank you. Any questions for
7 Ms. Kempker or Ms. Richenberger?

8 COMMISSIONER HANE: So obviously the DRB was satisfied
9 with Harrah's proposed solution to the issue?

10 MS. KEMPKER: With the corrections, the implemented
11 corrective action, yes.

12 COMMISSIONER HANE: Okay.

13 CHAIRMAN ZIMMERMAN: Commissioner Conway, I know you
14 had something as well?

15 COMMISSIONER CONWAY: well, I was -- so is this a
16 standard practice by the industry to reimburse credit card
17 fees?

18 MS. RICHENBERGER: It is a discretionary -- it's at the
19 discretion of the casino to reimburse those, and that's
20 typically done for a particular tier of patron.

21 COMMISSIONER CONWAY: So if you're a new customer and
22 come in and want to do \$100 on your credit card and there's a
23 \$3.90 fee, that is not necessarily reimbursed; it's only for
24 their tiered customers? Is that how it works?

25 MS. RICHENBERGER: My understanding is that is at the

1 discretion of the casino, that's not something that is
2 regulated by the Missouri Gaming Commission.

3 COMMISSIONER CONWAY: Okay. I'll take that. Thank
4 you.

5 CHAIRMAN ZIMMERMAN: Any other questions? Commissioner
6 Spaulding, any questions?

7 COMMISSIONER SPAULDING: No, I don't have anything.

8 CHAIRMAN ZIMMERMAN: Thank you. I move to approve
9 DC-24-053. Is there a second?

10 COMMISSIONER CONWAY: Second.

11 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
12 would you call the roll?

13 MS. FRANKS: Chairman Zimmerman?

14 CHAIRMAN ZIMMERMAN: Approved.

15 MS. FRANKS: Commissioner Conway?

16 COMMISSIONER CONWAY: Approved.

17 MS. FRANKS: Commissioner Hane?

18 COMMISSIONER HANE: Approved.

19 MS. FRANKS: Commissioner Spaulding?

20 COMMISSIONER SPAULDING: Approved.

21 MS. FRANKS: By your vote, you've adopted DC-24-053.

22 CHAIRMAN ZIMMERMAN: Okay, Ms. Richenberger, this is
23 your day. The next item on our agenda is Resolution 24-026,
24 Consideration of Placement on the Involuntary Exclusion List.

25 MS. RICHENBERGER: Thank you, Chairman.

1 Tab G, you have before you the Commission Resolution
2 24-026. This is concerning the exclusion of an individual
3 from excursion gambling boats and facilities in the State of
4 Missouri. Pursuant to 11 CSR 45-15.030(1)(A) and (C), the
5 Commission has the authority to place a person on the State's
6 exclusion list and prohibit that person from contact of any
7 kind with a Missouri Riverboat Gaming Operation for a
8 conviction of a felony in any jurisdiction for a crime
9 involving moral turpitude or performing any act or having a
10 notorious or unsavory reputation which would adversely affect
11 the public confidence in gaming.

12 On February 28 of 2024, Xaviar Babudar, a man who is
13 popularly known on social media as the Kansas City Chiefs
14 Superfan Chiefs-a-holic pled guilty in the United States
15 District Court for the Western District of Missouri to charges
16 related to 11 robberies and attempted robberies of financial
17 institutions in seven states.

18 Specifically. Babudar pled guilty to one count of
19 money laundering and one count of interstate transportation of
20 stolen property across state lines. He has also pled guilty
21 in the Northern District of Oklahoma to one count of bank
22 robbery.

23 As a part of his plea agreement, Babudar must pay
24 restitution to the victimized financial institutions totaling
25 at least \$532,675. Babudar has admitted as a part of his plea

1 agreement that he laundered his stolen money through casinos
2 in Missouri, casinos in other states, and through online
3 gambling.

4 The plea agreement identified six transactions in
5 particular from 2022 in which Babudar deposited funds from
6 Missouri casinos into his personal accounts. These funds were
7 the proceeds from robberies committed by Babudar, who then
8 used the casinos to launder stolen funds.

