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STATE OF NEW JERSEY

CASINO CONTROL COMMISSION

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PUBLIC MEETING NO. 25-08-21

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Thursday, August 21, 2025

Atlantic City Commission Offices

Joseph P. Lordi Public Meeting Room - First Floor

Tennessee Avenue and Boardwalk

Atlantic City, New Jersey 08401

1:02 p.m. to 1:44 p.m.

Certified Court Reporter: M. Darlene Engel

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<p>2</p> <p>1 B E F O R E :</p> <p>2 CASINO CONTROL COMMISSION:</p> <p>3 JAMES T. PLOUSIS, CHAIR</p> <p>4 JOYCE MOLLINEAUX, COMMISSIONER</p> <p>5 MARIO C. FORMICA, COMMISSIONER</p> <p>6</p> <p>7 PRESENT FOR THE CASINO CONTROL COMMISSION:</p> <p>8 DARYL W. NANCE, MANAGER/OPRA CUSTODIAN</p> <p>9 OFFICE OF THE GENERAL COUNSEL:</p> <p>10 DIANNA W. FAUNTLEROY, GENERAL COUNSEL</p> <p>11 TERESA M. PIMPINELLI, SENIOR COUNSEL</p> <p>12 DIVISION OF GAMING ENFORCEMENT:</p> <p>13 DEPUTY ATTORNEYS GENERAL</p> <p>14 JOCELYN R. FIETKIEWICZ</p> <p>15 LETICIA N. FISCIAN</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>4</p> <p>1</p> <p>2 AGENDA</p> <p>3 PUBLIC MEETING NO. 25-08-21</p> <p>4 AUGUST 21, 2025, 1:02 p.m.</p> <p>5</p> <p>6 ITEM PAGE VOTE</p> <p>7 1 Initial Decision of CG (Appellant) for 8 20</p> <p>8 removal from the Self-Exclusion List</p> <p>9 (DKT 25-0043-AP)</p> <p>10 CG, sworn 9</p> <p>11 2 Initial Decision of James McGowan, Jr., 20 43</p> <p>12 for a casino key employee license</p> <p>13 (DKT 25-003-CK)</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p>3</p> <p>1 A P P E A R A N C E S :</p> <p>2 ITEM NO. 2 TERESA M. PIMPINELLI, SENIOR COUNSEL</p> <p>3 JOCELYN R. FIETKIEWICZ, DEPUTY</p> <p>4 ATTORNEY GENERAL</p> <p>5 BROWNSTEIN HYATT FARBER SCHRECK</p> <p>6 PACIFICO AGNELLINI, ESQ.</p> <p>7 WILLIAM DOWNEY, ESQ.</p> <p>8 FOR: JAMES MCGOWAN, JR.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>5</p> <p>1 E X H I B I T S</p> <p>2 D-1 Division of Gaming Enforcement filed EVD</p> <p>3 exceptions, 8-7-25, to the Initial</p> <p>4 Decision</p> <p>5 A-1 Letter reply of Appellant to the EVD</p> <p>6 exceptions submitted by the Division of</p> <p>7 Gaming Enforcement</p> <p>8</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

<p style="text-align: right;">6</p> <p>1 (Special Public Meeting 25-08-13 was 2 commenced at 1:03 p.m.) 3 MR. NANCE: Good afternoon. I'd like to 4 read an opening statement: 5 This is to advise the general public 6 that in compliance with Chapter 231 of the public 7 laws of 1975 entitled "Senator Byron M. Baer Open 8 Public Meeting Act," the New Jersey Casino 9 Control Commission on August 13th, 2025, filed 10 with the Secretary of State at the Statehouse in 11 Trenton a meeting notice for today. 12 On August 13th, 2025, copies were mailed 13 to subscribers. 14 The use of cell phones in the public 15 meeting room while the Commission is in session 16 is prohibited. 17 Any member of the public who wish to 18 address the Commission will be given the 19 opportunity to do so before the Commission 20 adjourns for the day. 21 Please stand for the Pledge of 22 Allegiance. 23 (The Pledge of Allegiance was recited.) 24 CHAIR PLOUSIS: Welcome everyone who is 25 joining us in person and remotely today.</p>	<p style="text-align: right;">8</p> <p>1 ITEM NO. 1 2 call your name for the roll please? 3 Commissioner Formica? 4 COMMISSIONER FORMICA: Here. 5 MS. FAUNTLEROY: Commissioner 6 Mollineaux? 7 COMMISSIONER MOLLINEAUX: Present. 8 MS. FAUNTLEROY: And Chairman Plousis? 9 CHAIR PLOUSIS: Present. 10 MS. FAUNTLEROY: The first matter for 11 your consideration today is the consideration of 12 the initial decision in the matter of the appeal 13 of CG for removal from the Self-Exclusion List as 14 Docket No. 25-0048-AP. 15 You have of Senior Counsel Pimpinelli 16 who will guide you through that matter. 17 MS. PIMPINELLI: Good morning, Chairman 18 and Commissioners. Teresa Pimpinelli, Senior 19 Counsel, appearing for the Commission. 20 For your consideration is the July 8th, 21 2025, initial decision. 22 You have the complete record in this 23 matter. The appellate is present by Zoom. I 24 believe the Division is here. I would just ask 25 both parties to enter their appearance and</p>
<p style="text-align: right;">7</p> <p>1 We have a short agenda as there are only 2 two matters to be considered today. 3 This meeting will be streamed, same as 4 our regularly monthly meetings. The public is 5 able to listen through access provided on the 6 Commission's website as well as through our 7 YouTube channel. We will accept public comments 8 via e-mail. Public comments can be sent to 9 public.comments@ccc.nj.gov. I will repeat that. 10 Public comments can be sent to 11 public.comments@ccc.nj.gov beginning now and any 12 time throughout the meeting, ending at the time 13 of the adjournment. 14 This meeting is being transcribed as 15 well as recorded, and minutes will be available 16 on our website in due course. 17 To meeting participant callers, I ask 18 that you follow the instructions provided with 19 the web link or audio call-in code, and place 20 your phones on mute until your matter is called. 21 Also when your matter is called, please 22 identify yourself before speaking. 23 Thank you. 24 MS. FAUNTLEROY: Thank you. 25 Good afternoon. Please answer when I</p>	<p style="text-align: right;">9</p> <p>1 ITEM NO. 1 2 proceed. 3 And remind everyone the Appellant's 4 identity is confidential. 5 MS. FISCIAN: Good morning, Chairman and 6 Commissioners. DAG Leticia Fiscian for the 7 Division in this matter. 8 MS. PIMPINELLI: Mr. CG, you can please 9 enter your appearance now? 10 If CG could please unmute themselves and 11 enter their appearance. 12 * * * PAUSE * * * 13 CG: Hello? Can you hear me? Hello? 14 MS. FAUNTLEROY: Now we can. 15 CG: Hello? 16 MS. FAUNTLEROY: We can hear you now. 17 CG: Okay. Thank you. I'm sorry. 18 CHAIR PLOUSIS: You have to be sworn in. 19 Daryl? 20 CG: Sure. 21 - - - 22 C G , having been first duly sworn remotely, testified 23 as follows: 24 - - - 25 MR. NANCE: Thank you. Please -- oh.</p>

