



**MASSACHUSETTS GAMING COMMISSION
PUBLIC MEETING #172**

December 9, 2015
10:30 a.m.

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA



Massachusetts Gaming Commission



U P D A T E D
NOTICE OF MEETING and AGENDA

December 9, 2015

Pursuant to the Massachusetts Open Meeting Law, G.L. c. 30A, §§ 18-25, notice is hereby given of a meeting of the Massachusetts Gaming Commission. The meeting will take place:

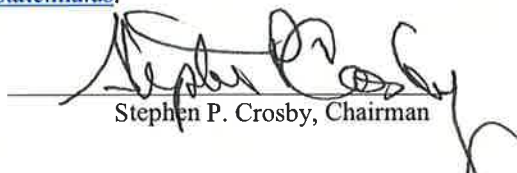
Wednesday, December 9, 2015
10:30 a.m.
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA

PUBLIC MEETING - #172

1. Call to order
2. Approval of Minutes
 - a. November 19, 2015
3. Workforce Development and Supplier Diversity – Jill Griffin, Director
 - a. Region C Impacted Live Entertainment Venue Designation Decisions – Lyle Hall, HLT Advisory, Inc. - **VOTE**
4. Administration – Karen Wells, Interim Executive Director
 - a. Written Designation of Surrounding Communities - **VOTE**
 - b. Executive Director Candidate Interviews – Commissioner Stebbins
Ed Bedrosian
Charles LaBoy
 - c. Executive Director Finalist Deliberation - **VOTE**
5. Other business – reserved for matters the Chair did not reasonably anticipate at the time of posting.

I certify that on this date, this Notice was posted as “Gaming Commission Meeting” at www.massgaming.com and emailed to: regs@sec.state.ma.us, melissa.andrade@state.ma.us.

12/8/15
(Date)


Stephen P. Crosby, Chairman

Date Posted to Website: December 8, 2015 at 10:30 a.m.



Massachusetts Gaming Commission



Meeting Minutes

Date/Time: November 19, 2015 - 10:30 a.m.

Place: Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, Massachusetts

Present: Chairman Stephen P. Crosby
Commissioner Gayle Cameron
Commissioner Lloyd Macdonald
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

**Time entries are linked to
corresponding section in
Commission meeting video**

Call to Order

See transcript page 2

[10:33 a.m.](#) Chairman Crosby called to order the 170th Commission Meeting.

Administration

See transcript pages 2-4

[10:33 a.m.](#) Commissioner Stebbins provided an update on the executive director search which included the following: the Commission has received over 70 resumes to date, interviews of candidates are ongoing, and they anticipate final interviews in December and an executive director in place after the first of the year.

Ombudsman

See transcript pages 4-45

[10:36 a.m.](#) General Manager Lance George provided an overview of the Plainridge Park Casino Quarterly Report which included the following highlights: staffing demographics, diversity goals, vendor diversity spend, local spend, diversity spend action plan, revenue and taxes, compliance with regulations, compliance with community agreements, company overview, events, and promotions. General Manager George also reported on current projects which included the Central Monitoring System, the Intercept Detection System, and Play Management.

[11:10 a.m.](#) Ombudsman John Ziemba reported on MGM's public presentation in Springfield and noted the following highlights: the meeting was hosted by the City of Springfield and attended by approximately 300 people, MGM announced that they will increase project budget to \$950 million, MGM expressed continued commitment to the project, MGM discussed square footage reductions, and MGM promised a renewed focus on transparency and communications.

[11:15 a.m.](#) Chairman Crosby noted that the Commission will have a public meeting and public hearing on December 3rd in Springfield. MGM will present on their proposed design changes at the public meeting and the public is invited to the public hearing in the afternoon to offer comments on the design changes.

Legal Division

See transcript pages 46-80

[11:20 a.m.](#) Deputy General Counsel Todd Grossman presented on a licensee's request for a non-disclosure agreement and provided an overview of the public records law. He also provided options for the Commission's consideration on the review and approval process. The Commissioners discussed process options.

