



State of New Jersey

PHIL MURPHY
Governor

SHEILA OLIVER
Lt. Governor

CASINO CONTROL COMMISSION
TENNESSEE AVENUE AND BOARDWALK
Atlantic City, New Jersey 08401

JAMES T. PLOUSIS
Chairman

ALISA BETH COOPER
JOYCE MOLLINEAUX
Commissioners

MINUTES - PUBLIC MEETING NO. 21-09-15
September 15, 2021 - 10:30 a.m.

(609) 441-3422

New Jersey Casino Control Commission
Joseph P. Lordi Public Meeting Room - First Floor
Tennessee Avenue & Boardwalk
Atlantic City, New Jersey

PRESIDING: Chairman James T. Plousis

PRESENT: Vice Chair Alisa B. Cooper and Commissioner Joyce Mollineaux

In furtherance of Governor Philip D. Murphy's Executive Order 103 (2020), the Casino Control Commission's meeting was held via remote technology. The public listened through access provided on the Commission's website, as well as through our YouTube channel, and public comments were accepted via e-mail.

Subsequent to the reading of a statement of compliance with the notice requirements of the Open Public Meetings Act and identification of items discussed during closed session, the Commission considered and took formal action on the following matters:

1. By votes of 3-0, ratified the minutes of August 11, 2021; and the Special Meeting of August 17, 2021 (transcript pages 10-12).
2. By a vote of 3-0, granted the initial applications of Dean A. Bellafiore, Minh K. Lam (*a/k/a Minh K. Tran*), Melissa J. Morelli, Renee D. Rogers and Kolongi L. Watford, for casino key employee licenses (Exhibit EL-1*; transcript pages 12-13); and

By a vote of 3-0, remanded the initial application of Jakia Bright for a casino key employee license to a hearing (Exhibit EL-1*; transcript pages 13-14).

3. By a vote of 3-0, granted the resubmitted applications of Pamela D. Burch (*a/k/a Pamela D. Reynolds*), Barbara A. Burns (*a/k/a Barbara A. Wilkins*), Virginia I. Carr, Michael A. Custodio, Mary P. Fox (*a/k/a Marypatricia K. Fox*), August Miklavcic, Jr., Edward J. Parkes, Samir M. Patel, Christian P. Rossetti and Rene A. Sagun, for casino key employee licenses (Exhibit EL-2*; transcript pages 14-16);

By a vote of 2-1 (Commissioner Mollineaux dissented), granted the resubmitted application of Stephen S. Callender, for a casino key employee license (Exhibit EL-2*; transcript page 16);

By a vote of 2-1 (Commissioner Mollineaux dissented), granted the resubmitted casino key employee license application of James A. Bruno and for qualification as Vice President of Casino Operations for Marina District Development Company, LLC (Exhibit EL-3*; transcript pages 16-17); and

By a vote of 2-1 (Commissioner Mollineaux dissented), granted the resubmitted casino key employee license application of Steven C. Hann and for qualification as Vice President Human Resources for Boardwalk Regency, LLC and Harrah's Atlantic City Operating Company (Exhibit EL-3*; transcript pages 17-18).

