



State of New Jersey

Chris Christie
Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Paula T. Dow
Attorney General

Kim Guadagno
Lt. Governor

Josh Lichtblau
Director

March 25, 2011

LETTER/ORDER

Approval of Stipulation of Settlement

N. Lynne Hughes, Esq.
Vice President Regulatory and Legal Affairs
Bally's Park Place Inc,
Park Place & The Boardwalk
Atlantic City, New Jersey 08401

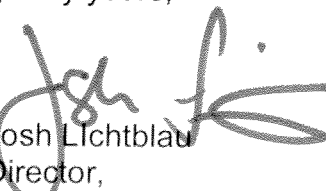
Re: State v. Harrah's Atlantic City Casino Hotel,
Dkt No 09-0596-VC

Dear Ms. Hughes:

Bally's Park Place Inc., d/b/a Bally's Park Place Hotel & Casino and the Division of Gaming Enforcement entered into a stipulation of settlement to resolve the issues raised in the captioned matter. The stipulation has been reviewed by the undersigned and is hereby APPROVED. You are directed to remit the penalty amount of \$25,000 to the Casino Revenue fund.

Very truly yours,

By:


Josh Lichtblau
Director,
Division of Gaming Enforcement

RLS/



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N. Lynne Hughes, Esq
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March 25, 2011

c: Richard E. Handzo, Chief

Intake Unit

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
DOCKET NO. 09-0596-VC

STATE OF NEW JERSEY, DEPARTMENT)	
OF LAW AND PUBLIC SAFETY,)	
DIVISION OF GAMING ENFORCEMENT,)	
)	
Complainant,)	Civil Action
)	
v.)	STIPULATION OF
)	SETTLEMENT
BALLYS PARK PLACE, INC. d/b/a)	
BALLYS PARK PLACE HOTEL & CASINO)	
)	
Respondent.)	
)	

The above-captioned matter having been discussed by and between the parties involved, 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 by R. Lane Stebbins, Deputy Attorney General, and N. Lynne Hughes, Esq., Vice President, Legal Affairs, Chief Legal Officer, attorney for

Respondent, Bally's Park Place Inc., d/b/a Bally's Atlantic City (hereinafter "Bally's"), the following facts have been agreed upon and stipulated.

Preliminary Facts
License History and Corporate Structure

1. Respondent, BALLY'S PARK PLACE, INC., d/b/a BALLY'S ATLANTIC CITY ("Bally's") is a New Jersey corporation having its principal place of business at Park Place and the Boardwalk, Atlantic City, New Jersey 08401.

2. Bally's is the holder of a casino license first issued by the Casino Control Commission (hereinafter "Commission") on or about December 29, 1980 and most recently renewed effective June 30, 2008.

3. At all times relevant herein, Bally's was authorized to conduct casino gaming within its casino hotel facility.

Applicable Law

4. 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; . . .

5. 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. . .

6. N.J.A.C. 19:43-16.1(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;

Facts and Admissions

7. The Division, by Complaint filed September 22, 2009, Docket No. 09-0596-VC, a copy of which is attached hereto as Exhibit "A", sought sanctions against Bally's for reasons set forth therein and, more specifically, that Bally's permitted an underage individual to engage in wagering activity, to wit, wagering at a slot machine.

8. Bally's acknowledges the accuracy of the facts set forth in Paragraph 7, *supra*, and admits that it permitted an underage individual to engage in wagering activity and, thus violated the provisions of 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, and N.J.A.C. 19:43-16.1(a)3.

Prior Regulatory History of the Licensee

9. Within the prior five years, Bally's has been the subject of two formal regulatory actions, Dkt Nos 08-0939-VC and 07-0019, for violations of the regulations pertaining to underage wagering. For the referenced regulatory actions, civil penalties in the aggregate amount of \$212,000 were imposed.

Corrective Action Of The Licensee And Mitigating Factors

10. The service of alcoholic beverages and the issuance of credit were not involved in the incidents of gambling activity.

11. Bally's represents that its records indicate that it has caught and subsequently either arrested or ejected, prevented from entering or escorted from its casino floor 12,357 underage individuals in calendar year 2009, and 12,063 in calendar year 2010, as of September 30, 2010.

12. Bally's has developed and implemented various initiatives to identify and stop individuals from participating in underage gambling:

a. With the assistance of its parent, subsidiary and affiliated companies, Bally's has adopted responsible gaming initiatives, which teach employees, minors, parents and guardians about the consequences of gambling under the legal age. These initiatives include, without limitation, front and back-of-house signage, detailed employee training on cues for identifying minors, and the on-going creation of materials to keep employees and players aware, including community awareness through TV public service announcements.

b. Bally's trains its employees to card individuals who appear to be below the age of 30, and take other actions to detect potentially invalid identification. Bally's now uses electronic ID scanners to card its guests. Bally's issues appropriate and consistent discipline to its employees who fail to perform his or her employment obligations with regard to underage gaming or drinking.

c. Bally's, through its Code of Commitment, repeatedly emphasizes to its employees, guests and surrounding communities that casino gaming is an adults-only activity, and Bally's requires its employees to remain vigilant in their efforts to prevent underage gaming. In so doing,

Bally's restricts the placement and content of its advertising and marketing materials to age-appropriate venues and messages.

