

STATE OF NEW JERSEY  
 Office of the Attorney General  
 Department of Law and Public Safety  
 Division of Gaming Enforcement  
 Dkt No. 11-1450-VC

STATE OF NEW JERSEY, DEPARTMENT )  
 OF LAW AND PUBLIC SAFETY, )  
 DIVISION OF GAMING ENFORCEMENT, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 BALLY'S PARK PLACE INC. d/b/a )  
 BALLY'S ATLANTIC CITY HOTEL CASINO, )  
 )  
 Respondent. )  
 \_\_\_\_\_ )

ORDER

The Division filed a complaint on November 3, 2011, Docket No. 11-1450-VC, seeking sanctions against BALLY'S PARK PLACE INC. d/b/a, BALLY'S ATLANTIC CITY HOTEL CASINO ("BALLY'S") for reasons set forth therein and, more specifically that BALLY'S failed to adhere to the approved security submission in that it combined required security locations and failed to fully staff the required security positions; 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. 5:12-99(a)11 and the regulations promulgated thereunder, specifically N.J.A.C. 19:45-1.3(b); and,

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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 amount of \$70,000 be imposed upon BALLY'S, payable upon receipt of an invoice from the Division.

Dated: June 25, 2012

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

DAVID L. REBUCK  
DIRECTOR

**JEFFERY S. CHIESA**  
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  
DIVISION OF GAMING ENFORCEMENT  
DOCKET NO. 11-1450-VC

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

The above-captioned matter having been discussed by and between the parties involved, Jeffery S. Chiesa, 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 and Chief Legal Officer,

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

**Preliminary Facts**

1. Respondent, BALLY'S PARK PLACE, INC d/b/a BALLY'S ATLANTIC CITY 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 on or about December 29, 1980 and most recently renewed effective June 30, 2008. At all times relevant herein, Bally's was authorized to conduct casino gaming within its casino hotel facility, and, specifically its Wild Wild West facility.

**Applicable Law**

3. N.J.S.A. 5:12-99a provides, in pertinent part, that:

Each applicant for a casino license shall create, maintain and file ..... a description of its internal procedures and administrative and accounting controls... including but not limited to . . .  
(14) Procedures governing the utilization of the private security force within the casino and simulcasting facility.

4. N.J.S.A. 5:12-99a provides, in pertinent part, that:

The division shall, without limitation, include the following specific provisions in its regulations in accordance with the provisions of this act:

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(11) Prescribing for gaming operations the procedures, forms and methods of management controls, including ..... minimum security and surveillance standards including security personnel structure.

5. N.J.A.C. 19:45-1.3 provides in pertinent part that:

(b) The Commission shall review a submission made pursuant to (a) above and determine whether it conforms to the requirements of the Act and the Commission's rules and provides adequate and effective controls for the operations of the casino licensee or applicant. No applicant for a casino license shall commence gaming operations unless and until its system of internal controls is approved by the Commission.

#### **Facts and Admissions**

6. The Division, by Complaint filed November 3, 2011, Docket No. 11-1450-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 between October 22, 2010 through July 3, 2011, Bally's failed to adhere to the approved security submission in that it combined required security positions and failed to fully staff the required security positions.

7. Bally's acknowledges the accuracy of the facts set forth in Paragraph 6, above, and admits that it permitted combined required security posts and failed to fully staff its required security positions in violation of N.J.S.A. 5:12-99(a) and N.J.A.C. 19:45-1.3(b).

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Prior Regulatory History.

8. Although Bally's has been the subject of prior regulatory action, including warning letters and complaints, it has not previously been the subject of an administrative complaint alleging violations related to a failure to fully staff its security function.

**Corrective Action Of The Licensee And Mitigating Factors**

9. The Director of Security overseeing the staffing of the Security Department was suspended without pay.

10. In an effort to prevent the reoccurrence of a similar incident in the future, all security shift managers and dual rate managers were verbally instructed, and will also be issued a documented read and sign memo, to make no casino staffing adjustments of any kind without the prior approval of the Division of Gaming Enforcement.

**Settlement Agreement**

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

A. The facts stated herein are true and accurate.

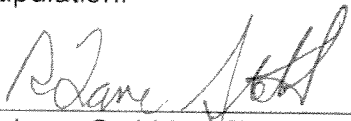
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B. Respondent Bally's admits that it violated the provisions of the Act and the regulations, specifically the provisions of N.J.S.A. 5:12-99(a) and N.J.A.C. 19:45-1.3(b) and its approved internal controls, in that it combined required security posts and failed to fully staff its required security positions;


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 sum of \$70,000; and,

D. The parties agree that a monetary penalty, in the total amount of \$70,000 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.

  
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R. Lane Stebbins, Esq.  
Deputy Attorney General  
Attorney for Complainant

Dated: June 25, 2012

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

Dated: 6/20/2012