9 Babudar further admitted to a robbery in Tennessee and
10 later using a portion of those stolen funds to purchase
11 \$20,000 worth of chips at the Harrah's Kansas City Casino.

12 An investigation conducted by the Missouri State
13 Highway Patrol revealed that Babudar had approximately
14 \$3,868,320 of buy-ins at Missouri casino properties, with most
15 of those transactions occurring in 2022.

16 To date, five Missouri casino properties have already
17 permanently banned Babudar due to regulatory concerns and
18 Babudar's criminal conduct: Ameristar Casino St. Charles,
19 Ameristar Casino Kansas City, Argosy Riverside Casino,
20 Harrah's Kansas City, and Hollywood Casino St. Louis.

21 Babudar is currently in federal custody without bond,
22 and under the terms of his plea agreement, he's subject to a
23 sentence of up to 50 years in federal prison without parole.
24 His sentencing hearing is scheduled for July 10 of 2024.

25 As a result of Babudar's actions involving gaming in

1 Missouri, including crimes to which he has pled guilty, Staff
2 is asking the Commission to place Mr. Babudar on the State's
3 involuntary exclusion list and direct the Executive Director
4 to issue a notice of exclusion to Xavier M. Babudar.

5 Thank you.

6 CHAIRMAN ZIMMERMAN: Thank you, Ms. Richenberger.

7 I just want to say I absolutely agree with permanent
8 placement on the involuntary exclusion list, but feel like I
9 just want to make a couple of comments from a law enforcement
10 perspective.

11 After being in law enforcement for over 40 years,
12 Mr. Babudar is the kind of criminal that we like to get in
13 police work, leaving a glove at one scene, a hat at another
14 scene, his DNA all over the place. He was the kind of
15 criminal that we like to get.

16 But at 29 years old, he was a very active thief, who I
17 personally hope makes restitution to all of those institutions
18 but stays behind bars for a long, long time. He terrorized
19 bank employees, credit union employees in small towns. You
20 probably noticed that the majority of the places that he was
21 robbing were in small towns that don't have the resources a
22 lot of times to follow up on those kinds of investigations.

23 But with all of that said, I think that he is in the
24 place that he needs to be and should never be allowed in a
25 casino in Missouri again.

1 COMMISSIONER HANE: What about his partner, Bonnie?

2 CHAIRMAN ZIMMERMAN: Bonnie Parker, yeah, exactly.

3 Anybody else have comments, questions?

4 COMMISSIONER CONWAY: I just have one question, and I
5 agree with the Chair that this should be a no-brainer, but --
6 and maybe the Judge will answer this. I often see in our
7 circuit when a person is given probation that one of the
8 stipulations is not to go into a casino. Is there a
9 notification process from the courts that would let the courts
10 know if this person went to a casino?

11 DIRECTOR RICHARDSON: Judge Richardson, Executive
12 Director. I can tell you that that is not a standard
13 condition of probation, but that -- and in my prior life, I
14 actually did make that a condition of probation if there was
15 gambling activity involved, just like in this case, that I
16 confess to you that would have been the Boonville casino that
17 I actually saw the man at after I put him on probation, so he
18 did come back to see me real quickly, and I did tell the
19 casino at that point, but I did not notify them ahead of time.
20 But in this case, the casinos are made aware of our
21 involuntary exclusion list. Does that answer your question?

22 COMMISSIONER CONWAY: No. I mean it's a standard
23 practice in our circuit because we have a -- and a lot of
24 times it happens on child support cases.

25 DIRECTOR RICHARDSON: well, because you do have a

1 casino in your circuit, I can see where that would be a
2 standard practice. In the circuit that I was in, for example,
3 the 26th, we did not have a casino within our circuit; so
4 again, that would only come to my attention if gambling
5 activity were involved.