<p style="text-align: right;">10</p> <p>1 ITEM NO. 1</p> <p>2 Thank you.</p> <p>3 CG: Sure.</p> <p>4 MS. PIMPINELLI: The Division may</p> <p>5 proceed.</p> <p>6 MS. FISCIAN: Thank you.</p> <p>7 So here the Division respectfully</p> <p>8 requests that the Commission adopts its initial</p> <p>9 decision.</p> <p>10 Here it was CG's responsibility to read</p> <p>11 the consequences of self exclusion, which were</p> <p>12 set forth in about eight steps of the</p> <p>13 self-exclusion process.</p> <p>14 As previously argued, the Appellant's</p> <p>15 request for early removal from the Self-Exclusion</p> <p>16 List due to their failure to thoroughly read the</p> <p>17 self-exclusion terms would undermine the</p> <p>18 exclusion program.</p> <p>19 And because of the precedential case In</p> <p>20 Re: SD where the Commission denied the</p> <p>21 Appellant's requested relief, stating that the</p> <p>22 applicant had not been excluded for any</p> <p>23 unconstitutional or legal reasons but by their</p> <p>24 own voluntary actions, here is the same case with</p> <p>25 Appellant's here. The Applicant of their own</p>	<p style="text-align: right;">12</p> <p>1 ITEM NO. 1</p> <p>2 fully reading the self-exclusion steps before</p> <p>3 self-excluding. So here the Division does have</p> <p>4 to adhere to the regulations, NJAC 13:59G-2.2,</p> <p>5 provides that the Division shall confirm a</p> <p>6 patron's request to place themselves on the</p> <p>7 exclusion list. And again, those -- the</p> <p>8 confirmation that we verify with is set forth in</p> <p>9 the steps. And it is not an excuse here that a</p> <p>10 patron failed to read the self-exclusion steps.</p> <p>11 They are set forth there. And in one of the</p> <p>12 acknowledgments, it specifically sets forth that</p> <p>13 self-exclusion -- the self-exclusion program will</p> <p>14 give the Division permission to disseminate that</p> <p>15 information to the New Jersey state operators.</p> <p>16 And so, therefore, the self exclusion would</p> <p>17 expand and self-excluded the patron from any</p> <p>18 gaming in New Jersey.</p> <p>19 So, therefore, because of that we have</p> <p>20 determined that the Applicant did intend to self</p> <p>21 exclude. And, therefore, we request that the</p> <p>22 self exclusion remains intact and the Applicant</p> <p>23 is not removed early from the exclusion list.</p> <p>24 CHAIR PLOUSIS: Okay. Mr. CJ [sic], did</p> <p>25 you have any other followup?</p>
<p style="text-align: right;">11</p> <p>1 ITEM NO. 1</p> <p>2 volition went through the eight steps and</p> <p>3 self-excluded.</p> <p>4 So the Division respectfully requests</p> <p>5 the Commission to adopt its initial decision and</p> <p>6 deny the Appellant's request for early removal</p> <p>7 from the Self-Exclusion List.</p> <p>8 Thank you.</p> <p>9 CHAIR PLOUSIS: Mr. CG? Your comments</p> <p>10 please?</p> <p>11 CG: Just to respond to that, I never</p> <p>12 voluntarily put myself on this list. I was</p> <p>13 mistakenly thought I was going through a FanDuel</p> <p>14 website. Which, if you read the wording, it says</p> <p>15 you can no longer gamble on FanDuel. And I</p> <p>16 clicked all the steps and went through.</p> <p>17 I also want to note that I was under the</p> <p>18 influence of alcohol, and I didn't understand</p> <p>19 what I was clicking. And I didn't read anything</p> <p>20 and I -- click, click, click. And the next thing</p> <p>21 you know, I was onto some kind of statewide ban</p> <p>22 which I never intentionally tried to put myself</p> <p>23 on.</p> <p>24 MS. FISCIAN: Here the Applicant</p> <p>25 admitted in the initial oral argument to not</p>	<p style="text-align: right;">13</p> <p>1 ITEM NO. 1</p> <p>2 CG: Yes. I understand that they're</p> <p>3 saying that I intended to sign up for the self</p> <p>4 exclusion. However, I -- since the week that I</p> <p>5 found out that this was happening, I've been</p> <p>6 fighting it for over a year. And the first 40</p> <p>7 years of my life, I had no trouble gambling. So</p> <p>8 why -- if I intended to, why would I not just</p> <p>9 say, okay, you know, I intended to be on this</p> <p>10 list. I'll remain on it. I've never wavered</p> <p>11 since day one.</p> <p>12 I was -- I honestly was drinking. I</p> <p>13 didn't understand what I was signing up for. I</p> <p>14 feel like there should have been some kind of</p> <p>15 confirmation call or e-mail or something, a</p> <p>16 notary, just to say you know what you're getting</p> <p>17 into because this is a serious issue to sign up</p> <p>18 for five years of not being able allowed to</p> <p>19 gamble online or be at the casinos.</p> <p>20 So at the time, I was by myself. I was</p> <p>21 drinking. I admit -- I admit I did click boxes.</p> <p>22 I just admit that I didn't understand the</p> <p>23 severity of what I was clicking. I was under the</p> <p>24 impression that I was banning myself from a</p> <p>25 specific website because that's the website I was</p>

