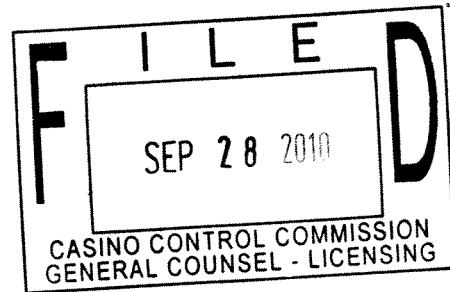


PAULA T. DOW

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

By: R. Lane Stebbins
Deputy Attorney General
(609) 317-6218



STATE OF NEW JERSEY
CASINO CONTROL COMMISSION
DOCKET NO. 10-0292-VC

STATE OF NEW JERSEY, DEPARTMENT)
OF LAW AND PUBLIC SAFETY,)
DIVISION OF GAMING ENFORCEMENT,)
)
Complainant,)
)
v.)
)
TROPICANA ATLANTIC CITY CORP.)
d/b/a TROPICANA CASINO and RESORT,)
)
Respondent.)
_____)

Civil Action
COMPLAINT

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

COUNT I
(Exclusion)

1. Respondent, TROPICANA ATLANTIC CITY CORP., d/b/a TROPICANA CASINO and RESORT ("Tropicana") is a New Jersey enterprise having its principal place of business at 2100 Pacific Avenue, Atlantic City, New Jersey.

2. Tropicana is the holder of a casino license first issued by the Casino Control Commission ("Commission") on November 26, 1982. At all times relevant herein, Tropicana was authorized to conduct casino gaming within its casino hotel facility.

3. N.J.A.C. 19:48-1.7(a) provides, in pertinent part, that:

A casino licensee shall exclude or eject the following persons from its casino hotel facility:

1) Any excluded person;...

4. N.J.A.C. 19:48-1.7(b) provides, in pertinent part, that:

If an excluded person enters, attempts to enter or is in a casino hotel facility and is recognized by the casino licensee, the casino licensee shall immediately notify the Commission and the Division of such fact.

5. N.J.A.C. 19:45-1.11(b)1 provides, in pertinent part, that:

The surveillance department shall be responsible for, without limitation, the following:

viii. The detection of the presence in the establishment of any person who is required to be excluded...

xi. Providing timely notification to the appropriate

supervisors, the Commission, and the Division upon detecting, and also upon commencing video or audio recording of, any person who is required to be excluded...

6. On August 28, 1989, Brent Morris ("Morris") was, by order of the New Jersey Casino Control Commission, placed on the Exclusion list based upon his conviction for swindling and cheating. At all times relevant herein, Morris was an excluded person.

7. On May 27, 2010, at 10:33 p.m., as a result of information received from another New Jersey casino licensee to the effect that Morris had been wagering at its facility, Tropicana conducted a review of its casino floor and determined that Morris was present within the licensed premises at Pit 4, Craps Table #8. Tropicana caused Morris to be detained and notified the New Jersey State Police. The New Jersey State Police positively identified Morris as an excluded person.

8. Subsequent to the events described in Paragraph 7 of this Complaint, Tropicana reviewed the wagering activity by Morris at Pit 4, Craps Table #8. Based upon this review, Tropicana determined that:

a) Morris had been present and wagering at the table for approximately 30 minutes, and

b) at 9:29 p.m. Morris had past posted a wager which resulted in an over payment of \$6,000.

9. Subsequent to the events described in Paragraphs 7 and 8, of this Complaint, Tropicana reviewed its recent surveillance coverage of craps games. Based upon this review, Tropicana determined that, on May 23, 2010 and May 25, 2010, Morris had been present in its licensed casino premises, had engaged in wagering activity and, on each occasion, had past posted wagers by increasing his bet after the dice had come to rest, but without a verbal confirmation by Tropicana's games personnel.

10. Based upon the information in Paragraphs 1 through 9, of this Complaint, on 3 occasions Tropicana failed to exclude or eject Morris from its licensed casino hotel facility, in violation of N.J.A.C. 19:48-1.7(a)1.