6 COMMISSIONER CONWAY: All right, thank you.

7 MS. RICHENBERGER: Thank you.

8 CHAIRMAN ZIMMERMAN: I do have another question for the
9 Judge. Just that -- sort of to Commissioner Conway's
10 question, a lot of times in law enforcement, we would get
11 notified if someone was being released and they're going to be
12 placed on probation and all of those things when someone is
13 released back to the community that you serve. Is there any
14 chance that if he were released, you know, back into the
15 community, that we would get notified along with his law
16 enforcement agencies?

17 DIRECTOR RICHARDSON: I can't answer that because even
18 on the statewide level, that's up to the folks up the street
19 at Probation and Parole as to the notices that are given. So
20 I can't -- as a judge, I can't answer that.

21 CHAIRMAN ZIMMERMAN: Hopefully, he won't be out on
22 probation anytime soon.

23 DIRECTOR RICHARDSON: May not be.

24 CHAIRMAN ZIMMERMAN: Any other questions for counsel?
25 Seeing none, thank you, Ms. Richenberger.

1 MS. RICHENBERGER: Thank you.

2 CHAIRMAN ZIMMERMAN: I move to approve Resolution
3 24-026. Is there a second?

4 COMMISSIONER HANE: Second.

5 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
6 would you call the roll?

7 MS. FRANKS: Chairman Zimmerman?

8 CHAIRMAN ZIMMERMAN: Approved.

9 MS. FRANKS: Commissioner Conway?

10 COMMISSIONER CONWAY: Approved.

11 MS. FRANKS: Commissioner Hane?

12 COMMISSIONER HANE: Approved.

13 MS. FRANKS: Commissioner Spaulding?

14 COMMISSIONER SPAULDING: Approved.

15 MS. FRANKS: By your vote, you've adopted Resolution
16 Number 24-026.

17 CHAIRMAN ZIMMERMAN: The next item on our agenda is
18 Resolution 24-027, Consideration of Waiver of Institutional
19 Investor. Mr. John Merrigan, you have the floor.

20 MR. MERRIGAN: Thank you. Good morning, Chairman
21 Zimmerman and Commissioners. My name is John Merrigan. I'm
22 not a Chiefs-a-holic, but I am a Financial Investigator for
23 the Missouri Gaming Commission.

24 Under Tab H, we have a request for an institutional
25 waiver from State Street Corporation. State Street is the

1 fourth largest provider of financial products and services
2 worldwide. They manage over 4.1 trillion dollars worth of
3 financial assets, serving over 100 geographic areas. They
4 have 68 mutual funds that they manage as well.

5 with their investment portfolio, they have
6 accumulated -- they own 5.29 percent of VICI Properties'
7 stock, and then they also own 6.27 percent of Aristocrat
8 Leisure Limited stock, both of whom are supplier key business
9 entities here in the State of Missouri.

10 State Street was previously granted a waiver as an
11 institutional investor of Aristocrat in April of 2022 when
12 State Street owned 5.01 percent of Aristocrat. This is State
13 Street's first institutional investor waiver related to VICI
14 that they're applying for.

15 I would be happy to answer any questions you may have.
16 Thank you.

17 CHAIRMAN ZIMMERMAN: Any questions for Mr. Merrigan?
18 Okay, you're getting off easy.

19 MR. MERRIGAN: Thank you.

20 CHAIRMAN ZIMMERMAN: Seeing none, thank you
21 Mr. Merrigan. I move to approve Resolution 24-027. Is there
22 a second?

23 COMMISSIONER CONWAY: Second.

24 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
25 would you call the roll?

1 MS. FRANKS: Chairman Zimmerman?

2 CHAIRMAN ZIMMERMAN: Approved.

3 MS. FRANKS: Commissioner Conway?

4 COMMISSIONER CONWAY: Approved.

5 MS. FRANKS: Commissioner Hane?

6 COMMISSIONER HANE: Approved.

7 MS. FRANKS: Commissioner Spaulding?

8 COMMISSIONER SPAULDING: Approved.

9 MS. FRANKS: By your vote, you've adopted Resolution
10 Number 24-027.

11 CHAIRMAN ZIMMERMAN: Before we go into closed session,
12 I would like to ask Judge Richardson if she would join me and
13 the Commissioners on the floor. Sorry you couldn't be here,
14 Commissioner Spaulding.

