



State of New Jersey
STATE ETHICS COMMISSION

PO Box 082
Trenton, NJ 08625-0082
www.nj.gov/ethics

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

ANDREW S. BERNIS, Esq.
Chair

SUSANA E. GUERRERO, Esq.
Executive Director

Tel: (609) 292-1892
(888) 223-1355 in NJ
Fax: (609) 633-9252
Email: ethics@ethics.nj.gov

June 23, 2016

Raymond Papperman
Ethics Liaison Officer
Department of Environmental Protection
PO Box 402
Trenton, New Jersey 08625

Re: Waiver to the Provisions of *N.J.S.A. 52:13D-17.2(b)*

Dear Mr. Papperman:

At its June 21, 2016 meeting, the State Ethics Commission considered your request on behalf of Julie Nguyen, Environmental Specialist, Department of Environmental Protection ("DEP"), and her husband, Brian Nguyen. Mr. Nguyen is currently employed by the Borgata Hotel, Casino and Spa as a dual rate supervisor. Based on the facts and circumstances set forth below, the Commission granted a waiver of the general prohibition of section 17.2(b).

Generally, section 17.2(b) of the Conflicts Law prohibits all State officers and employees and members of their immediate families from holding an interest in, holding employment with, representing, appearing for, or negotiating on behalf of the holder of, or applicant for, a casino license or any holding or intermediary company with respect thereto. However, the statute also contains the following exception language:

except that ... a member of the immediate family of a State officer or employee, or person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the State Ethics Commission ... such employment will not interfere with the responsibilities of the State officer or employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the State officer or employee, or person

....


The Commission agrees that there is no conflict between Ms. Nguyen's position at DEP and her husband's employment with the Borgata Hotel, Casino and Spa. Ms. Nguyen's position and her husband's casino employment do not overlap, and there is no conflict of interest or reasonable risk of the public perceiving any kind of conflict between her position and her husband's casino employment.

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Based on the facts and circumstances set forth above, the Commission granted the waiver of the general prohibition of section 17.2(b) in the case of Julie Nguyen and her husband, Brian Nguyen.

Very truly yours,

STATE ETHICS COMMISSION

A handwritten signature in black ink, appearing to read 'Susana Guerrero', written over a horizontal line.

For the Commission

Susana E. Guerrero, Executive Director

SEG/sc

Exit_Nguyen_CW_6-2016