11. Based upon the information in Paragraphs 1 through 9, of this Complaint, on 2 occasions Tropicana failed to notify the Commission or the Division of the fact that Morris was in its licensed casino hotel facility, in violation of N.J.A.C. 19:48-1.7(b) and N.J.A.C. 19:45-1.11(b)1.

WHEREFORE, Complainant demands the following relief against Respondent, Tropicana:

A. Judgment that Tropicana, on 3 occasions, failed to exclude or eject Brent Morris from its licensed casino hotel facility, in violation of N.J.A.C. 19:48-1.7(a)1;

B. Judgment that Tropicana, on 2 occasions, failed to notify the Commission or the Division of the fact that Brent Morris was in its licensed casino hotel facility, in violation of N.J.A.C. 19:48-1.7(b) and N.J.A.C. 19:45-1.11(b)1;

C. Judgment imposing a civil monetary penalty, pursuant to N.J.S.A. 5:12-129(5), upon Tropicana; and,

D. Judgment for such other and further relief as the Commission may deem just and appropriate under the circumstances.

COUNT II
(Rules of the Game-Wagers)

12. Complainant repeats the allegations contained in Count I as if fully set forth herein.

13. N.J.A.C. 19:47-1.3(a) provides, in pertinent part, that:

Wagers should be made before the dice are thrown. However, they may be made between the time the dice leave the shooter's hand and the time the dice come to rest provided that they are confirmed verbally...

14. N.J.A.C. 19:47-1.10(b) provides, in pertinent part, that:

In craps, after calling the throw, the stickperson shall collect the dice and bring them to the center of the table between himself and the boxperson. All wagers decided by that throw shall then be settled, following which the stickperson shall pass the dice to the shooter for the next throw.

15. On May 23, 2010, May 25, 2010 and May 27, 2010, Tropicana games personnel permitted a wager to be made by Morris after the throw of the dice.

16. On May 23, 2010, May 25, 2010 and May 27, 2010, Tropicana games personnel settled wagers made by Morris, which wagers were, in part, past posted and, thus, illegal.

17. Based upon the information in Paragraphs 12 through 16 of this Complaint, on May 23, 2010, May 25, 2010 and May 27, 2010, Tropicana failed to preclude certain wagers, in violation of N.J.A.C. 19:47-1.3(a).

18. Based upon the information in Paragraphs 12 through 16 of this Complaint, on May 23, 2010, May 25, 2010 and May 27, 2010, Tropicana, by paying, in full, a wager which had been illegally increased by past posting, failed to properly settle wagers, in violation of N.J.A.C. 19:47-1.10(b).

WHEREFORE, Complainant demands the following relief against Respondent, Tropicana:

A. Judgment that Tropicana, on May 23, 2010, May 25, 2010 and May 27, 2010, failed to preclude certain wagers, in violation of N.J.A.C. 19:47-1.3(a);

B. Judgment that Tropicana, on May 23, 2010, May 25, 2010 and May

27, 2010, by paying, in full, a wager which had been past posted, failed to properly settle wagers, in violation of N.J.A.C. 19:47-1.10(b);

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

D. Judgment imposing any other relief that the Commission may deem just and appropriate.

COUNT III
(Game Supervision)

19. Complainant repeats the allegations contained in Counts I and II as if fully set forth herein.

20. N.J.A.C. 19:45-1.11(a) provides in pertinent part
Each casino licensee's system of internal controls shall, in accordance with the provisions of N.J.A.C. 19:45-1.11A, include tables of organization....Each casino licensee's tables of organization shall provide for:

1. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility;

21. N.J.A.C. 19:45-1.12 provides, in pertinent part, that:

(b) The following personnel shall be used to operate the table games in an establishment:

2. Dealers shall be the persons assigned to each table game to directly operate and conduct the game.

5. Floorperson shall be the second level supervisor assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of all other table games.

6. Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of all other table games other than poker.

8. Table games shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the casino and casino simulcasting facility....

22. On May 23, 2010, May 25, 2010 and May 27, 2010, Morris, then an excluded person, was present within Tropicana's licenses premises and, on each occasion, engaged in illegal conduct, that is, past posting wagers at the game of Craps.