15 We actually have something besides just this plaque,
16 okay, so better gifts later, right, better gifts later than
17 this plaque.

18 I would just like to say that Judge Richardson actually
19 came to the Gaming Commission just a couple of months before I
20 did in 2021, and so I've had the pleasure of serving with her.
21 I've worked with her at the MGC for my entire tenure as a
22 commissioner, and I have to say that this person is a force of
23 nature. You all that have worked with her probably know that,
24 but she served for over 22 years as a circuit judge in
25 Moniteau County and brought that love of the truth and wanting

1 to make sure that the rules were followed with her from the
2 bench.

3 So I would like to quote former Chairman Mike Leara
4 when he said we are so fortunate to have gotten Judge Peggy
5 Richardson to come and be our executive director because of
6 her passion for following those rules and doing the right
7 thing.

8 Sometimes she and I butted heads. I love to tell
9 people that simply because, you know, being that strong
10 person, you know, she's always going to stand up for doing
11 what is right and what is proper. But I loved working with
12 her. It was such a great opportunity to learn so much about
13 the MGC and learn about gaming in the State of Missouri,
14 things that you all know and obviously do every day; but to
15 learn them with her because she's always been so open and
16 helpful to me understanding exactly what those rules mean.

17 So on behalf of my fellow commissioners, this plaque is
18 presented to Judge Peggy Richardson in recognition of your
19 dedicated service to the Missouri Gaming Commission on behalf
20 of all of us.

21 DIRECTOR RICHARDSON: Thank you very much.

22 CHAIRMAN ZIMMERMAN: I figured you have one of these,
23 probably. You probably have a whole drawerful of these
24 somewhere.

25 DIRECTOR RICHARDSON: I've never been presented this

1 one.

2 CHAIRMAN ZIMMERMAN: This is a special one, yeah,
3 exactly, blessed by all of us. But what I'd like to do is, if
4 there's anyone here who would like to come up and say a few
5 words, it's a roast, come up and say a few words about Judge
6 Richardson, this is your opportunity. All of you have worked
7 with her in different forms and fashions, whether it's members
8 from the industry, obviously the folks who are assigned here
9 at the MGC and all across the state, of course, you know,
10 working with her. If it's been the same pleasure that we had
11 here working with her on the Commission, I would encourage you
12 to come up and at least say a few words.

13 I see Mike Winter getting ready to -- are you ready for
14 this? And we will take our seats and let you all come and say
15 a few words.

16 MR. WINTER: Thank you, Chairman Zimmerman. I'm Mike
17 Winter. I'M the executive director of the Missouri Gaming
18 Association, and I've had the pleasure of knowing Peggy
19 probably since the late 80s when my wife clerked at the same
20 law firm that Peggy was practicing at. So when I saw the
21 announcement of who the next Gaming Commission executive
22 director was going to be, I looked at her like there can't be
23 too many Peggy Richardsons in central Missouri.

24 So I really appreciated and looked forward to having
25 the opportunity to work with Judge Richardson as executive

1 director and watch her lead the Gaming Commission. Quite
2 honestly, on behalf of the general managers in the entire
3 industry, it's been a pleasure working with you. You've had a
4 very open door. And like Commissioner Zimmerman, we butted
5 heads a few times on occasion as well, but in the end, we've
6 always tried to see where we could get in a mutual
7 satisfactory fashion.

8 I know you have a lot of plans for retirement, and I
9 hope you can start working on your bucket list pretty quickly
10 and just start checking things off moving forward with
11 retirement. Thank you for your service.

12 [ROUND OF APPLAUSE]

13 MR. JERLECKI: I picked the right day to be here. Good
14 afternoon. My name is Mike Jerlecki. I'm the vice president
15 and general manager for Hollywood and River City Casinos in
16 St. Louis.