[11:33 a.m.](#) General Counsel Catherine Blue summarized that the Legal Division will review requests for non-disclosure agreements, prepare a memo, and brief individual Commissioners before a vote at a Commission meeting.

[11:37 a.m.](#) Deputy General Counsel Grossman presented on draft regulation 205 CMR 129: Transfer of Interests and proposed commencement of a new promulgation process.

[11:51 a.m.](#) *Commissioner Zuniga moved that the Commission approve the draft regulations 205 CMR 116, 205 CMR 102.02, and 205CMR 129 as presented in the packet and start the formal promulgation process. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

[11:52 a.m.](#) The Commission took a short recess.

[12:00 p.m.](#) The meeting resumed.

[12:00 p.m.](#) General Counsel Blue noted the annual election of the Gaming Commission Secretary and Treasurer.

[12:01 p.m.](#) *Commissioner Zuniga nominated Commissioner Macdonald as Secretary. Commissioner Stebbins seconded the nomination. Nomination passed unanimously.*

[12:03 p.m.](#) *Commissioner Stebbins nominated Commissioner Zuniga as Treasurer. Commissioner Cameron seconded the nomination. Nomination passed unanimously.*

Workforce, Supplier and Diversity Development

See transcript pages 81-89

[12:04 p.m.](#) Director Jill Griffin noted that a priority of the gaming law is to include Veterans in the building and operation of casinos. She reported on the expanded definition of Veterans which includes members of the National Guard.

[12:05 p.m.](#) Commissioner Stebbins provided a background on the expanded definition of Veterans. Commissioner Stebbins reported that the expanded definition was put out for public comment and due to some concerns received; he suggested withdrawing the proposed definition change at this time to gather additional feedback and conduct more outreach. He also stated that he will ask the licensees to track information on employees and their National Guard service.

Fantasy Sports Update

See transcript page 89-91

[12:13 p.m.](#) Chairman Crosby noted that the Commission will host a public education forum on December 10th to discuss fantasy sports and online gaming. He also noted that forum speakers will include experts in the industry, representatives from daily fantasy sports and the casino industry, licensees, and others to help the Commission make recommendations to the Legislature.

Research and Responsible Gaming

See transcript page 91

[12:15 p.m.](#) Interim Director Karen Wells reported that the Research and Responsible Gaming agenda item will not go forward as Director Vander Linden is out sick.

Investigations and Enforcement Bureau

See transcript pages 91-107

[12:17 p.m.](#) Chief Enforcement Counsel and Deputy Director Loretta Lillios presented on slot machine leasing which included revenue share arrangements and a jurisdictional survey of participation agreements. She also reported that staff will conduct additional research and provide a detailed report to the Commission.

Other Business Not Reasonably Anticipated

See transcript pages 107-108

[12:35 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Cameron. Motion seconded by Commissioner Macdonald. Motion passed unanimously.*

List of Documents and Other Items Used

1. Massachusetts Gaming Commission, Notice of Meeting and Agenda dated November 19, 2015
2. Plainridge Park Casino Report to the Massachusetts Gaming Commission – Q3 2015
3. Massachusetts Gaming Commission, Memorandum dated November 19, 2015 regarding Non-Disclosure Agreements with Gaming Licensees, with attachment
4. Draft Regulation 205 CMR 102.02: Construction and Application
5. Draft Regulation 205 CMR 116.00: Persons Required to be Licensed or Qualified
6. Draft Regulation 205 CMR 129.00: Review of a Proposed Transfer of Interests
7. Massachusetts Gaming Commission, Memorandum dated November 19, 2015 regarding Recommendations for the Annual Gaming Research Agenda

/s/ Catherine Blue

Catherine Blue, Assistant Secretary

MASSACHUSETTS GAMING COMMISSION ILEV PETITION ANALYSIS



PETITIONER: MASSACHUSETTS PERFORMING ARTS COALITION
APPLICANT: MASS GAMING AND ENTERTAINMENT, LLC

December 9, 2015

INTRODUCTION AND OVERVIEW

The Live Entertainment Venue has submitted to the Commission a petition to be designated as a Impacted Live Entertainment Venue to the Applicant's proposed gaming establishment in accordance with G.L. c. 23K, §§ 4(33) and 17(a) and 205 CMR 126.01(2). The Applicant has submitted a response to the petition.