<p style="text-align: right;">14</p> <p>1 ITEM NO. 1</p> <p>2 on at the time that I was clicking it. It was a</p> <p>3 FanDuel website. It wasn't a New Jersey State</p> <p>4 website. It was a FanDuel app that I did this.</p> <p>5 But that I was trying to block.</p> <p>6 CHAIR PLOUSIS: Thank you.</p> <p>7 CG: Thank you.</p> <p>8 CHAIR PLOUSIS: Any questions for the</p> <p>9 Appellant or the Division?</p> <p>10 COMMISSIONER FORMICA: I have a -- I</p> <p>11 have questions for the Applicant.</p> <p>12 Hello, sir. My name is Mario Formica.</p> <p>13 I'm a New Jersey Casino Control Commissioner.</p> <p>14 Can you hear me?</p> <p>15 CG: Yes. How you doing today, sir.</p> <p>16 COMMISSIONER FORMICA: I'm doing okay.</p> <p>17 Before we I have printed out for me the</p> <p>18 screens that are on the FanDuel app website that</p> <p>19 you have to complete before --</p> <p>20 CG: Yes.</p> <p>21 COMMISSIONER FORMICA: -- self</p> <p>22 exclusion. Do you remember them?</p> <p>23 CG: I remember seeing them at the</p> <p>24 hearing.</p> <p>25 COMMISSIONER FORMICA: Okay.</p>	<p style="text-align: right;">16</p> <p>1 ITEM NO. 1</p> <p>2 had to fill that out.</p> <p>3 COMMISSIONER FORMICA: And it also gives</p> <p>4 you a choice to self exclude or take a timeout.</p> <p>5 Do you remember that?</p> <p>6 CG: Honestly, I don't.</p> <p>7 COMMISSIONER FORMICA: Okay.</p> <p>8 CG: Like I said, I was drinking that</p> <p>9 night. I really don't remember specifics.</p> <p>10 COMMISSIONER FORMICA: Okay.</p> <p>11 CG: I remember going through a process.</p> <p>12 Specifically -- but, you know, not the specifics.</p> <p>13 COMMISSIONER FORMICA: Okay. Do you</p> <p>14 remember the waiver and release acknowledgment</p> <p>15 box that you checked?</p> <p>16 CG: I'm -- I'm sure I checked it if I</p> <p>17 went through the process. I'm sure I checked it.</p> <p>18 COMMISSIONER FORMICA: You had to check</p> <p>19 another box that explicitly says: You should be</p> <p>20 aware the casino companies might enact</p> <p>21 responsible gaming programs that are stricter</p> <p>22 than New Jersey's self-exclusion program. By way</p> <p>23 of example, Atlantic City casinos may enact a</p> <p>24 responsible gaming program in which persons</p> <p>25 signing up for the Self-Exclusion List are banned</p>
<p style="text-align: right;">15</p> <p>1 ITEM NO. 1</p> <p>2 CG: That they printed out for me. Yes.</p> <p>3 Yes.</p> <p>4 COMMISSIONER FORMICA: Would you agree</p> <p>5 with me that you have to fill in your name if you</p> <p>6 want to self-exclude and you did that?</p> <p>7 CG: Yes.</p> <p>8 COMMISSIONER FORMICA: And you have to</p> <p>9 fill in the last four digits of your social</p> <p>10 security number, and you did that?</p> <p>11 CG: Yes. I did all that thinking that</p> <p>12 I was self-excluding from FanDuel. If you read</p> <p>13 it, it does say you can no longer gamble with</p> <p>14 FanDuel --</p> <p>15 COMMISSIONER FORMICA: Sir, let</p> <p>16 me finish.</p> <p>17 CG: Okay. I'm done.</p> <p>18 COMMISSIONER FORMICA: Sir, let me</p> <p>19 finish.</p> <p>20 CG: Sure. Sure.</p> <p>21 COMMISSIONER FORMICA: There's also a</p> <p>22 spot where you fill in the number of years you're</p> <p>23 requesting an exclusion from. Do you remember</p> <p>24 that?</p> <p>25 CG: I would guess, yeah. I would have</p>	<p style="text-align: right;">17</p> <p>1 ITEM NO. 1</p> <p>2 from properties worldwide. Accordingly, you</p> <p>3 should be aware that a casino online operator or</p> <p>4 sportsbook, as a consequence of you signing up</p> <p>5 for this internet self exclusion, may ban you</p> <p>6 from playing on the land properties.</p> <p>7 Do you remember that?</p> <p>8 CG: I would have never signed that</p> <p>9 knowingly if I understood those terms. So I'm</p> <p>10 sure I checked that box. I'm not going deny that</p> <p>11 I checked that box, but I definitely did not</p> <p>12 understand that -- those terms.</p> <p>13 COMMISSIONER FORMICA: Okay.</p> <p>14 CG: Read those remarks, skipped through</p> <p>15 it quick.</p> <p>16 COMMISSIONER FORMICA: It seems like a</p> <p>17 lot of steps that you had to go through; right?</p> <p>18 CG: Well, it's a lot of boxes and</p> <p>19 checking, which I'm sure -- like I said, with any</p> <p>20 other contract, like your cell phone, you just</p> <p>21 click yes, I accept, I accept. That's probably</p> <p>22 the process I was doing that day.</p> <p>23 COMMISSIONER FORMICA: Okay.</p> <p>24 CG: Not knowing the significance.</p> <p>25 COMMISSIONER FORMICA: But --</p>

<p style="text-align: right;">18</p> <p>1 ITEM NO. 1</p> <p>2 CG: Like I said, I haven't wavered and</p> <p>3 said, oh, you know, I do belong on this list for</p> <p>4 over a year and a half. So it's not just that</p> <p>5 one night I just said, hey, I feel like I should</p> <p>6 be banned from gambling for five years. And no</p> <p>7 other day since then I've said that's not the</p> <p>8 case. For my first 40 years of life it that's</p> <p>9 the case. So just that one night I was drinking</p> <p>10 and didn't understand. So to me it was obvious</p> <p>11 that my intentions weren't to ban myself from the</p> <p>12 whole state. It was just from that particular</p> <p>13 website.</p> <p>14 COMMISSIONER FORMICA: Okay. So is it</p> <p>15 your testimony that you were able to go through</p> <p>16 all those steps --</p> <p>17 CG: Yes. I admit. I admit that I must</p> <p>18 have had to go through those steps --</p> <p>19 COMMISSIONER FORMICA: And check all</p> <p>20 those boxes --</p> <p>21 CG: I can't say I didn't. No.</p> <p>22 COMMISSIONER FORMICA: And checked all</p> <p>23 the boxes.</p> <p>24 CG: No, I can't say I didn't check</p> <p>25 those boxes.</p>	<p style="text-align: right;">20</p> <p>1 ITEM NO. 2</p> <p>2 13:69G-2.2(c) and deny his request to be removed</p> <p>3 from the Division's Self-Exclusion List prior to</p> <p>4 the January 21st, 2029, expiration date.</p> <p>5 CHAIR PLOUSIS: Is there a second?</p> <p>6 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>7 I second the motion.</p> <p>8 CHAIR PLOUSIS: Any further discussion?</p> <p>9 COMMISSIONER MOLLINEAUX: No.</p> <p>10 COMMISSIONER FORMICA: No, sir.</p> <p>11 CHAIR PLOUSIS: Hearing none, all in</p> <p>12 favor, say aye?</p> <p>13 (Ayes.)</p> <p>14 CHAIR PLOUSIS: Opposed?</p> <p>15 (No response.)</p> <p>16 CHAIR PLOUSIS: Ayes have it.</p> <p>17 MS. FAUNTLEROY: Thank you.</p> <p>18 The next matter for your consideration</p> <p>19 is consideration of the Initial Decision in the</p> <p>20 matter of the initial application of James</p> <p>21 McGowan for a casino key employee license and for</p> <p>22 plenary qualification.</p> <p>23 That is Docket No. 25-0002-CK.</p> <p>24 Again you have Senior Counsel Pimpinelli</p> <p>25 on who will review that matter with you.</p>
<p style="text-align: right;">19</p> <p>1 ITEM NO. 1</p> <p>2 COMMISSIONER FORMICA: Despite the fact</p> <p>3 that in you're intoxicated? Is that what you're</p> <p>4 saying?</p> <p>5 CG: I was drinking. I didn't -- I</p> <p>6 didn't understand what I was going through. I</p> <p>7 was under the impression that I was just blocking</p> <p>8 the FanDuel website specifically.</p> <p>9 COMMISSIONER FORMICA: Okay. Thanks a</p> <p>10 lot, sir.</p> <p>11 CG: Thank you. Thank you, sir.</p> <p>12 CHAIR PLOUSIS: Any other questions from</p> <p>13 the commissioners?</p> <p>14 COMMISSIONER MOLLINEAUX: No.</p> <p>15 CHAIR PLOUSIS: Anything else from the</p> <p>16 Division?</p> <p>17 (No response.)</p> <p>18 CHAIR PLOUSIS: Hearing none, is there a</p> <p>19 motion?</p> <p>20 COMMISSIONER FORMICA: Yes, sir.</p> <p>21 Mr. Chairman, I have a motion on -- make</p> <p>22 a motion to adopt the Initial Decision that the</p> <p>23 Applicant failed to demonstrate that he did not</p> <p>24 intentionally place himself on the Division's</p> <p>25 Self-Exclusion List as required by NJAC</p>	<p style="text-align: right;">21</p> <p>1 ITEM NO. 2</p> <p>2 MS. PIMPINELLI: Chair and</p> <p>3 Commissioners, Teresa Pimpinelli, Senior Counsel,</p> <p>4 appearing for the Commission.</p> <p>5 For your consideration is the July 25th,</p> <p>6 2025, Initial Decision for a casino key employee</p> <p>7 license and plenary qualification of James</p> <p>8 McGowan.</p> <p>9 The Division filed exceptions. You have</p> <p>10 staff's memo and recommendation for this matter.</p> <p>11 Both parties are present, and I would</p> <p>12 just ask them to enter pair appearance and</p> <p>13 proceed.</p> <p>14 MR. AGNELLINI: Good afternoon,</p> <p>15 chairman, Commissioners, Pacifico Agnellini from</p> <p>16 Brownstein Hyatt Farber Schreck. With me today</p> <p>17 is also William Downey, also from Brownstein</p> <p>18 Hyatt Farber Schreck. We are here on behalf of</p> <p>19 James McGowan who is with us today is the</p> <p>20 audience.</p> <p>21 Thank you.</p> <p>22 MS. FIETKIEWICZ: Good afternoon,</p> <p>23 Chairman and Commissioners. Jocelyn Fietkiewicz,</p> <p>24 Deputy Attorney General, appearing on behalf of</p> <p>25 Division of Gaming Enforcement.</p>