17 Just a short story. So when Judge started in her
18 position, she was making her way around, just meeting
19 different general managers, visiting with executives from
20 corporations. And PENN Entertainment, which is our parent
21 company, we've got three casinos here in the state, our COO
22 and CEO, Todd George and Jay Snowden, were in St. Louis to
23 meet with Judge. And prior to our meeting, our CEO, Jay,
24 asked me, "Hey, is Judge going to bring in any surprises,
25 anything I need to know?" I said, "No, I think everything is

1 fine, everything's going to be good."

2 And rarely does my heart drop or I get a lump in my
3 throat, but we're having a conversation, just talking about
4 the industry, talking about business; and as the meeting is
5 winding down, Judge says, "But there is one other thing I want
6 to speak to you about." She pulls up stack of papers that's
7 about a quarter inch thick, and our CEO kind of glances at me,
8 and I'm thinking to myself, boy, what the heck did I miss?

9 It was a complete non-issue, it was something about
10 machines being rebuilt and whatnot, but it was like, boy, just
11 one of those moments of, uh-oh, did I miss something?

12 But on behalf of myself and our company, the one
13 comment that I can make about Judge was -- is candor,
14 directness, sticking to the rules, an open mind that was just
15 greatly appreciated by her and really with her staff.

16 There were some things that we accomplished throughout
17 the last couple of years, cashless gaming being one of them.
18 That was -- it was a very new technology to the industry,
19 something that had never been seen before in the state and
20 with the coordination and cooperation with Judge, the entire
21 staff, we were able to get that on, and it's been a boon for
22 our customers and the guest experience in our industry.

23 But really, just having a regulator with the mindset of
24 being a regulator as well as a partner to kind of help move
25 this industry forward when we are constantly battling with

1 outside forces in terms of competition from retail,
2 entertainment, different commerce, industries, you name it, it
3 was very nice to have Judge in that position. And we're going
4 to miss her.

5 So on behalf of PENN Entertainment, thank you very much
6 for your service, and have a great time in retirement.
7 Hopefully all of us can get to retirement someday, but might
8 be a long road for some of us. But thank you very much.

9 [ROUND OF APPLAUSE]

10 CHAIRMAN ZIMMERMAN: Anyone else?

11 CAPTAIN TOURNEY: Captain Tourney, Gaming Commission.

12 Your Honor, I have some bad news. I know you won your
13 case to retire, but it's been overturned on appeal. That's
14 language you understand; right?

15 So I know I poured my heart out a little bit the other
16 day during the fish fry, and you have just been fantastic.
17 what you've done in here has been amazing, the leadership
18 you've displayed, the partnership, your consideration,
19 everything that was ever brought to you. You took it under
20 advisement, gave us the ruling that was fair to everybody; it
21 was fair to us, fair to your employees, fair to the industry.
22 You just took it all fair.

23 I know I'm saying the same things I said the other day,
24 but a different audience here, so I wanted to say it again.
25 Thank you so much. If we could clone you, we would. Yes, we

1 would. You have been fantastic.

2 So on behalf of the patrol, thank you for everything
3 you've done for us, especially through this tumultuous time
4 for us where we just don't have enough troopers to fill these
5 casinos. So I'll keep it short.

6 DIRECTOR RICHARDSON: Thank you.

7 [ROUND OF APPLAUSE]

8 CHAIRMAN ZIMMERMAN: Anyone else? Okay, I will defer
9 to -- before you speak, Judge, I will defer to my fellow
10 Commissioners who might have a few words.

11 COMMISSIONER HANE: It's been an honor and a privilege
12 to have worked with you. I don't know that we could have made
13 a better choice to lead this organization; so in that, we
14 appreciate you, I appreciate you, and thank you very much.

15 DIRECTOR RICHARDSON: Thank you, Commissioner Hane.

16 CHAIRMAN ZIMMERMAN: Mr. Conway?

17 COMMISSIONER CONWAY: Thank you, Madam Chair. I've
18 served 36 years in public office, 27 at the county level, nine
19 in the legislature and approaching five here on the Gaming
20 Commission. I've cast thousands of votes. I think just this
21 morning, we've had nine or ten. Very few I can remember, but
22 there are a few I regret.

