

STATE OF NEW JERSEY
 Office of the Attorney General
 Department of Law and Public Safety
 Division of Gaming Enforcement
 Dkt No. 10-0379-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

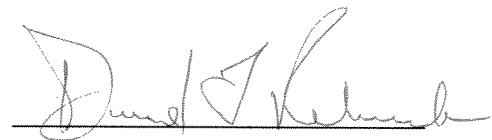
The Division filed a complaint on December 16, 2010, Docket No. 10-0379-VC, seeking sanctions against TRUMP TAJ MAHAL ASSOCIATES ("Taj Mahal") for reasons set forth therein and, more specifically, that Taj Mahal permitted an underage person to enter, remain, and wager in its casino; and

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, and N.J.A.C. 19:43-16.1(a)3, now as N.J.A.C. 13:69C-16(a)1, (a)2, and (a)3; 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

A handwritten signature in cursive script, appearing to read "David L. Rebeck", written over a horizontal line.

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
1300 Atlantic Avenue
Atlantic City, New Jersey 08401

By: Timothy C. Ficchi
Deputy Attorney General
(609) 317-6218

Frederick T. Cunningham, Esquire
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.: 10-0379-VC

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 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 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 BP

4. BP is a male individual whose date of birth is November 24, 1993. At all times relevant herein, BP was under 21 years of age.

5. On October 30, 2010, shortly after 10:00 p.m., BP, then sixteen (16) years old, and his mother left a stage show within TTMA's casino hotel and, at some time thereafter, entered TTMA's casino floor.

6. While on TTMA's casino floor, BP's mother gambled at blackjack on blackjack table BJ 510 from at approximately 11:31 p.m. on October 30, 2010 until approximately 1:35 a.m. on October 31, 2010. During his mother's gambling activity on BJ 510, a duration of approximately two (2) hours, BP was standing behind his mother.

7. Upon leaving BJ 510, BP and his mother proceeded to slot machines EL-001 and EL-002 whereupon BP gambled on slot machine EL-001 and BP's mother gambled on slot machine EL-002.

8. During BP's gambling activity on EL-001, two Division State Investigators observed BP, who appeared to the State Investigators to be under the age of twenty-one (21).

9. One of the State Investigators approached BP and requested identification from him. BP did not respond to the Investigator, however, his mother who was gambling on EL-002 told the Investigator "he [BP] is only sixteen."

10. The Investigator obtained Maryland Learner's Instructional Permit from BP which document indicated BP's correct date of birth.

11. Upon establishing the underage status of BP, the State Investigators contacted Taj Mahal's Security Department whose security officers escorted BP and his mother to the Security Investigations Office where BP was processed by the New Jersey State Police for underage gambling, with disposition of the matter via a Stationhouse Adjustment Agreement, and BP was released into the custody of his mother.

Applicable Law

12. 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; . . .

13. 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. . .

14. 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;

Prior Regulatory History of the Licensee

15. 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

16. The service of alcoholic beverages, the issuance of credit and the issuance of complimentary were not involved in the incident involving BP.

17. 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.

18. 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 complimentary 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 BP, an underage person, to enter the casino, remain in the casino, and wager at games in the casino, 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 BP to enter the casino, remain in the casino, and wager at games in the casino.

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: June 26, 2012

By: 

Frederick T. Cunningham, Esquire
Vice President of Legal Affairs