

STATE OF NEW JERSEY
Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
Dkt No. 11-1451-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 2, 2011, Docket No. 11-1451-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 follow proper procedures when putting emergency drop boxes into use; 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. 13:69D-1.16(d) and N.J.A.C. 19:45-1.42(n), now N.J.A.C. 13:69D-1.16(b)5; 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 amount of \$7,500 be imposed upon BALLY'S, payable upon receipt of an invoice from the Division.

Dated:

June 12, 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. 11-1451-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 ("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 ("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.A.C. 13:69D-1.16(d) provides, in pertinent part, that:

.....When put into use, emergency drop boxes shall be temporarily marked with the number of the gaming table. The casino licensee shall notify the Division and the surveillance department contemporaneously with placing an emergency drop box into use.

4. N.J.A.C. 13:69D-1.42(n) , formerly N.J.A.C. 13:69D-1.16(b)5 provides, in pertinent part, that:

A full or inoperable slot drop box or slot cash storage box that must be replaced outside of the slot drop schedule shall be replaced with an empty emergency slot drop box or slot cash storage box by a security department member and a slot or cage supervisor as follows:

1. A security department member shall notify the surveillance department which shall monitor and record the transaction. If more than one slot drop box or slot cash storage box is being removed, such notification shall include the sequence in which the

boxes will be removed and replaced;

5. The emergency box form shall be distributed by the security department member as follows:

- i. Original affixed to the emergency slot drop box or slot cash storage box;
- ii. Duplicate placed in a locked accounting box; and
- iii. Triplicate delivered within twenty four hours of preparation to the Division's onsite office;

Facts and Admissions

5. The Division, by Complaint filed November 2, 2011, Docket No. 11-1451-VC, a copy of which is attached hereto as Exhibit "A", sought sanctions against Bally's for reasons set forth therein and, more specifically:

- a. between September 1, 2011 and September 15, 2011, Bally's failed to contemporaneously notify its surveillance department on 22 occasions that it was putting emergency drop boxes or slot cash storage boxes into use; and,
- b. between March 18, 2011 and September 15, 2011, Bally's failed to contemporaneously notify the Division on 382 occasions that it was putting emergency drop boxes into use.

6. Bally's acknowledges the accuracy of the facts set forth in Paragraph 5, above, and admits that it failed to notify its surveillance department and/or the Division that it was putting emergency drop boxes into use, in violation of N.J.A.C. 13:69D-1.16(d) and N.J.A.C. 13:69D-1.42(n).

Prior Regulatory History

7. 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 emergency slot drop boxes.

Corrective Action Of The Licensee And Mitigating Factors

8. The emergency slot drop boxes detailed in the Complaint were picked up by the slot drop team during normally scheduled drops and, as such, Bally's did not consider them true emergency slot drop boxes at the time. Prior to Bally's receipt of this Complaint, the slot department would provide a listing of slot drop boxes that it wanted the slot drop team to include in the drop for that particular day and the slot drop team would include them in the already scheduled drop. After being notified by the Division of the regulations regarding emergency slot drop boxes, Bally's has discontinued the practice of including emergency slot drop boxes in the normal drop schedule unless the Division is advised prior to the drop. Bally's believes that it is now in full compliance with the regulations.

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 failed to notify its surveillance department and/or the Division that it was putting emergency drop boxes into use, in violation of N.J.A.C. 13:69D-1.16(d) and N.J.A.C. 13:69D-1.42(n);

- 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 \$7,500; and,

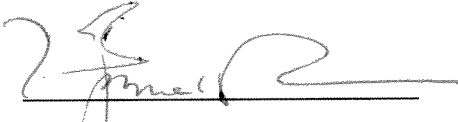
D. The parties agree that a monetary penalty, in the total amount of \$7,500 is just and equitable and in accordance with the criteria set forth in N.J.S.A. 5:12-130, and shall be in full and final settlement of the allegations set forth in the above-captioned complaint.

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



Dated: 6/11/2012

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



Dated: 6/8/2012

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