23 But one that I regret was when I was 21 years old and I
24 was 70 miles south of here at Fort Leonard wood and I'd just
25 turned 21, which was the age that someone could vote. I got

1 my first absentee ballot, and I sat there in the fifth week of
2 basic training with my ballot in 1968 and realized that all
3 this time I've been in public office, I'm a Democrat and still
4 a Democrat appointee here, and I saw that ballot, and there
5 was a choice between Hubert Humphrey and Richard M. Nixon.
6 And I'm going, this Nixon guy has a secret plan to end the
7 war, and I thought for certain that, even though my dad was an
8 FDR/Truman guy and he would have -- I can't say what he would
9 have done, but I thought in my best interests, I need to vote
10 for this Nixon guy because he's going to end that war.

11 well, it didn't really work out. I still ended up in
12 Vietnam for a year in the infantry after Nixon got elected.
13 But the other vote that I made, and I will readily public
14 admit it today, is I was the only person on the Gaming
15 Commission who did not vote for Judge Richardson to be the
16 executive director.

17 So those are the two on my list that I will always
18 remember, but subsequently in the last three years, I have not
19 worked with a person who has worked harder to accomplish the
20 goals that we have achieved in the last three years. I
21 learned very quickly that she is a judge -- the judge who is
22 honest, very forthcoming, beyond reproach; and in my
23 grandmother's words, feisty.

24 So to this day, I will remember those two votes.
25 You're second, but we certainly appreciate it because the last

1 five years have been tumultuous in a lot of ways, not only for
2 the country but for processing through Covid and working
3 through the staff and the direction that you have led.

4 So unequivocally, thank you, and I will always
5 appreciate your efforts here at the Gaming Commission.

6 DIRECTOR RICHARDSON: Thank you, sir.

7 [ROUND OF APPLAUSE]

8 CHAIRMAN ZIMMERMAN: Commissioner Spaulding, would you
9 like to say a few words? Are you still there?

10 COMMISSIONER SPAULDING: I'm still here, yes. Sorry
11 about that.

12 CHAIRMAN ZIMMERMAN: would you like to say a few words?

13 COMMISSIONER SPAULDING: No, I don't think I would
14 today, thank you.

15 CHAIRMAN ZIMMERMAN: Okay, thank you. Judge, you have
16 the floor.

17 DIRECTOR RICHARDSON: well, I confess to you, I'm not
18 sure how to follow up being compared with Richard Nixon; but
19 if that's what makes me memorable, Commissioner Conway, I'll
20 take it.

21 It's pretty hard to follow all of that, and let me just
22 tell you, I'm so humbled, I really am. Here are my prepared
23 remarks.

24 When I was five years old, I asked the guy down the
25 road to marry me. He wanted to know if I had any money. I

1 told him I had 37 cents. He did not think that was enough
2 money to get married on.

3 well, I could not have fathomed in my wildest dreams
4 that one day I would be given the opportunity to oversee the
5 regulation of a multi-billion dollar industry.

6 I am aware that for the past three years I've been on a
7 journey that few have the privilege to take. And I try to
8 live my life grateful for the blessings that I have been
9 given.

10 To all of the general managers and the casino industry,
11 I know we didn't always agree, but I've always tried to look
12 at things from your side also, and I've encouraged my staff to
13 continue to do so. By the way, you could not have chosen
14 better advocates than Mike Winter, Marc Ellinger, and
15 Stephanie Bell and Rob Cantwell. They are courteous,
16 competent, and effective.

17 Commissioners, thank you for entrusting this agency to
18 my leadership. I leave this place with the full confidence
19 that this excellent staff will continue to serve you and the
20 people of the state of Missouri to the best of their ability,
21 and they have great ability.