<p style="text-align: right;">22</p> <p>1 ITEM NO. 2</p> <p>2 MR. AGNELLINI: Good afternoon.</p> <p>3 On March -- in March of 2024 James</p> <p>4 McGowan filed an application for a casino key</p> <p>5 employee license and qualification to allow him</p> <p>6 to assume the position of Vice President of</p> <p>7 Security for Tropicana Atlantic City Corp.</p> <p>8 In response to a petition filed on</p> <p>9 behalf of Mr. McGowan and Tropicana on April</p> <p>10 10th, 2024, the Casino Control Commission issued</p> <p>11 a temporary casino key employee license and</p> <p>12 temporary authorization for Mr. McGowan to serve</p> <p>13 as the Vice President of Security for Tropicana.</p> <p>14 On December 31st, 2024, the Division of</p> <p>15 Gaming Enforcement issued a report recommending</p> <p>16 denial of Mr. McGowan's casino key employee</p> <p>17 license for the reasons set forth in the report.</p> <p>18 Mr. McGowan requested a hearing on the</p> <p>19 matter of his licensure and qualification, which</p> <p>20 hearing was conducted before then Commissioner</p> <p>21 Alisa Cooper over four days in May of this year.</p> <p>22 Commissioner Cooper issued her hearing</p> <p>23 examiner report on July 25th, 2025, wherein she</p> <p>24 stated that she was satisfied that Mr. McGowan --</p> <p>25 and I quote -- "had demonstrated by clear and</p>	<p style="text-align: right;">24</p> <p>1 ITEM NO. 2</p> <p>2 licensure and qualification, specifically that he</p> <p>3 possessed the requisite good character, honesty,</p> <p>4 and integrity.</p> <p>5 We have thoroughly reviewed the Hearing</p> <p>6 Examiner's Initial Report and the Division's</p> <p>7 post-hearing submission to which we have</p> <p>8 responded in writing.</p> <p>9 Based on the foregoing, we agree with</p> <p>10 the conclusions reached by Commission Cooper in</p> <p>11 the Hearing Examiner's report and ask that the</p> <p>12 Commission adopt the Hearing Examiner's initial</p> <p>13 report as the Commission's final report, issue</p> <p>14 Mr. McGowan his casino key employee license, and</p> <p>15 find him qualified to hold the position of Vice</p> <p>16 President of Security at Tropicana Atlantic City</p> <p>17 Corp.</p> <p>18 Thank you.</p> <p>19 CHAIR PLOUSIS: The Division?</p> <p>20 MS. FIETKIEWICZ: The Division of Gaming</p> <p>21 Enforcement is in receipt of the Initial Decision</p> <p>22 issued on July 25th, 2025.</p> <p>23 On August 7th, 2025, the Division filed</p> <p>24 its exceptions to the Initial Decision which have</p> <p>25 been marked as Exhibit D-1 in response to the</p>
<p style="text-align: right;">23</p> <p>1 ITEM NO. 2</p> <p>2 convincing evidence his good character, honesty,</p> <p>3 and integrity as well as his financial stability,</p> <p>4 integrity, and responsible required by NJSA</p> <p>5 5:12-80, NJSA 5:12-86(a), NJSA 5:12-86(b), NJSA</p> <p>6 5:12-89(b)(1), and NJSA 5:12-89(b)(2) of the</p> <p>7 Casino Control Act."</p> <p>8 Commissioner Cooper then found that Mr.</p> <p>9 McGowan "possesses the requisite qualifications</p> <p>10 for licensure as a casino key employee" and</p> <p>11 further that he "is qualified to hold the</p> <p>12 position of Vice President of Security at</p> <p>13 Tropicana Atlantic City Corp."</p> <p>14 Based on these findings, Commissioner</p> <p>15 Cooper recommended that the Commission; one,</p> <p>16 grant Mr. McGowan's initial application for</p> <p>17 casino key employee license No. 10936-11, and,</p> <p>18 two, grant his pending request for plenary</p> <p>19 qualification to serve as the Vice President of</p> <p>20 Security for Tropicana.</p> <p>21 After four days of testimony, both</p> <p>22 direct and cross-examination, and hundreds of</p> <p>23 pages of documentary evidence, Commissioner</p> <p>24 Cooper correctly concluded that Mr. McGowan</p> <p>25 possessed the statutorily enumerated criteria for</p>	<p style="text-align: right;">25</p> <p>1 ITEM NO. 2</p> <p>2 Initial Decision.</p> <p>3 James McGowan applied for a casino key</p> <p>4 employee license and qualification as Vice</p> <p>5 President of Security for casino licensee</p> <p>6 Tropicana Atlantic City. As required by the</p> <p>7 Casino Control Act and the regulations</p> <p>8 promulgated thereunder, the Division of Gaming</p> <p>9 Enforcement conducted an investigation of James</p> <p>10 McGowan's qualification for licensure.</p> <p>11 As set forth in the Division's report</p> <p>12 dated December 31st, 2024, the Division raised</p> <p>13 concerns regarding James McGowan's ability to</p> <p>14 demonstrate good charter, honesty, and integrity</p> <p>15 as required by Section 89B(2) of the Casino</p> <p>16 Control Act to the statutory standard of clear</p> <p>17 and convincing evidence as well as James</p> <p>18 McGowan's candor pursuant to Section 86B of the</p> <p>19 Act.</p> <p>20 With respect to the James McGowan's good</p> <p>21 charter, honesty, and integrity, as required by</p> <p>22 Section 89B(2), the Division's report cited to a</p> <p>23 half dozen internal conduct complaints as well as</p> <p>24 lawsuits filed against James McGowan or naming</p> <p>25 him as a defendant as applicable during his</p>

