

STATE OF NEW JERSEY  
Office of the Attorney General  
Department of Law and Public Safety  
Division of Gaming Enforcement  
Dkt No. 09-0381-VC

STATE OF NEW JERSEY, DEPARTMENT )  
OF LAW AND PUBLIC SAFETY, )  
DIVISION OF GAMING ENFORCEMENT, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
TRUMP TAJ MAHAL ASSOCIATES, d/b/a )  
TRUMP TAJ MAHAL CASINO RESORT, )  
 )  
Respondent. )  
 )

ORDER

The Division filed a complaint on June 16, 2009, Docket No. 09-0381-VC, seeking sanctions against TRUMP TAJ MAHAL ASSOCIATES (“Taj Mahal”) for reasons set forth therein and, more specifically, that Taj Mahal permitted an underage person to enter, remain, wager in its casino, and be rated as a player; and

Having considered the relevant provisions of the Casino Control Act, N.J.S.A. 5:12-1 et seq., specifically N.J.S.A. 5:12-119(b), and the regulations promulgated thereunder, specifically N.J.A.C. 19:43-16.1(a)1, N.J.A.C. 19:43-16.1(a)2, N.J.A.C. 19:43-16.1(a)3, and N.J.A.C. 19:43-16.1(a)4, now as N.J.A.C. 13:69C-16(a)1, (a)2, (a)3 and (a)4; and

Having considered the Stipulation of Settlement which the parties executed and finding sufficient legal and factual support for the recommended penalty therein.

I hereby **ORDER** that the settlement be adopted and that a civil penalty in the aggregate amount of \$5,000 be imposed upon Taj Mahal, payable upon receipt of an invoice from the Division.

Dated: July 6, 2012



DAVID L. REBUCK  
DIRECTOR

JEFFREY S. CHIESA  
Attorney General of New Jersey  
Attorney for the State of New Jersey  
Department of Law and Public Safety  
Division of Gaming Enforcement  
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By: Timothy C. Ficchi  
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Vice President of Legal Affairs  
Trump Taj Mahal Associates  
1000 Boardwalk at Virginia Avenue  
Atlantic City, New Jersey 08401

STATE OF NEW JERSEY  
DOCKET NO.: 09-0381-VC

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STATE OF NEW JERSEY, DEPARTMENT )  
OF LAW AND PUBLIC SAFETY, )  
DIVISION OF GAMING ENFORCEMENT, )  
 )  
Complainant, )  
 )  
v. )  
 )  
TRUMP TAJ MAHAL ASSOCIATES, LLC )  
d/b/a TRUMP TAJ MAHAL CASINO RESORT )  
 )  
Respondent. )  
\_\_\_\_\_ )

STIPULATION OF FACTS  
AND SETTLEMENT

The above-captioned matter having been discussed by and between the parties involved, Jeffrey S. Chiesa, Attorney General of New Jersey, attorney for Complainant State of New Jersey, Department of Law and Public Safety, Division of Gaming Enforcement ("Division") by Timothy C. Ficchi, Deputy Attorney General, and

Frederick T. Cunningham, Esquire, Vice President of Legal Affairs, attorney for Respondent Trump Taj Mahal Associates, LLC d/b/a Trump Taj Mahal Casino Resort (hereinafter "TTMA"), the following facts have been agreed upon and stipulated as to the Division and TTMA only:

### Preliminary Facts

1. Respondent, Trump Taj Mahal Associates, LLC d/b/a Trump Taj Mahal Casino Resort (hereinafter "TTMA") is a New Jersey enterprise having its principal place of business located at 1000 Boardwalk at Virginia Avenue, Atlantic City, New Jersey.

2. TTMA is the holder of a casino license first issued by the Casino Control Commission (hereinafter "Commission") on or about March 29, 1990, and most recently renewed on or about June 26, 2007.

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

### Facts Regarding Underage Gambling of ZS

4. ZS is a female individual whose date of birth is April 27, 1988. At all times relevant herein, ZS was under 21 years of age.

5. On July 18, 2008, a casino licensee, but not the Respondent herein, identified patron ZS, as an underage person gambling in its casino. Said casino licensee was alerted to the age of ZS when she produced an identification credential which appeared to the casino licensee's personnel to have had an altered date of birth. Said casino licensee facilitated the arrest of ZS by New Jersey State Police officers assigned to the Division. ZS was subsequently charged with the offense of underage gambling.

6. Utilizing the information about ZS obtained as a result of her arrest on July 18, 2008, the Division conducted a review to determine prior gambling activity of ZS in any casino licensee in Atlantic City. That review yielded the information presented in paragraphs 10 through 12.

7. While on TTMA's casino floor on July 14, 2008, ZS had a player account established for her. In establishing that account, ZS provided, and TTMA personnel accepted, an identification credential which identification credential was the same credential offered by ZS to the other casino licensee on July 18, 2008 which led to her arrest there for underage gambling.

8. The identification credential presented by ZS on July 14, 2008 purported to be a New York State Learner Permit. "Under 21" was prominently printed on the face of the Learner Permit in large, bold lettering. The date of birth indicated on the Learner Permit was noticeably altered from "04-27-88" to "04-27-80."