23. At no time during the three occasions set forth in Paragraph 22, of this Complaint, did Tropicana's games personnel observe the instances of past posting wagers at the game of Craps.

24. Based upon the information set forth in Paragraphs 19 through 23 of this Complaint, Tropicana personnel, on three occasions, failed to adequately supervise the game of Craps in violation of N.J.A.C. 19:45-1.11(a) and N.J.A.C. 19:45-

1.12(b).

WHEREFORE, Complainant demands the following relief against Respondent, Tropicana:

A. Judgment that Tropicana, on May 23, 2010, May 25, 2010 and May 27, 2010, failed to adequately supervise the game of Craps in violation of N.J.A.C. 19:45-1.11(a) and N.J.A.C. 19:45-1.12(b);

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

C. Judgment imposing any other relief that the Commission may deem just and appropriate.

COUNT IV
(Surveillance Oversight)

25. Complainant repeats the allegations contained in Counts I, II and III as if fully set forth herein.

26. N.J.A.C. 19:45-1.11(b)1 provides, in pertinent part, that the mandatory surveillance department shall be responsible for:

vii. The detection of cheating, theft, embezzlement, and other illegal activities in the casino, casino simulcasting facility, count rooms, slot booths, and cashiers' cage;

27. On May 23, 2010, May 25, 2010 and May 27, 2010, Morris, then an excluded person, was present within Tropicana's licensed premises and engaged in conduct constituting swindling and cheating, that is, past posting wagers at the game of Craps.

28. At no time during the three occasions set forth in Paragraph 27, of this Complaint, did Tropicana's surveillance personnel alert games personnel or report the instances of past posting wagers at the game of Craps.

29. Based upon the information in Paragraphs 25 through 28, of this Complaint, Tropicana, by its surveillance department, failed to detect cheating, in violation of N.J.A.C. 19:45-1.11(b)1vii.

WHEREFORE, Complainant demands the following relief against Respondent, Tropicana:

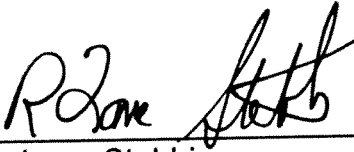
A. Judgment that Tropicana, by its surveillance department, on May 23, 2010, May 25, 2010 and May 27, 2010, failed to detect cheating, in violation of N.J.A.C. 19:45-1.11(b)1vii;

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

C. Judgment imposing any other relief that the Commission may deem just and appropriate.

Respectfully submitted,

PAULA T. DOW
Attorney General of New Jersey

By: 
R. Lane Stebbins
Deputy Attorney General

Dated: *September 27, 2010*

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
Dkt No 10-0292-VC

STATE OF NEW JERSEY, DEPARTMENT)	
OF LAW AND PUBLIC SAFETY,)	
DIVISION OF GAMING ENFORCEMENT,)	
)	
Complainant,)	Civil Action
)	
v.)	ORDER
)	
TROPICANA ATLANTIC CITY CORP.)	
d/b/a TROPICANA CASINO and RESORT,)	
)	
Respondent.)	
)	
)	
)	

The Division of Gaming Enforcement ("Division") having filed a complaint on September 29, 2010, charging TROPICANA ATLANTIC CITY CORP., d/b/a TROPICANA CASINO and RESORT ("Tropicana") with various violations related to the supervision and surveillance of gaming activity and,

The Division and Tropicana having discussed the allegations and Tropicana having admitted to certain regulatory violations; and,

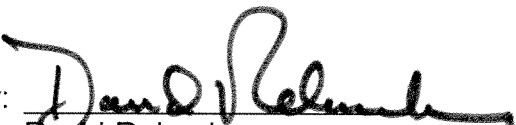
The Division and Tropicana having agreed to a resolution of the charges as set forth in a Stipulation of Settlement, and,

Having considered the relevant provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., and the regulations promulgated thereunder, specifically , N.J.A.C. 19:45-1.1 et seq. and N.J.A.C. 19:48-1.1 et seq.; and

Having considered the entire matter and determined that there are sufficient facts and circumstances to conclude that Tropicana violated the provisions of in N.J.A.C. 19:45-1.11(a) and (b)1 vii and x, N.J.A.C. 19:45-1.12(b).