<p style="text-align: right;">26</p> <p>1 ITEM NO. 2</p> <p>2 career with the Division of State Police.</p> <p>3 Moreover, the nature of some of the</p> <p>4 aforementioned complaints called into question</p> <p>5 James McGowan's candor as required by Section 86B</p> <p>6 of the Act, as well as his forthrightness</p> <p>7 regarding the disclosure and status of, as well</p> <p>8 as factual information regarding such complaints</p> <p>9 and lawsuits in his Personal History Disclosure</p> <p>10 Form and during the Division's investigation.</p> <p>11 Accordingly, the Division requested that</p> <p>12 the matter proceed to the contested-case process</p> <p>13 so that a hearing examiner could determine</p> <p>14 credibility in light of the derogatory</p> <p>15 information detailed in the Division's letter</p> <p>16 report and whether James McGowan could</p> <p>17 demonstrate good character, honesty, and integrity</p> <p>18 to the clear and convincing standard necessary</p> <p>19 for the casino key employee licensure and</p> <p>20 qualification.</p> <p>21 The contested hearing was held over the</p> <p>22 course of four days in May, resulting in the</p> <p>23 Initial Decision issued on July 25th, 2025.</p> <p>24 Some of the main points that the</p> <p>25 Division noted in its filed exceptions involved</p>	<p style="text-align: right;">28</p> <p>1 ITEM NO. 2</p> <p>2 the Initial Decision.</p> <p>3 Moreover, the Initial Decision failed to</p> <p>4 report proper weight to, or even consider the</p> <p>5 certification which equated to the witness'</p> <p>6 honest testimony and failed to make any formal</p> <p>7 finding of fact as to the witness' allegation</p> <p>8 against James McGowan.</p> <p>9 Additionally, the Initial Decision</p> <p>10 scrutinizes the testimony of another Division</p> <p>11 witness, noting that charges against that witness</p> <p>12 were sustained by the Division of State Police,</p> <p>13 Office of Professional Standards.</p> <p>14 However, the Initial Decision ignores</p> <p>15 the findings in the Office of Public Integrity</p> <p>16 and Accountability report as well as the Attorney</p> <p>17 General's press release addressing the findings</p> <p>18 of the report, both of which recommended that the</p> <p>19 charges against that witness be vacated due to</p> <p>20 the Office of Professional Standards</p> <p>21 investigation lack of neutrality, and it was so</p> <p>22 directed.</p> <p>23 This information is significant and</p> <p>24 should have been considered in the Hearing</p> <p>25 Examiner's assessment and hearing testimony.</p>
<p style="text-align: right;">27</p> <p>1 ITEM NO. 2</p> <p>2 the Division's witnesses, their credibility, and</p> <p>3 the weight afforded to them by the Hearing</p> <p>4 Examiner.</p> <p>5 Specifically, the Initial Decision</p> <p>6 indicates that one of the Division's witnesses</p> <p>7 did not testify during the hearing, but fails to</p> <p>8 note the background resulting in the lack of live</p> <p>9 testimony and the related motion practice</p> <p>10 regarding this witness and certifications</p> <p>11 submitted into evidence.</p> <p>12 As further detailed in the Division's</p> <p>13 filed exceptions, the Division was denied due</p> <p>14 process in relation to the improper issuance of</p> <p>15 the subpoena for certain of the witness' records</p> <p>16 which forced the Division to adjust the strategy</p> <p>17 on the eve of the hearing and suggest a</p> <p>18 certification of the witness in lieu of live</p> <p>19 testimony, and the subject motion practice in</p> <p>20 which the Hearing Examiner initially issued an</p> <p>21 order before affording the Division an</p> <p>22 opportunity to respond.</p> <p>23 The aforementioned background regarding</p> <p>24 the subpoena and events surrounding motion</p> <p>25 practice and related orders were not mentioned in</p>	<p style="text-align: right;">29</p> <p>1 ITEM NO. 2</p> <p>2 Further, as set forth in the Division's</p> <p>3 filed exceptions, the Initial Decision</p> <p>4 incorrectly places the burden on the Division to</p> <p>5 demonstrate by a preponderance of the evidence</p> <p>6 that the Applicant is disqualified under Section</p> <p>7 89 of the Act. However, the obligation to</p> <p>8 satisfy the criteria under Section 89 remains the</p> <p>9 affirmative burden of the Applicant alone to</p> <p>10 demonstrate by clear and convincing evidence</p> <p>11 their qualifications for licensure and/or</p> <p>12 qualification, and this burden never shifts to</p> <p>13 the Division.</p> <p>14 The Division relies on the entire record</p> <p>15 in this matter, including the motion proceedings</p> <p>16 and its exceptions, and especially the hearing</p> <p>17 testimony and exhibits.</p> <p>18 The Division respectfully requests that</p> <p>19 the Commission take into consideration the points</p> <p>20 set forth in the Division's submission and based</p> <p>21 upon a review of the entire record in this case,</p> <p>22 afford them proper weight in its determination of</p> <p>23 James McGowan's application for plenary casino</p> <p>24 key employee licensure and qualification and make</p> <p>25 additional findings of fact and analyze the</p>