22 Finally, to my staff and the Gaming Division of the
23 Missouri State Highway Patrol, working with each of you every
24 day and getting to know you -- men and women of integrity with
25 a passion for doing the right thing -- has been my greatest

1 blessing. When it comes right down to it, the greatest joy we
2 have on this earth are the relationships that we have with one
3 another. I thank you for the joy.

4 My final advice to all of you of course comes from a
5 country song, Tim McGraw's *Humble and Kind*, one of my all time
6 favorites. Don't worry, I'm not going to sing to you, but the
7 chorus goes like this here.

8 "Hold the door, say 'please,' say 'thank you,'

9 Don't steal, don't cheat, don't lie.

10 I know you've got mountains to climb,

11 But always stay humble and kind.

12 When the dreams you're dreaming come to you,

13 When the work you put in is realized,

14 Let yourself feel the pride,

15 But always stay humble and kind."

16 To all of you, I thank you so very much for this
17 incredible privilege. Stay humble and kind. Thank you.

18 [ROUND OF APPLAUSE AND STANDING OVATION]

19 CHAIRMAN ZIMMERMAN: I, for one, wish you would have
20 sung that, Judge.

21 We're now ready to close our open session. I move for
22 closed meeting under Section 313.847, RSMo., Investigatory,
23 Proprietary and Application Records and 610.021(1), RSMo.,
24 Legal Actions and Matters Subject to Attorney Client Privilege
25 and Legal work Product, (3) and (13) Personnel, (12) Contracts

1 and (14) Records Protected from Disclosure by Law.

2 Is there a second?

3 COMMISSIONER HANE: Second.

4 CHAIRMAN ZIMMERMAN: Any further discussion? Angie,
5 would you call the roll?

6 MS. FRANKS: Chairman Zimmerman?

7 CHAIRMAN ZIMMERMAN: Approved.

8 MS. FRANKS: Commissioner Conway?

9 COMMISSIONER CONWAY: Approved.

10 MS. FRANKS: Commissioner Hane?

11 COMMISSIONER HANE: Approved.

12 MS. FRANKS: Commissioner Spaulding?

13 COMMISSIONER SPAULDING: Approved.

14 MS. FRANKS: We are in closed session.

15 CHAIRMAN ZIMMERMAN: Thank you all.

16 [THAT CONCLUDES THE RECORD]

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REPORTER'S CERTIFICATE

I, Susanne E. Moon, Registered Professional Reporter, Certified Real-time Reporter, and Certified Court Reporter, certify that on May 29, 2024, I was present and reported the proceedings held before the Missouri Gaming Commission, and I further certify that the foregoing 45 pages contain a true and accurate transcription of the proceedings.

Susanne Moon
Susanne E. Moon, RPR, CRR, CCR #473

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12,500 [4] 16:4; 17:8, 9; 18:5
12.03 [1] 12:13
13.03 [1] 13:15
15,000 [5] 15:13; 16:5; 17:4; 23:18; 25:3
18-23 [1] 14:13
1968 [1] 41:1
1971 [1] 4:6
1976 [1] 4:21

- 2 -

2,500 [1] 18:10
20,000 [2] 25:3; 28:10
20-20 [3] 13:1, 25; 14:12
20-21 [1] 15:4
2009 [1] 4:24
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MISSOURI GAMING COMMISSION
Second Open Session Minutes
May 29, 2024

The Missouri Gaming Commission went into the second open session meeting at approximately 12:30 p.m. on Wednesday, May 29, 2024.

Chairman Zimmerman moved to select Heather Richenberger to serve as the Interim Executive Director of the Missouri Gaming Commission as of June 1, 2024, until a new Director is selected. Commissioner Spaulding seconded the motion, and after a roll call vote, Zimmerman – yes, Conway – yes, Hane – yes and Spaulding – yes, the motion passed unanimously.

Chairman Zimmerman moved to adjourn the open session meeting. Commissioner Hane seconded the motion, and after a roll call vote, Zimmerman – yes, Conway – yes, Hane – yes and Spaulding – yes, the motion passed unanimously.

This meeting ended at 12:35 p.m.