In sum, Bally's asserts that it takes its responsibilities and obligations regarding responsible gaming seriously and it is consistently exploring avenues in which to advance its responsible gaming initiatives.

Settlement Agreement

IT IS THEREFORE AGREED AND STIPULATED by and between the parties hereto that:

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

- B. Respondent Bally's admits that it violated the provisions of the Act and the regulations, specifically 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, and N.J.A.C. 19:43-16.1(a)3 in that it permitted an underage individual to engage in wagering activity;

- C. For the violations admitted herein Respondent, Bally's, 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 \$25,000; and,

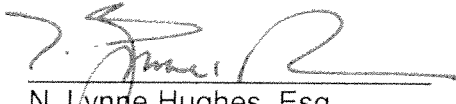
D. The parties agree that a monetary penalty, in the total amount of \$25,000 is just and equitable and in accordance with the criteria set forth in N.J.S.A. 5:12-130, and shall be in full and final settlement of the allegations set forth in the above-captioned complaint.

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



R. Lane Stebbins
Deputy Attorney General
Attorney for Complainant

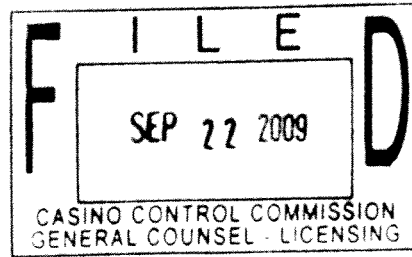
Dated: March 24, 2011



N. Lynne Hughes, Esq.
Vice President, Legal Affairs,
Chief Legal Officer
Counsel for Respondent Bally's

Dated: March 24, 2011

ANNE MILGRAM
 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. 09-0596-VC

STATE OF NEW JERSEY, DEPARTMENT
 OF LAW AND PUBLIC SAFETY,
 DIVISION OF GAMING ENFORCEMENT,

 Complainant,

 v.

 BALLYS PARK PLACE, INC. d/b/a
 BALLYS PARK PLACE HOTEL & CASINO

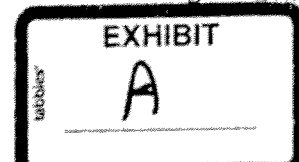
 Respondent.

Civil Action
 COMPLAINT

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

1. Respondent, BALLY'S PARK PLACE, IINC., d/b/a BALLYS PARK
 PLACE HOTEL & CASINO ("Bally's") is a New Jersey corporation having its principal



place of business at Park Place and the Boardwalk, Atlantic City, New Jersey 08401.

2. Bally's is the holder of a casino license first issued by the Casino Control Commission (hereinafter "Commission") on or about December 29, 1980 and most recently renewed effective June 30, 2008.

3. At all times relevant herein, Bally's was authorized to conduct casino gaming within its casino hotel facility.

4. 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; . . .

5. 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. . .

6. N.J.A.C. 19:43-16 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;

7. On June 26, 2009, at approximately 11:15 p.m., KW was observed by State Investigators on the Bally's casino floor engaging in wagering activity at slot machine #12077 at location #381204. Due to KW's youthful appearance the State Investigators requested identification from KW for the purpose of establishing her age. KW was unable to produce identification.

8. Subsequent to the events described in Paragraph 7, supra, State Investigators summoned Bally's security personnel to the above referenced location. While awaiting the arrival of the security personnel KW stated that she was 19 years of age

9. KW was escorted off the casino floor to the Division offices located within the Bally's premises. A detective New Jersey State Police was summoned to the office and KW was charged with underage gambling in violation of N.J.S.A. 5:12-119. KW did not appear for her scheduled court appearance and a bench warrant has been issued for her arrest.

10. During the investigation, KW stated to the State Investigators that she had been at Bally's "many times" during the preceding three months, that she would be served alcohol at outlets located within Bally's premises, and that she was never asked for identification.

11. By permitting KW to enter the casino, remain in the casino and wager at games in the casino, Bally's 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, and N.J.A.C. 19:43-16.1(a)3.

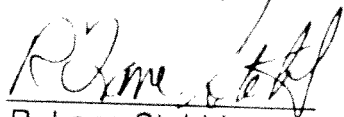
WHEREFORE, Complainant demands judgment that Respondent Bally's:

A. Judgment that Bally's 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 and N.J.A.C. 19:43-16.1(a)3;

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

C. Judgment imposing any other relief which the Commission in its discretion may deem just and appropriate.

Respectfully submitted,
ANNE MILGRAM
Attorney General of New Jersey
Attorney for Complainant

By: 
R. Lane Stebbins
Deputy Attorney General

Dated: *September 27, 2007*