

MINUTES OF THE MISSISSIPPI GAMING COMMISSION

Regular Monthly Meeting
January 23, 2020

The regular monthly meeting of the Mississippi Gaming Commission was held at 9:00 a.m., Thursday, January 23, 2020, at the Jackson offices of the Mississippi Gaming Commission, Staff attending:

Major General (R) Al Hopkins, Chairman, MS Gaming Commission
Jerry Griffith, Commissioner, MS Gaming Commission
Tom Gresham, Commissioner, MS Gaming Commission
Allen Godfrey, Executive Director, MS Gaming Commission
Jay McDaniel, Deputy Director, MS Gaming Commission
Eddie Williams, Deputy Director, MS Gaming Commission
Thomas G. Mikula, Director, Investigations, MS Gaming Commission
Jack DePoyster, Director, Enforcement, MS Gaming Commission
Stephanie Quist Sills, Director, Compliance, MS Gaming Commission
Ed Wong, Director, Work Permits, MS Gaming Commission
Emil Lyon, Director, Gaming Lab, MS Gaming Commission
Deanne B. Saltzman, Special Assistant Attorney General

The meeting was called to order at 9:00 a.m. Jay McDaniel gave the invocation and Chairman Al Hopkins led the Pledge of Allegiance.

Chairman Hopkins welcomed everyone to the meeting and asked Director Godfrey to proceed with the Administrative Update.

ITEM I.

- I. Administrative Update: Executive Director Allen Godfrey made the following administrative announcements:
 - A. The next regular meeting of the Mississippi Gaming Commission will be held on Thursday, February 20, 2020, at the Jackson offices of the Mississippi Gaming Commission at 9:00 a.m. The deadline for submission of agenda items for this meeting is January 31, 2020.
 - B. Series C of Consolidated Investments International, LLC, a registered holding company of Land Holdings I, LLC d/b/a Scarlet Pearl Casino Resort, changed its name to Consolidated Investments International, LLC, Series C. effective December 6, 2019.

ITEM II.

APPROVAL OF MINUTES

A. December 19, 2019 Regular Monthly Meeting

Chairman Hopkins asked the Commissioners and Executive Director if they had any corrections, additions or deletions to the Regular Monthly Meeting minutes. Hearing none, the Chairman asked for a motion to approve the minutes as presented:

Commissioner Gresham:	Motion to approve the minutes
Commissioner Griffith:	Second

RECORDED VOTE:	Chairman Hopkins:	YES
	Commissioner Griffith:	YES
	Commissioner Gresham:	YES

ITEM III.

GAMING MATTERS

A. Application for Finding of Suitability – (RIH Acquisitions MS II, LLC; BSLO, LLC; BTN, LLC; HWCC-Tunica, LLC; PNK Vicksburg, LLC; Penn Sports Interactive, LLC)

1. Mr. David Alan Handler – Chairman of the Board (Non-Executive) – (Penn National Gaming, Inc.)

Amy Elder, Esquire, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, introduced Mr. Handler to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR’S RECOMMENDATION: Based upon the investigative report, the Executive Director recommends that Mr. David Alan Handler, be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning January 23, 2020;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;

4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

B. Application for Finding of Suitability – (Penn Sports Interactive, LLC)

1. Mr. Jonathan Ross Kaplowitz – Sr. Vice President (Interactive Gaming)
(Penn Interactive Ventures, LLC)

Amy Elder, Esquire, Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, introduced Mr. Kaplowitz to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR'S RECOMMENDATION: Based upon the investigative report, the Executive Director recommends that Mr. Jonathan Ross Kaplowitz be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning January 23, 2020;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;

5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to approve the minutes
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

C. Application for Finding of Suitability – (SG Gaming, Inc.; OpenBet Technologies Limited; NYX Digital Gaming (USA), LLC)

1. Mr. Jordan Ellis Levin – CEO (SG Digital Group / Scientific Games Corporation)

Thomas B. Shepherd, III, Esquire, of Jones Walker, introduced Mr. Levin to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR'S RECOMMENDATION: Based upon the investigative report, the Executive Director recommends that Mr. Jordan Ellis Levin be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning January 23, 2020;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and

6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to approve the minutes
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

- D. Recommendation for Licensure as a Manufacturer and Distributor – Gaming Partners International USA, Inc.