9. ZS engaged in rated play at TTMA on July 17, 2008 on a slot machine at location YU-001 with ratings indicating play for seventeen (17) minutes; on July 17, 2008 at poker table #64 from 3:20 a.m. until 3:46 a.m., with ratings indicating play for a total of twenty-six (26) minutes; and at poker table #55 from 3:22 p.m. on July 18, 2008 until 6:02 a.m. on July 19, 2008, with ratings which did not specify accumulated time of play.

Applicable Law

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

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; . . .

11. N.J.S.A. 9:17B-1(b) 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. . .

12. N.J.A.C. 19:43-16.1(a), now 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; . . . .

#### Prior Regulatory History of the Licensee

13. TTMA was the subject of formal administrative complaints and found to have permitted underage persons to enter its casino, remain in its casino and wager at games in its casino on twelve (12) occasions subsequent to September, 2002.

a) In State v. Trump Taj Mahal Associates, Dkt. No. 02-0960-VC (2003), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

b) In State v. Trump Taj Mahal Associates, Dkt. No. 03-0118-VC (2003), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

c) In State v. Trump Taj Mahal Associates, Dkt. No. 03-0119-VC (2003), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

d) In State v. Trump Taj Mahal Associates, Dkt. No. 03-0120-VC (2003), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

e) In State v. Trump Taj Mahal Associates, d/b/a Trump Taj Mahal Casino Resort, Dkt. No. 03-0518-VC (2003), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

f) In State v. Trump Taj Mahal Associates, A Casino Licensee, BG, An Individual, and Gaming chips in a Total Value of \$217.00, Dkt. No. 03-0642-VC (2005), the Commission imposed a fine of \$20,000 against TTMA for allowing an underage individual to gamble at a table game in its casino.

g) In State v. Trump Taj Mahal Associates, Dkt. No. 07-0502-VC (2008), the Commission imposed a fine of \$50,000 against TTMA for allowing four (4) underage individuals to gamble in its casino. Three (3) gambled at slot machines and one (1) gambled at a table game. One of the slot players was sixteen (16) years of age.



h) In State v. Trump Taj Mahal Associates, Dkt. No. 07-0688-VC (2008), the Commission imposed a fine of \$40,000 against TTMA for allowing four (4) underage individuals to gamble in its casino. All of the underage individuals were gambling at slot machines.

i) In State v. Trump Taj Mahal Associates, LLC d/b/a Trump Taj Mahal Casino Resort, Dkt. No. 08-0970-VC (2009), the Commission imposed a fine of \$10,000 against TTMA for allowing an underage individual to gamble at a slot machine in its casino.

j) In State v. Trump Taj Mahal Associates, LLC d/b/a Trump Taj Mahal Casino Resort, Dkt. No. 09-0471-VC (2010), the Commission imposed a fine of \$15,000 against TTMA for allowing an underage individual to gamble in its casino.

k) In State v. Trump Taj Mahal Associates, Dkt. No. 10-0265-VC (2010), the Commission imposed a fine of \$20,000 against TTMA for allowing an underage individual to gamble in its casino and for serving that individual an alcoholic beverage.

l) In State v. Trump Taj Mahal Associates, Dkt. No. 10-0308-VC (2012), a stipulated fine of \$20,000 was imposed against TTMA for allowing an underage individual to gamble in its casino and for serving that individual an alcoholic beverage.

## Corrective Action Of The Licensee And Mitigating Factors

14. The service of alcoholic beverages and the issuance of credit were not involved in the incidents involving ZS.

15. TTMA represents that its records indicate that it has caught and subsequently either arrested or ejected, prevented from entering or escorted from its casino floor 1,948 underage individuals in calendar year 2010 and 2,469 underage individuals in calendar year 2011.

16. TTMA has developed and implemented an Underage Gaming Prevention Program which includes company-wide awareness and procedural training. The program requires that all employees have a duty, obligation and responsibility to ensure that TTMA does not allow underage persons to gamble, remain on the casino floor or simulcast facility, attempt to be rated as a player, attempt to receive complimentaries or use credit for the purpose of gambling. The program is reinforced on a regular basis by way of retraining, department meeting announcements and the employee newsletter. Enhancements to TTMA's Underage Gaming Prevention Program have been implemented. Since 2007, specifically, all employees are encouraged to detect underage persons by a \$100 incentive program. Also in 2007, signs were added to each level of Taj Mahal's parking garage communicating the illegality of underage gaming.

## Settlement Agreement

WHEREAS, Respondent TTMA admits that by permitting ZS, an underage person, to enter the casino, remain in the casino, wager at games in the casino, and be rated as a player, Respondent TTMA 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. 19:43-16.1(a)3, and N.J.A.C. 19:43-16.1(a)4.

IT IS THEREFORE consented to and agreed upon by the Division of Gaming Enforcement and TTMA that:

A. Respondent TTMA shall pay the sum of \$5,000 to the New Jersey Casino Revenue Fund as a civil penalty pursuant to N.J.S.A. 5:12-129(5) for the aforementioned violations associated with permitting ZS to enter the casino, remain in the casino, wager at games in the casino, and be rated as a player.

B. The parties agree that such penalty is just and equitable and in accordance with the criteria for the imposition of sanctions set forth at 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.

State of New Jersey, Department  
of Law and Public Safety,  
Division of Gaming Enforcement

Dated: 6/26/12

By: 

Timothy C. Ficchi  
Deputy Attorney General

Trump Taj Mahal Associates

Dated: 6/26/12

By: 

Frederick T. Cunningham, Esquire  
Vice President of Legal Affairs