It is hereby ORDERED that a civil monetary penalty in the amount of \$15,000 is hereby imposed on Tropicana, pursuant to N.J.S.A. 5:12-129(5).

Dated: August 30, 2011

By: 
David Rebeck
Acting Director

Preliminary Facts

License History and Corporate Structure

1. Respondent, Tropicana Atlantic City Corp. d/b/a Tropicana Casino and Resort ("Tropicana"), is a corporation duly organized and existing under the laws of the State of New Jersey and maintains its principal place of business at Brighton Avenue and The Boardwalk, Atlantic City, New Jersey 08401.

2. Tropicana is the holder of a casino license issued November 10, 2010, pursuant to N.J.S.A. 5:12-1 et seq.

Applicable Law Exclusion and Surveillance

3. N.J.A.C. 19:48-1.7(a) provides, in pertinent part, that:

"A casino licensee shall exclude or eject the following persons from its casino hotel facility:

1) Any excluded person; ..."

4. N.J.A.C. 19:48-1.7(b) provides, in pertinent part, that:

"If an excluded person enters, attempts to enter or is in a casino hotel facility and is recognized by the casino licensee, the casino licensee shall immediately notify the Commission and the Division of such fact."

5. N.J.A.C. 19:45-1.11(b)1 provides, in pertinent part, that:

"The surveillance department shall be responsible for, without limitation, the following: . . .

viii. The detection of the presence in the establishment of any person who is required to be excluded...

xi. Providing timely notification to the appropriate supervisors, the Commission, and the Division upon detecting, and also upon commencing video or audio recording of, any person who is required to be

excluded...”

Rules of the Game

6. N.J.A.C. 19:47-1.3(a) provides, in pertinent part, that:

“Wagers should be made before the dice are thrown. However, they may be made between the time the dice leave the shooter's hand and the time the dice come to rest provided that they are confirmed verbally...”

7. N.J.A.C. 19:47-1.10(b) provides, in pertinent part, that:

“In craps, after calling the throw, the stickperson shall collect the dice and bring them to the center of the table between himself and the boxperson. All wagers decided by that throw shall then be settled, following which the stickperson shall pass the dice to the shooter for the next throw.”

Game Supervision

8. N.J.A.C. 19:45-1.11(a) provides in pertinent part:

“Each casino licensee's system of internal controls shall, in accordance with the provisions of N.J.A.C. 19:45-1.11A, include tables of organization....Each casino licensee's tables of organization shall provide for:

1. A system of personnel and chain of command which permits management and supervisory personnel to be held accountable for actions or omissions within their areas of responsibility; . . .”

9. N.J.A.C. 19:45-1.12 provides, in pertinent part, that:

(b) “The following personnel shall be used to operate the table games in an establishment: . . .

2. Dealers shall be the persons assigned to each table game to directly operate and conduct the game.
. . .

5. Floorperson shall be the second level supervisor

assigned the responsibility for directly supervising the operation and conduct of a craps game, and the first level supervisor assigned the responsibility for directly supervising the operation and conduct of all other table games. . . .

6. Pit boss shall be the third level supervisor assigned the responsibility for the overall supervision of the operation and conduct of a craps game and the second level supervisor assigned the responsibility for the overall supervision of the operation and conduct of all other table games other than poker. . .

8. Table games shift manager shall be the supervisor assigned to each shift with the responsibility for the supervision of table games conducted in the casino and casino simulcasting facility....”

Cheating and Surveillance

10. N.J.A.C. 19:45-1.11(b)1 provides, in pertinent part, that the mandatory surveillance department shall be responsible for:

vii. “The detection of cheating, theft, embezzlement, and other illegal activities in the casino, casino simulcasting facility, count rooms, slot booths, and cashiers' cage; . . .

x. Providing timely notification to appropriate supervisors, the Commission, and the Division upon detecting, and also upon commencing video or audio recording of, any person who is engaging in or attempting to engage in, or who is reasonably suspected of cheating, theft, embezzlement, or other illegal activities, including those activities prohibited in Article 9 of the Act; . . .”