4. Temporary casino key employee licenses and multi casino endorsements (MCE) were issued between August 6, 2021 and September 7, 2021, pursuant to Delegation of Authority Resolution Number 17-01-11-11-C to the following applicants: Hemesh Barot, Judson J. Boyer, Jorge Cruz, Jr., Jason M. Dipietro, Michael J. Gaetano (MCE), Cindy E. Gonzalez, Lottrane Gunter, Gerald R. Lake, Jane J. Lock, Gerard P. Mills, Son T. Nguyen, Richard F. Pfeifer, Md H. Rahaman, Christopher A. Salyers and Eva L. Santiago (Exhibit EL-3*; transcript pages 18-21).
5. By a vote of 3-0, granted the requested relief and inactivated the casino key employee licenses held by Sameh R. Ghattas, Christine McGrath-Perez and Alberto Rosario (Ruling numbers 21-09-15-05-A, 21-09-15-05-B, 21-09-15-05-C; transcript pages 21-22).
6. By a vote of 3-0, found that Mary R. Alioto, Keisha L. Boyer, Joseph J. Herling, Phillip R. Roberts and Damian R. Taylor casino key employee licenses lapsed, pursuant to N.J.A.C. 19:41A-6.1 (f) of the regulations. (Ruling numbers 21-09-15-06-A, 21-09-15-06-B, 21-09-15-06-C, 21-09-15-06-D, 21-09-15-06-E; transcript pages 23-24).
7. By a vote of 2-1 (Commissioner Mollineaux dissented), adopted the Initial Decision of Hearing Examiner, Alisa B. Cooper, Vice Chair, and granted the initial application of Frank M. Ruocco, Jr., for a casino key employee license (DTK-21-0003-CK) (ruling numbers 21-09-15-07; transcript pages 24-28).

8. By a vote of 2-1 (Commissioner Mollineaux dissented), granted the initial application of Nicholas R. Scappa, for a casino key employee license (DKT 21-0011-CK) (Ruling number 21-09-15-08; transcript pages 28-29).

9. Considered the joint petition of Boardwalk 1000, LLC and HR Atlantic City, LLC and issued the following ruling:

By a vote of 3-0 adopted the drafted resolution; and issued an initial casino key employee license to Nanette Horner, pursuant to N.J.S.A. 5:12-89a and N.J.S.A. 5:12-89b, with a multi casino endorsement, pursuant to N.J.S.A. 5:12-91.1; and found Ms. Horner plenary qualified to serve as Vice President Legal and General Counsel of Boardwalk 1000, LLC and HR Atlantic City, LLC, in accordance with N.J.S.A. 5:12-85.1; N.J.A.C. 13:69C-2.6 and N.J.A.C. 13:69C-2.7 (Ruling number 21-09-15-09; transcript pages 29-33).

10. Considered the petition of AC Ocean Walk, LLC, and issued the following ruling:

By a vote of 3-0, approved the petition and issued a temporary casino key employee license to Ryan Burch, pursuant to N.J.S.A. 5:12-89(e) and N.J.A.C. 19:41A-5.3 (d), and permitted him to assume the duties and exercise the powers of Vice President of Hotel Operations for AC Ocean Walk, LLC, pending plenary qualification; subject to the conditions contained in N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89 and N.J.A.C. 13:69C-2.6 (PRN 2172101) (Ruling number 21-09-15-10; transcript pages 33-36).

11. Considered the joint petition of Boardwalk 1000, LLC and HR Atlantic City, LLC, and issued the following ruling:

By a vote of 3-0, approved the joint petition and issued a temporary casino key employee license to Anthony Spagno, pursuant to N.J.S.A. 5:12-89(e) and N.J.A.C. 19:41A-5.3(d), with a multi casino endorsement, pursuant to N.J.S.A. 5:12-91.1; and permitted him to assume the duties and exercise the powers of Casino Manager and Vice President of Table Games Operations for Boardwalk 1000, LLC and HR Atlantic City, LLC, pending plenary qualification; subject to the conditions contained in N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89, N.J.A.C. 13:69C-2.6 and N.J.A.C. 13:69C-2.7 (PRN 2322101) (Ruling number 21-09-15-11; transcript pages 36-39).

12. By a vote of 3-0, adopted the draft resolution and found Jonathan Halkyard, plenary qualified to serve as Chief Financial Officer and Treasurer for MGM Resorts International, in accordance with N.J.S.A. 5:12-85.1, N.J.S.A. 5:12-89b(1), N.J.A.C. 13:69C-2.7(c) and N.J.A.C. 13:69C-2.7(d) (Ruling number 21-09-15-12; transcript pages 39-42).