Thomas B. Shepherd, III, Esquire, of Jones Walker, presented this item to the Commission. Ben Comin, Chief Compliance Officer and General Counsel was also available to answer any questions.

EXECUTIVE DIRECTOR'S RECOMMENDATION: With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that, Gaming Partners International USA, Inc. be granted an operator's license to conduct business in the State of Mississippi subject to the following conditions:

- (1) The license will be issued for a three-year period, effective February 22, 2020, through February 21, 2023;
- (2) Licensee will comply with all federal, state and local laws, including the laws of the State of Mississippi and particularly the Mississippi Gaming Control Act;
- (3) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
- (4) Licensee will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
- (5) The license is based on the licensee's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

E. Application for Finding of Suitability – (AGS, LLC)

1. Mr. David Benjamin John Lopez – CEO, President and Secretary (Play AGS, Inc. / AGS Capital, LLC)

Thomas B. Shepherd, III, Esquire, of Jones Walker, introduced Mr. Lopez to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR’S RECOMMENDATION: Based upon the investigative report, the Executive Director recommends that Mr. David Benjamin John Lopez be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning January 23, 2020;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant’s ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Gresham: Motion to approve the minutes
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

F. Application for Finding of Suitability – (Novomatic Americas Sales, LLC)

1. Mr. Richard David Meitzler – Vice President (Novomatic Americas Holdings, Inc.); CEO (Novomatic Americas Investments, Inc.); and CEO/COO, Manager (Novomatic Americas Sales, LLC)

Ms. Sabine Stoppel, of Novomatic, introduced Mr. Meitzler to the Commission and he provided a brief personal history.

EXECUTIVE DIRECTOR'S RECOMMENDATION: Based upon the investigative report, the Executive Director recommends that Mr. Richard David Meitzler be found suitable to be associated with a gaming license granted under the Mississippi Gaming Control Act subject to the following:

1. The finding of suitability is valid for a period of nine (9) years, beginning January 23, 2020;
2. Applicant shall file an annual report as required by 13 Mississippi Administrative Code Part 2, R.1.3(e);
3. Applicant will comply with all federal and state laws, including the laws of Mississippi and particularly the Mississippi Gaming Control Act;
4. Applicant will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
5. Applicant will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
6. The finding of suitability is based on the applicant's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to approve the minutes
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

G. Request for Approvals – Novomatic AG and Novomatic Americas Sales LLC

1. Licensure as a Manufacturer and Distributor – Novomatic AG
2. Licensure as a Distributor – Novomatic Americas Sales LLC
3. Registration of Novo Invest GmbH as a Holding Company of Novomatic AG and Novomatic Americas Sales LLC

4. Registration of Novomatic AG, Novomatic Americas Holdings Inc. and Novomatic Americas Investments Inc. as a Holding Company of Novomatic Americas Sales LLC

Ms. Sabine Stoppel and Mr. Richard David Meitzler presented this item to the Commission and were available to answer any questions.

EXECUTIVE DIRECTOR'S RECOMMENDATION: With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that:

1. The Mississippi Gaming Commission grant to Novomatic AG a manufacturer and distributor's license to conduct business in the State of Mississippi subject to the following conditions:
 - (a) The license will be issued for a three-year period, effective January 23, 2020, through January 22, 2023;
 - (b) Licensee shall maintain a compliance review and reporting system, which shall include a compliance committee. Licensee shall maintain a written compliance review and reporting plan that meets the requirements of 13 Mississippi Administrative Code Part 2 Rule 1.7 and such other conditions as may be required by the Executive Director;
 - (c) Licensee will comply with all federal, state and local laws, including the laws of the State of Mississippi and particularly the Mississippi Gaming Control Act;
 - (d) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
 - (e) Licensee will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
 - (f) The license is based on the licensee's ability to maintain satisfactory results for all investigations and agency checks.
2. The Mississippi Gaming Commission grant to Novomatic Americas Sales LLC a distributor's license to conduct business in the State of Mississippi subject to the following conditions:
 - (a) The license will be issued for a three-year period, effective January 23, 2020, through January 22, 2023;