Factual Summary

11. The Division, by Complaint filed September 29, 2010, Docket No. 10-0292-VC, a copy of which is attached hereto as Exhibit “A”, sought sanctions against Tropicana for reasons set forth therein and, more specifically that on May 23, 2010, May 25, 2010 and May 27, 2010, Brent Morris, then an excluded person, was present within Tropicana's licensed premises and engaged in conduct constituting swindling and cheating, that is, past-posting wagers at the game of Craps.

12. Tropicana acknowledges the accuracy of the facts set forth in Paragraph 11 of this Stipulation of Settlement and admits that on May 23, 2010, May 25, 2010 and May 27, 2010, it failed to adequately supervise the game of Craps in violation of N.J.A.C. 19:45-1.11(a) and N.J.A.C. 19:45-1.12(b); and Tropicana failed to detect cheating, thus violating N.J.A.C. 19:45-1.11(b) 1. vii and x.

Prior Regulatory History of the Casino Licensee

13. Tropicana was the subject regulatory action, Docket No. 09-0728-VC which alleges violations of N.J.A.C. 19:45-1.11(a) and N.J.A.C. 19:45-1.12(b); N.J.S.A. 19:47-2.3(e); or, N.J.A.C. 19:45-1.11(b)1vii. On March 25, 2011, a Stipulation of Settlement was approved and a civil penalty in the amount of \$40,000 was imposed.

Corrective Action Of The Licensee And Mitigating Factors

14. Past-posting incident of May 23, 2010. Four (4) employees were issued Final Warnings for their unacceptable actions on this day. One (1) employee was issued a Final Warning and Suspended three (3) days for his unacceptable actions on this day.

15. Past-posting incident of May 25, 2010. Two (2) employees were given Verbal Counseling for their unacceptable actions on this day.

16. Past-posting incident of May 27, 2010. Two (2) employees were suspended for three (3) days for their unacceptable actions on this day. One (1) employee was terminated on this day for his unacceptable actions.

Settlement Agreement

IT IS THEREFORE AGREED AND STIPULATED by and between the parties

hereto that:

A. The facts stated herein are true and accurate; and

B. Tropicana admits that on May 23, 2010, May 25, 2010 and May 27, 2010, it failed to adequately supervise the game of Craps in violation of N.J.A.C. 19:45-1.11(a) and N.J.A.C. 19:45-1.12(b) and this admission is in accord with Count Three (Game Supervision) of the Complaint; and Tropicana failed to detect cheating, in violation of N.J.A.C. 19:45-1.11(b)1 vii. and x. and this admission is in accord with Count Four

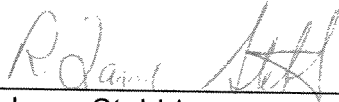
(Surveillance Oversight) and;

C. For the violations admitted herein Tropicana shall pay to the New Jersey Casino Revenue Fund, as a civil penalty pursuant N.J.S.A. 5:12-129(5), and in recognition of the provisions of N.J.S.A. 5:12-130, the aggregate sum of fifteen-thousand (\$15,000.00) dollars; and,

D. The parties agree that a monetary penalty, in the total amount of fifteen-thousand (\$15,000.00) dollars is just and equitable and in accordance with the criteria set forth in N.J.S.A. 5:12-130, and shall be the full and final settlement of the allegations set forth in the above-captioned complaint.

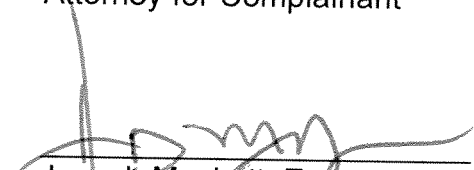
E. All remaining counts are hereby dismissed.

The undersigned consent to the form and entry of the above Stipulation.



R. Lane Stebbins
Deputy Attorney General
Attorney for Complainant

Dated: 8/18/11



Joseph Muskett, Esq.
Counsel for Respondent,
Tropicana Atlantic City Corp.
d/b/a Tropicana Casino and Resort

Dated: 7/28/11