<p style="text-align: right;">30</p> <p>1 ITEM NO. 2</p> <p>2 matter considering the points raised in the</p> <p>3 Division's exceptions.</p> <p>4 Lastly, the Division requests that the</p> <p>5 Division's letter of exceptions marked as Exhibit</p> <p>6 D-1 be moved into evidence.</p> <p>7 Thank you.</p> <p>8 MS. FAUNTLEROY: Just going back -- just</p> <p>9 going back, Mr. Chairman, to mark those</p> <p>10 respective exhibits so that that piece is at</p> <p>11 rest.</p> <p>12 MR. AGNELLINI: Yeah. So we believe</p> <p>13 that the Division submission -- the exceptions</p> <p>14 submission and our response are pleadings in this</p> <p>15 matter and, therefore, don't need to be marked.</p> <p>16 But we have no objections to them being marked.</p> <p>17 And we would ask that our response to the</p> <p>18 Division be -- which has been marked as A-1 --</p> <p>19 MR. NANCE: A-1.</p> <p>20 MR. AGNELLINI: -- be entered as well.</p> <p>21 MR. NANCE: Yes.</p> <p>22 CHAIR PLOUSIS: Thank you.</p> <p>23 MR. AGNELLINI: Chairman, may I?</p> <p>24 CHAIR PLOUSIS: Yes. Go ahead.</p> <p>25 MR. AGNELLINI: In responding to the</p>	<p style="text-align: right;">32</p> <p>1 ITEM NO. 2</p> <p>2 MR. AGNELLINI: The Division's exception</p> <p>3 was marked as D-1.</p> <p>4 COMMISSIONER FORMICA: D-1.</p> <p>5 MR. AGNELLINI: And our response was --</p> <p>6 COMMISSIONER FORMICA: Thank you.</p> <p>7 MR. AGNELLINI: Was marked as A-1.</p> <p>8 COMMISSIONER FORMICA: Thank you. Thank</p> <p>9 you. Thank you.</p> <p>10 MS. FAUNTLEROY: And to the extent</p> <p>11 there's no objection, Mr. Chairman.</p> <p>12 CHAIR PLOUSIS: Yes.</p> <p>13 MS. FAUNTLEROY: You want to move those</p> <p>14 exhibits?</p> <p>15 CHAIR PLOUSIS: Move to accept those</p> <p>16 exhibits. Do we have a motion?</p> <p>17 COMMISSIONER FORMICA: I'll make a</p> <p>18 motion and accept the exhibits.</p> <p>19 CHAIR PLOUSIS: Is there a second?</p> <p>20 COMMISSIONER MOLLINEAUX: I second the</p> <p>21 motion.</p> <p>22 CHAIR PLOUSIS: All in favor?</p> <p>23 (Ayes.)</p> <p>24 CHAIR PLOUSIS: Opposed?</p> <p>25 (No response.)</p>
<p style="text-align: right;">31</p> <p>1 ITEM NO. 2</p> <p>2 Division, I believe that the points raised by the</p> <p>3 Division were raised in their -- in their</p> <p>4 submission of post-hearing submission. We</p> <p>5 address those points in ours, and I don't think</p> <p>6 that needs to be restated. So we'll rest on the</p> <p>7 record.</p> <p>8 And I would again ask that you adopt the</p> <p>9 Hearing Examiner's Initial Report as the</p> <p>10 Commission's final report and issue a casino key</p> <p>11 employee license and find Mr. McGowan qualified</p> <p>12 to hold the position at Tropicana.</p> <p>13 Thank you.</p> <p>14 CHAIR PLOUSIS: Thank you.</p> <p>15 MS. FAUNTLEROY: Accept the exhibits?</p> <p>16 CHAIR PLOUSIS: We'll accept them.</p> <p>17 MR. NANCE: A-1 and D-1.</p> <p>18 COMMISSIONER FORMICA: Sorry. What's</p> <p>19 the --</p> <p>20 MS. FAUNTLEROY: Just state them for the</p> <p>21 record so that --</p> <p>22 COMMISSIONER FORMICA: Yeah. The</p> <p>23 exception is which one?</p> <p>24 MR. NANCE: Yes. We have two exhibits.</p> <p>25 Oh, go right ahead.</p>	<p style="text-align: right;">33</p> <p>1 ITEM NO. 2</p> <p>2 CHAIR PLOUSIS: Ayes have it.</p> <p>3 Are there any questions for counsel?</p> <p>4 COMMISSIONER FORMICA: I do.</p> <p>5 CHAIR PLOUSIS: Commissioner?</p> <p>6 COMMISSIONER FORMICA: Question for</p> <p>7 counsel for the Division.</p> <p>8 Ma'am, I'm looking at your exceptions.</p> <p>9 First, one which starts on Page 2 of D-1, the</p> <p>10 correspondence of August 7. I'm paraphrasing</p> <p>11 maybe.</p> <p>12 The Initial Decision failed to set forth</p> <p>13 relevant significant background and procedural</p> <p>14 matters with regard to the seriousness of RG's</p> <p>15 allegations.</p> <p>16 Are you with me?</p> <p>17 MS. FIETKIEWICZ: Sorry. You said Page</p> <p>18 2?</p> <p>19 COMMISSIONER FORMICA: Page 2 of your</p> <p>20 August 7th exceptions, which is D-1.</p> <p>21 MS. FIETKIEWICZ: Okay.</p> <p>22 COMMISSIONER FORMICA: Page 2 at the</p> <p>23 top. You got it?</p> <p>24 MS. FIETKIEWICZ: Yes.</p> <p>25 COMMISSIONER FORMICA: Okay. Help me</p>