- (b) Licensee will comply with all federal, state and local laws, including the laws of the State of Mississippi and particularly the Mississippi Gaming Control Act;
 - (c) Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
 - (d) Licensee will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
 - (e) The license is based on the licensee's ability to maintain satisfactory results for all investigations and agency checks.
3. The Mississippi Gaming Commission grant approval to Novo Invest GmbH for a finding of suitability and registration as a holding company of each of Novomatic AG and Novomatic Americas Sales LLC, and
4. The Mississippi Gaming Commission grant approval to each of Novomatic AG, Novomatic Americas Holdings Inc. and Novomatic Americas Investments Inc. for a finding of suitability and registration as a holding company of Novomatic Americas Sales LLC.

Commissioner Gresham: Motion to approve the minutes
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

H. Recommendation for a Permit as an Independent Testing Laboratory – Gaming Laboratories International, LLC

Ryan O'Beirne, Esquire, of Butler Snow, presented this item to the Commission. Paul Magno, Co-Founder and Executive Vice President of GLI, was also available to answer any questions.

EXECUTIVE DIRECTOR'S RECOMMENDATION: With past Commission action, key principals of the company have been found suitable. The Executive Director recommends that the Mississippi Gaming Commission grant Gaming Laboratories International, LLC, an Independent Testing Laboratory permit to conduct business in the State of Mississippi subject to the following conditions:

- (1) The permit will be issued for a three-year period, effective January 23, 2020 through January 22, 2023;

- (2) Permittee will comply with all federal, state and local laws, including the laws of the State of Mississippi and particularly the Mississippi Gaming Control Act;
- (3) Permittee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission;
- (4) Permittee will comply with and does hereby agree to be bound by all laws, including the Gaming Control Act, of the State of Mississippi; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi; and
- (5) The permit is based on the permittee's ability to maintain satisfactory results for all investigations and agency checks.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

I. Recommendation Regarding Work Permit Hearings Held and Decisions Rendered on November 7, 2019.

(Documentation attached as Exhibit "1")

1. Clifton Glen Wilson

MOTION: The Commission accepts the Findings of Fact and Recommendation(s) of the Hearing Examiner in the above-referenced matter. (Revoke)

Commissioner Gresham: Motion to adopt recommendation of hearing examiner
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

J. Request for Approval – Biloxi Capital, LLC - Gaming Site

This item was tabled by the Commission.

ITEM IV.

PUBLIC COMMENT (GAMING MATTERS)

None.

ITEM V.

CHARITABLE GAMING MATTERS

A. Recommendation for Approval of Licensure – Thirty-six months.

(Documentation attached as Exhibit “2”)

1. Golden Triangle Planning & Development Center, Inc.
1522 Gardner Blvd., Columbus, MS 39702
2. Hattiesburg Moose Lodge # 1804
308 West Hills Drive, Hattiesburg, MS 39402
3. Sardis Lower Lake Volunteer Fire Department, Inc.
28521 Hwy 35 N., Sardis, MS 38666

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the previously identified organizations be approved for licensure, subject to the following conditions:

1. The licenses will be issued for a thirty-six-month period effective February 01, 2020 through January 31, 2023;
2. Licensees will comply with all federal and state laws, including the laws of Mississippi and particularly, the Mississippi Charitable Bingo Law;
3. Licensees will strictly comply with the Charitable Gaming Regulations and particularly, 13 Miss. Admin. Code, Pt. 10, R. 5.5 (m) & (n) (Known as the 60/40 Rule and the 65/35 Rule);
4. Licensees will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission; and
5. Licensees will comply with and do hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensees agree to adjudicate all legal proceedings (both state and federal) relative to said licenses in the courts located in the State of Mississippi.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
 Commissioner Griffith: YES
 Commissioner Gresham: YES

B. Recommendation for Approval of Licensure – Twelve Months

(Documentation attached as Exhibit “3”)