13. Considered the Amended and Restated petition of MGA Gaming NJ, LLC, for the issuance of a temporary casino key employee license to Raymond Pineault, Jr., pursuant to N.J.S.A. 5:12-89(e); and a waiver of the residency requirement, pursuant to N.J.S.A. 5:12-89(b) 4; and to permit him to assume the duties and exercise the powers of President of MGA Gaming NJ, LLC and Chief Operating Officer of Mohegan Tribal Gaming Authority, pending plenary qualification.

By a vote of 3-0, granted the requested relief and permitted the withdrawal of the application of Raymond Pineault, Jr., without prejudice (PRN 2322001) (Order number 21-09-15-13; transcript pages 42-44).

14. Considered the Petition of DGMB Casino, LLC (*d/b/a* Resorts Casino Hotel) and MGA Gaming NJ, LLC for approval of a Second Amended and Restated Management Agreement; and Petition for approval of a Third Amended and Restated Limited Liability Agreement of DGMB Casino Holdings, LLC.

The Commission received into evidence the following exhibits: P-1 & P-2 from the Petitioners.

The Commission considered the petition, written submissions, exhibits and oral arguments presented, and issued the following ruling:

By a vote of 3-0, granted the relief requested in the petitions and approved the Second Amended and Restated Management Agreement and the Third Amended and Restated Limited Liability Company Agreement, based upon and to the extent set forth in the findings and rulings and subject to the conditions contained in the resolution (PRN 0782103) (PRN 1052107) (Ruling number 21-09-15-14; transcript pages 44-49).

15. Considered the Petition for approval of a Third Amended and Restated Limited Liability Agreement of DGMB Casino Holdings, LLC.

By a vote of 3-0, granted the relief requested in the petition and approved the Third Amended and Restated Limited Liability Company Agreement, based upon and to the extent set forth in the findings and rulings and subject to the conditions contained in the resolution (PRN 1052107) (This vote is incorporated in Ruling number 21-09-15-14; transcript pages 44-49).

16. Considered the Petition of AC Ocean Walk LLC and Luxor Capital Group, LP for qualification of Ocean Casino Resort Holdings, LLC and New Ten RE, LLC as Holding Companies, and New TEN RE Merger Sub, LLC, as an Entity Qualifier, pursuant to N.J.S.A. 5:12-85.1 et seq.

The Commission considered the petition, written submissions, and oral arguments presented, and issued the following ruling:

By a vote of 3-0, adopted the draft resolution and granted the relief requested in the petition, and

- a) found Ocean Casino Resort Holdings, LLC and New Ten RE, LLC , qualified as new holding companies of AC Ocean Walk LLC, pursuant to N.J.S.A. 5:12-85.1;
- b) found New TEN RE Merger Sub, LLC, qualified, as an entity qualifier of AC Ocean Walk, LLC, pursuant to N.J.S.A. 5:12-85.1; and
- c) approved the pre-phase one restructuring of TEN RE ACNJ, LLC;

based upon the extent set forth in the findings and subject to the conditions in the Resolution (PRN 1812103) (ruling number 21-09-15-16; transcript pages 49-55).

In accordance with Resolution No. 20-12-09-03, the next closed session of the Commission shall be held on Wednesday, October 13, 2021 at 9:30 a.m. in the Commission Offices (transcript page 55).

There being no member of the public to address the Commission, the meeting adjourned at 11:34 a.m. (transcript page 56).

*Lists of individuals acted upon at this meeting have been documented by exhibit number. Commission rulings are documented in orders or resolutions. These lists, rulings and official transcripts are available for public review at the Commission offices located at the corner of Tennessee Avenue and the Boardwalk, Atlantic City, New Jersey.

These minutes remain subject to amendment until such time as they are formally ratified by the New Jersey Casino Control Commission.

CERTIFICATION

I, Dianna W. Fauntleroy, Executive Secretary of the New Jersey Casino Control Commission, DO HEREBY CERTIFY that the foregoing Minutes of the Open Session conducted on September 15, 2021, are true and correct.



Dianna W. Fauntleroy, Esq.
Executive Secretary