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 Attorney General of New Jersey  
 State of New Jersey  
 Department of Law and Public Safety  
 Division of Gaming Enforcement  
 1300 Atlantic Avenue  
 Atlantic City, New Jersey 08401

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STATE OF NEW JERSEY  
 CASINO CONTROL COMMISSION  
 DOCKET NO. 12-0093-VC

STATE OF NEW JERSEY, DEPARTMENT	)	
OF LAW AND PUBLIC SAFETY,	)	
DIVISION OF GAMING ENFORCEMENT,	)	
	)	
Complainant,	)	Civil Action
	)	
v.	)	COMPLAINT
	)	
MARINA DISTRICT DEVELOPMENT	)	
COMPANY, LLC d/b/a BORGATA	)	
HOTEL, CASINO & SPA,	)	
Respondent.	)	
	)	
	)	

Complainant, State of New Jersey, Department of Law and Public Safety,  
 Division of Gaming Enforcement ("Division"), located at 1300 Atlantic Avenue, Atlantic  
 City, New Jersey, 08401 says:

**COUNT I (JW)**

1. Respondent, Marina District Development Company, LLC d/b/a

Borgata Hotel, Casino & Spa ("Borgata") is a New Jersey enterprise located at One Borgata Way, Atlantic City, New Jersey 08401.

2. Borgata is the holder of a casino license first issued by the Casino Control Commission ("Commission") on June 11, 2003. At all times relevant herein, Borgata was authorized to conduct casino gaming within its casino hotel facility.

3. N.J.S.A. 5:12-119(b) was effective at all times referenced herein and provides in pertinent part:

b. Any licensee or employee of a casino who allows a person under the age at which a person is authorized to purchase and consume alcoholic beverages to remain in or wager in a casino or simulcasting facility is guilty of a disorderly persons offense;. . .

4. N.J.S.A. 9:17B-1b was effective at all times referenced herein and provides in pertinent part:

"The Legislature finds and declares and by this act intends to: . . .  
b. Extend to persons 21 years of age and older the right to purchase and consume alcoholic beverages. . .

5. N.J.A.C. 13:69C-16.1(a) was effective at all times referenced herein and provides in pertinent part:

(a) No casino licensee or agent or employee thereof, shall allow, permit or suffer any person under the age at which a person is authorized to purchase and consume alcoholic beverages in this State ("underage

person") to:

1. Enter a casino or casino simulcasting facility, except to pass directly to another room, unless the underage person is licensed under the Act and is acting in the regular course of his or her licensed activities;
2. Remain in a casino or casino simulcasting facility, unless the underage person is licensed under the Act and is acting in the regular course of his or her licensed activities;
3. Wager at any game or at casino simulcasting in a casino or casino simulcasting facility;
4. Be rated as a player;
5. Receive complimentary services or items as a result of or in anticipation of his or her gaming activity; or
6. Utilize credit

6. JW is a resident of California, having a date of birth of December 31, 1991. At all times relevant herein, CS was 19 years of age.

7. November 25, 2011, for approximately 6 hours and 31 minutes, commencing at approximately 1:15 a.m. and continuing until approximately 7:46 a.m., JW was on the casino floor within the licensed premises of Borgata.

8. During this events described in Paragraph 7, above, JW engaged in gaming activity at 9 separate Blackjack tables and performed 14 separate cash buy-ins in the aggregate amount of \$6,400. On 6 occasions JW was asked to present

identification, which identification accepted by the games personnel at the table(s).

9. Subsequent to the events described in Paragraphs 7 and 8, above, JW attempted to redeem her chips at the casino cage. The cashier asked JW to produce identification. JW gave the cashier identification issued by the State of Illinois. The cashier determined that the photograph did not match JW's appearance and summoned Borgata security personnel. When questioned JW admitted that she was 19 year of age and had utilized identification provided by a friend. A summons was issued to JW charging her with underage gambling in violation of N.J.S.A. 5:12-119(b).

10. By permitting JW to enter the casino, remain in the casino and wager at multiple table games in the casino for over 6 hours, Respondent Borgata violated N.J.S.A. 5:12-119(b), N.J.A.C. 13:69C-16.1(a)1, N.J.A.C. 13:69C-16.1(a)2, and N.J.A.C. 13:69C-16.1(a)3.

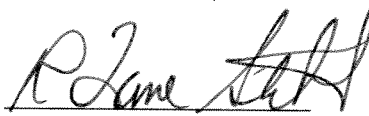
WHEREFORE, Complainant demands judgment as follows:

A. Judgment that Borgata violated N.J.S.A. 5:12-119(b), N.J.A.C. 19:43-16.1(a)1, N.J.A.C. 19:43-16.1(a)2, N.J.A.C. 13:69C-16.1(a)2, and N.J.A.C. 13:69C-16.1(a)3;

B. Judgment imposing an appropriate monetary penalty pursuant to N.J.S.A. 5:12-129(5) upon Borgata for said violations; and,

C. Judgment imposing such other relief as may be just and appropriate.

Respectfully submitted,  
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Attorney for Complainant

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Deputy Attorney General

Dated: *Feb 16, 2012*

O-56-11-148