<p style="text-align: right;">34</p> <p>1 ITEM NO. 2</p> <p>2 out on this because I may be wrong. By way of</p> <p>3 background, what I read, counsel for JWM issued a</p> <p>4 subpoena for RG's appearance and seeking</p> <p>5 production of her medical records, which the</p> <p>6 Division claimed were invasive, intimidating, and</p> <p>7 procedurally deficient. Do I have that right?</p> <p>8 MS. FIETKIEWICZ: Yes. I believe the</p> <p>9 subpoena was for the medical records. Off the</p> <p>10 top of my head right now, I don't have it in</p> <p>11 front of me. I don't know if it was to appear.</p> <p>12 But she was -- she had advised the Division prior</p> <p>13 to that that she was planning to appear as a</p> <p>14 witness for the Division.</p> <p>15 COMMISSIONER FORMICA: Okay. I guess my</p> <p>16 next point we find out RG did not want to</p> <p>17 testify. She said it would be too traumatic;</p> <p>18 right?</p> <p>19 MS. FIETKIEWICZ: Yes.</p> <p>20 COMMISSIONER FORMICA: And then the</p> <p>21 Division says in an attempt to remedy her</p> <p>22 inability to testify, they offered a</p> <p>23 certification; correct?</p> <p>24 MS. FIETKIEWICZ: Yes.</p> <p>25 COMMISSIONER FORMICA: And Mr. McGowan's</p>	<p style="text-align: right;">36</p> <p>1 ITEM NO. 2</p> <p>2 then the fact that it was for medical records</p> <p>3 that the Division asserts were not relevant to</p> <p>4 this -- whether or not the alleged statement that</p> <p>5 the witness alleged that Mr. McGowan made to her</p> <p>6 was actually stated or not.</p> <p>7 COMMISSIONER FORMICA: Okay.</p> <p>8 MS. FIETKIEWICZ: And so there was</p> <p>9 motion practice back and forth regarding that.</p> <p>10 And then the Division was denied its due process</p> <p>11 in not being afforded an opportunity to respond</p> <p>12 to the motion to quash before the Commission</p> <p>13 issued an order. And then the Division responded</p> <p>14 after the fact, and then the motion was</p> <p>15 ultimately withdrawn.</p> <p>16 COMMISSIONER FORMICA: All right. The</p> <p>17 certification came in. That's what I mean;</p> <p>18 right?</p> <p>19 MS. FIETKIEWICZ: Yes. Ultimately.</p> <p>20 COMMISSIONER FORMICA: Let me ask you</p> <p>21 this. With regard to sum and substance, you</p> <p>22 would agree with me that a certification is not</p> <p>23 subject to cross-examination; right?</p> <p>24 MS. FIETKIEWICZ: Correct.</p> <p>25 COMMISSIONER FORMICA: But following his</p>
<p style="text-align: right;">35</p> <p>1 ITEM NO. 2</p> <p>2 attorneys filed motion to quash. And they</p> <p>3 withdrew it, and then the certification became</p> <p>4 part of the record.</p> <p>5 MS. FIETKIEWICZ: Yes. And just for</p> <p>6 clarification, the motion to quash was for a</p> <p>7 portion of the subpoena.</p> <p>8 COMMISSIONER FORMICA: Okay.</p> <p>9 MS. FIETKIEWICZ: And not the subpoena.</p> <p>10 I'm sorry. A portion of the certification.</p> <p>11 COMMISSIONER FORMICA: Right.</p> <p>12 MS. FIETKIEWICZ: Not the entire --</p> <p>13 COMMISSIONER FORMICA: Thank you.</p> <p>14 I'm just wondering. The certification</p> <p>15 came in before the Hearing Examiner; right?</p> <p>16 MS. FIETKIEWICZ: Yes. It was entered</p> <p>17 in as an exhibit.</p> <p>18 COMMISSIONER FORMICA: Just wondered how</p> <p>19 the procedural history was relevant and</p> <p>20 significant. Because that's your exception.</p> <p>21 MS. FIETKIEWICZ: Yes. The procedural</p> <p>22 history that was relevant, significant that was</p> <p>23 noted in the Initial Decision involved the</p> <p>24 issuing of the subpoena without the Division's</p> <p>25 knowledge prior to issuing that subpoena. And</p>	<p style="text-align: right;">37</p> <p>1 ITEM NO. 2</p> <p>2 direct testimony before the Hearing Officer on</p> <p>3 May 7th, Mr. McGowan was subject to</p> <p>4 cross-examination; right?</p> <p>5 MS. FIETKIEWICZ: Correct.</p> <p>6 COMMISSIONER FORMICA: In your opinion,</p> <p>7 I guess in general I suppose, would live</p> <p>8 testimony that is subject to cross-examination</p> <p>9 provide a factfinder with a better basis to</p> <p>10 determine veracity as opposed to a certification?</p> <p>11 MS. FIETKIEWICZ: For that witness,</p> <p>12 correct. For the Division's witness, our main</p> <p>13 point was that she was willing to testify until</p> <p>14 she received the subpoena.</p> <p>15 COMMISSIONER FORMICA: Okay. But what</p> <p>16 was before the Hearing Examiner was live</p> <p>17 testimony of Mr. McGowan subject to</p> <p>18 cross-examination versus a certification;</p> <p>19 correct?</p> <p>20 MS. FIETKIEWICZ: Correct.</p> <p>21 COMMISSIONER FORMICA: Thanks.</p> <p>22 All right. Now, one more thing. This</p> <p>23 isn't listed in your exceptions. But a large</p> <p>24 part of the Division's rejection -- and that</p> <p>25 rejection of December '24 was devoted to a</p>

<p style="text-align: right;">38</p> <p>1 ITEM NO. 2</p> <p>2 discussion of complaints lodged against Mr.</p> <p>3 McGowan while at the New Jersey State Police. Do</p> <p>4 you have that rejection letter in front of you?</p> <p>5 The December 31st, 2024?</p> <p>6 I guess that would be part of the</p> <p>7 pleadings too; right?</p> <p>8 MS. FIETKIEWICZ: Yes. I have a copy.</p> <p>9 COMMISSIONER FORMICA: All right. Thank</p> <p>10 you.</p> <p>11 The Division noted that there were a</p> <p>12 total -- including RG -- six instances of conduct</p> <p>13 complaints filed against Mr. McGowan in -- was</p> <p>14 that 27 years? At the New Jersey State Police.</p> <p>15 And that's at the top of Page 4 of the Division's</p> <p>16 rejection letter. Do you have that?</p> <p>17 Yeah. Right at the top of Page 4. Six</p> <p>18 total instances in which conduct complaints were</p> <p>19 filed against JWM; right? Do you got that, Miss</p> <p>20 Fietkiewicz?</p> <p>21 MS. FIETKIEWICZ: Correct.</p> <p>22 COMMISSIONER FORMICA: Can you tell me</p> <p>23 how many were dismissed, administratively closed,</p> <p>24 or unsubstantiated by Division of State Police,</p> <p>25 Professional Standards?</p>	<p style="text-align: right;">40</p> <p>1 ITEM NO. 2</p> <p>2 those two complaints are referenced in a 2024</p> <p>3 report conducted by the AG's Office. Mr. McGowan</p> <p>4 wasn't mentioned but the complaints were</p> <p>5 referenced; right?</p> <p>6 MS. FIETKIEWICZ: Correct. The</p> <p>7 complaints and the scenario that relates to the</p> <p>8 2021 and 2022 complaints were referenced. And</p> <p>9 discussed in the Office of Public Integrity and</p> <p>10 Accountability report.</p> <p>11 COMMISSIONER FORMICA: Gotcha. Thank</p> <p>12 you.</p> <p>13 So then I turn to Page 5 of your</p> <p>14 rejection letter, and I'm looking at the last</p> <p>15 sentence of the first full paragraph. And I read</p> <p>16 the 2021 complaint filed against JWM regarding</p> <p>17 these matters, as well as the 2022 complaint, was</p> <p>18 closed and unfounded and dismissed; is that</p> <p>19 correct?</p> <p>20 MS. FIETKIEWICZ: I'm sorry. It was</p> <p>21 Page 5?</p> <p>22 COMMISSIONER FORMICA: Page 5. Last</p> <p>23 sentence of the first full paragraph. Meanwhile,</p> <p>24 as set forth above, the 2021 complaint filed</p> <p>25 against JWM regarding these matters as well as</p>
<p style="text-align: right;">39</p> <p>1 ITEM NO. 2</p> <p>2 MS. FIETKIEWICZ: I believe all of them</p> <p>3 were either administratively closed or</p> <p>4 unsubstantiated or unfounded.</p> <p>5 COMMISSIONER FORMICA: Nonetheless, the</p> <p>6 Division's rejection letter gives a lot of</p> <p>7 attention to 2021 internal complaint alleging</p> <p>8 that Mr. McGowan failed to report that one of his</p> <p>9 subordinates made a negative comment about other</p> <p>10 employee's promotion based upon race. I'm</p> <p>11 looking at the middle of Page 4 of the December</p> <p>12 31st, 2024. Middle of Page 4. And then right</p> <p>13 below that, the Division cites another internal</p> <p>14 '22 complaint against Mr. McGowan arising out of</p> <p>15 the 2021 complaint, this one alleging that he</p> <p>16 provided false information with regard to the</p> <p>17 2021 complaint. Are you with me?</p> <p>18 MS. FIETKIEWICZ: Yes.</p> <p>19 COMMISSIONER FORMICA: Am I right about</p> <p>20 that?</p> <p>21 MS. FIETKIEWICZ: Yes.</p> <p>22 COMMISSIONER FORMICA: All right. Thank</p> <p>23 you.</p> <p>24 And I get why the Division wanted to</p> <p>25 include that, because according to the Division,</p>	<p style="text-align: right;">41</p> <p>1 ITEM NO. 2</p> <p>2 the 2022 complaint filed against JWM [mumbling]</p> <p>3 investigation was closed as unfounded and</p> <p>4 dismissed.</p> <p>5 Do you see that?</p> <p>6 Page 4. I'm sorry. Page 5 of the</p> <p>7 rejection letter of December 31st, 2024, Page 5.</p> <p>8 Last sentence of the first full paragraph of Page</p> <p>9 5. Starting with "Meanwhile."</p> <p>10 MS. FIETKIEWICZ: Okay. I see it.</p> <p>11 COMMISSIONER FORMICA: Got it. Okay.</p> <p>12 Now, that finding, unfounded and</p> <p>13 dismissed, wasn't from internal affairs from the</p> <p>14 State Police. That was from the Attorney</p> <p>15 General; right?</p> <p>16 * * * PAUSE * * *</p> <p>17 MS. FIETKIEWICZ: I believe, if I'm</p> <p>18 understanding you correctly, the -- the OPIA</p> <p>19 report --</p> <p>20 COMMISSIONER FORMICA: Right.</p> <p>21 MS. FIETKIEWICZ: -- references that the</p> <p>22 Division of State Police, OPS, closed it and</p> <p>23 deemed it unfounded and dismissed it.</p> <p>24 COMMISSIONER FORMICA: Okay. Thanks.</p> <p>25 That's all I have.</p>