1. American Legion Post 73,
 2500 Union School Road, Picayune, MS 39466

EXECUTIVE DIRECTOR’S RECOMMENDATION: The Executive Director recommends that the previously identified organizations be approved for licensure, subject to the following conditions:

1. The license will be issued for a twelve-month period effective February 01, 2020 through January 31, 2021;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly, the Mississippi Charitable Bingo Law;
3. Licensee will strictly comply with the Charitable Gaming Regulations and particularly, 13 Miss. Admin. Code, Pt. 10, R. 5.5 (m) & (n) (Known as the 60/40 Rule and the 65/35 Rule);
4. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission; and
5. Licensee will comply with and do hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensees agree to adjudicate all legal proceedings (both state and federal) relative to said licenses in the courts located in the State of Mississippi.

Commissioner Griffith: Motion to adopt recommendation
Commissioner Gresham: Second

RECORDED VOTE: Chairman Hopkins: YES
 Commissioner Griffith: YES
 Commissioner Gresham: YES

C. Recommendation for Approval of Licensure – Manufacturer and Distributor – Twelve Months - Fortunet, Inc.

(Documentation attached as Exhibit “4”)

EXECUTIVE DIRECTOR'S RECOMMENDATION: The Executive Director recommends that the previously identified organization be approved for licensure, subject to the following conditions:

1. The license will be issued for a twelve-month period effective February 01, 2020 through January 31, 2021;
2. Licensee will comply with all federal and state laws, including the laws of Mississippi and particularly, the Mississippi Charitable Bingo Law;
3. Licensee will comply with all the policies, rules and regulations adopted by the Mississippi Gaming Commission; and
4. Licensee will comply with and does hereby agree to be bound by all laws, including the Mississippi Charitable Bingo Law; further, licensee agrees to adjudicate all legal proceedings (both state and federal) relative to said license in the courts located in the State of Mississippi.

Commissioner Gresham: Motion to adopt recommendation
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

ITEM VI.

PUBLIC COMMENT (CHARITABLE GAMING)

None.

ITEM VII.

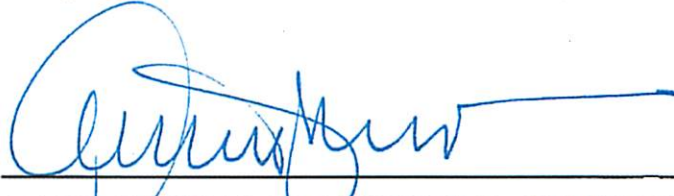
ADJOURNMENT

Chairman Hopkins stated that it was good to have everyone at the meeting today and asked for a motion to adjourn.

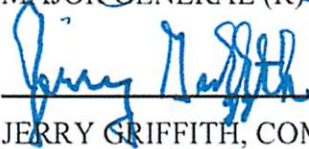
Commissioner Gresham: Motion to Adjourn
Commissioner Griffith: Second

RECORDED VOTE: Chairman Hopkins: YES
Commissioner Griffith: YES
Commissioner Gresham: YES

The meeting was adjourned at 09:17 a.m.



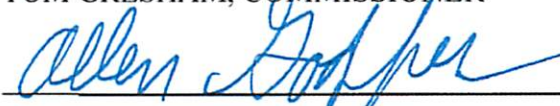
MAJOR GENERAL (R) AL HOPKINS, CHAIRMAN



JERRY GRIFFITH, COMMISSIONER



TOM GRESHAM, COMMISSIONER



ALLEN GODFREY, EXECUTIVE DIRECTOR

ATTEST:



DEANNE B. SALTZMAN, SPECIAL ASSISTANT ATTORNEY GENERAL
MISSISSIPPI GAMING COMMISSION COUNSEL

STATE OF MISSISSIPPI
MISSISSIPPI GAMING COMMISSION

I, TRISH EDWARDS, do hereby certify
that this is a true copy of document or record on file with
this office.

SIGNATURE: Trish Edwards
TITLE: LEGAL ASSISTANT
DATE: FEBRUARY 20, 2020