<p style="text-align: right;">42</p> <p>1 ITEM NO. 2</p> <p>2 CHAIR PLOUSIS: Any other questions?</p> <p>3 COMMISSIONER MOLLINEAUX: No.</p> <p>4 COMMISSIONER FORMICA: No, sir.</p> <p>5 CHAIR PLOUSIS: Is there a motion?</p> <p>6 COMMISSIONER FORMICA: Is this a roll</p> <p>7 call vote?</p> <p>8 CHAIR PLOUSIS: Yes.</p> <p>9 MS. FAUNTLEROY: Yes.</p> <p>10 COMMISSIONER FORMICA: All right. Yes,</p> <p>11 there is a motion, Mr. Chairman.</p> <p>12 I make a motion to adopt the Initial</p> <p>13 Decision with a modification referenced on Page</p> <p>14 12 in that Initial Decision. It says then New</p> <p>15 Jersey Attorney General Grewal, that be replaced</p> <p>16 with a reference to then New Jersey Attorney</p> <p>17 General and, therefore, motion also to grant the</p> <p>18 application -- the Appellant's initial</p> <p>19 application for a casino key employee license and</p> <p>20 also finding Applicant plenary qualified to serve</p> <p>21 as Vice President of Security for Tropicana</p> <p>22 Atlantic Corp. [sic].</p> <p>23 CHAIR PLOUSIS: I'll second that motion.</p> <p>24 Any further discussion?</p> <p>25 COMMISSIONER MOLLINEAUX: No.</p>	<p style="text-align: right;">44</p> <p>1</p> <p>2 Do I have a motion to adjourn this</p> <p>3 meeting?</p> <p>4 COMMISSIONER FORMICA: I make a motion</p> <p>5 to adjourn this meeting.</p> <p>6 CHAIR PLOUSIS: Do I have a second?</p> <p>7 COMMISSIONER MOLLINEAUX: Mr. Chairman,</p> <p>8 I second the motion.</p> <p>9 CHAIR PLOUSIS: All in favor, say aye?</p> <p>10 (Ayes.)</p> <p>11 CHAIR PLOUSIS: Opposed?</p> <p>12 (No response.)</p> <p>13 CHAIR PLOUSIS: Ayes have it. Meeting</p> <p>14 now adjourned.</p> <p>15 (Special Public Meeting 25-08-21 was</p> <p>16 adjourned at 1:44 p.m.)</p> <p>17 - - -</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">43</p> <p>1 ITEM NO. 2</p> <p>2 COMMISSIONER FORMICA: No, sir.</p> <p>3 CHAIR PLOUSIS: Hearing none, roll call</p> <p>4 vote.</p> <p>5 MS. FAUNTLEROY: Commissioner Formica?</p> <p>6 COMMISSIONER FORMICA: Yes.</p> <p>7 MS. FAUNTLEROY: Commissioner</p> <p>8 Mollineaux?</p> <p>9 COMMISSIONER MOLLINEAUX: Yes.</p> <p>10 MS. FAUNTLEROY: And Chairman Plousis?</p> <p>11 CHAIR PLOUSIS: Yes.</p> <p>12 MS. FAUNTLEROY: In accordance with</p> <p>13 Resolution 24-12-11-03, the next closed session</p> <p>14 shall be held on Wednesday September 10, 2025, at</p> <p>15 9:30 a.m. in the Commission offices.</p> <p>16 MR. AGNELLINI: Thank you.</p> <p>17 CHAIR PLOUSIS: Thank you.</p> <p>18 This is the public participation portion</p> <p>19 of the meeting.</p> <p>20 Is there anyone from the public that</p> <p>21 wishes to speak?</p> <p>22 MS. FAUNTLEROY: I have no remarks or</p> <p>23 e-mail Mr. Chairman.</p> <p>24 CHAIR PLOUSIS: The public participation</p> <p>25 portion of the meeting is now closed.</p>	<p style="text-align: right;">45</p> <p>1</p> <p>2 C E R T I F I C A T E</p> <p>3</p> <p>4 I, M. DARLENE ENGEL, a Certified Court Reporter</p> <p>5 and Notary Public of the State of New Jersey, certify</p> <p>6 that the foregoing is a true and accurate transcript</p> <p>7 of the proceedings.</p> <p>8</p> <p>9 I further certify that I am neither attorney, of</p> <p>10 counsel for, nor related to or employed by any of the</p> <p>11 parties to the action; further that I am not a</p> <p>12 relative or employee of any attorney or counsel</p> <p>13 employed in this case; nor am I financially interested</p> <p>14 in the action.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20 -----</p> <p>21 M. DARLENE ENGEL, CCR</p> <p>22 License No 30XI0102300</p> <p>23 Dated: August 22, 2025</p> <p>24 My Notary Commission Expires on</p> <p>25 November 21, 2029</p> <p>NJ ID No: 50117353</p>

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