In making its determination, the Commission must consider the definition of impacted live entertainment venue as set forth in MGL C 23k, §2 (“a not-for-profit or municipally-owned performance venue designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, which the commission determines experiences, or is likely to experience, a negative impact from the development or operation of a gaming establishment.”) and factors in G.L. c. 23K, §§ 4(39) including distance from the gaming establishment, venue capacity, and the type of performance offered by that venue.

In accordance with 205 CMR 126.01(2): “the commission will consider whether the applicant intends to include a geographic exclusivity clause in the contracts of entertainers at the proposed gaming establishment, or in some other way intends to limit the performance of entertainers within Massachusetts.”

The Commission must review, in accordance with G.L. c. 23K, §§ 4(33) and 17(a) and 205 CMR 125.01(2)(b), the Applicant's entire application; the Applicant's RFA-2 detailed plan of construction; any independent evaluations; any pertinent information received from the entertainment venue, the Applicant, the Applicant's host community, and the public; and any additional information that the Commission determined to be beneficial in making its determination. The Commission's regulations lay out the criteria that the Commission should consider in making its determination:

1. Not for profit/municipally owned venue
2. Type of performance
3. Proximity
4. Venue Capacity
5. Potential Negative Impacts
 - a. Applicant geographic exclusivity clause

This document lays out the criteria and provides the legal framework that the Commission must consider, an executive summary of the issues, and pertinent information from the entertainment venue's petition, the Applicant's response, consultant analysis, relevant RFA-2 application question responses, and other relevant materials. Please see accompanying documents for full entertainment venue petition, applicant response, and consultant analysis.

1. VENUE OWNERSHIP /TYPE OF PERFORMANCES

Legal Framework

In determining whether a venue is an impacted live entertainment venue, the commission will evaluate whether...the venue meets the definition of ‘impacted live entertainment venue’ (“a not-for-profit or municipally-owned performance venue designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, which the commission determines experiences, or is likely to experience, a negative impact from the development or operation of a gaming establishment.”) as set forth in G.L. c.23K, §2

Executive Summary

By agreement of all parties, The MA Performing Arts Coalition (MPAC) members listed below are non-profit 501(c) (3) Massachusetts corporations or municipally owned entities.

South Shore Music Circus / Cape Cod Melody Tent: sister venues, owned and operated by South Shore Playhouse Associates, a non-profit and MPAC member. The venues typically offer live concerts, children’s shows, and comedy performances.

Lynn Auditorium: located in Lynn, MA, this venue is municipally owned and located in Lynn City Hall. The auditorium typically features performances in the musical, dance, and theatre genres.

Zeiterion Theatre: The theatre, located in New Bedford, MA, operates as a non-profit organization and typically features performances in the musical, comedy and child-friendly genres.

MA Gaming and Entertainment (MGE OR MG&E)’s proposed gaming establishment features an in-house, multi-purpose area which could be used for hosting live entertainment. The largest room/banquet area is to be 12,000 square feet, constructed in a rectangular, non-elevated manner with a stage at the far end of the space. With seating space for up to 1,000 people is to have multiple functions spanning from meetings, conventions, weddings, and seminars to live entertainment

A. ENTERTAINMENT VENUE PETITION

South Shore Music Circus and Cape Cod Melody Tent presented over 160 major concert events during the past two seasons, including such artists as Frankie Valli, Lynyrd Skynyrd, Steve Miller Band Little Big Town, Lee Brice, Beach Boys, Doobie Brothers, Chris Botti and Jeff Foxworthy.

The Lynn Auditorium is likely to experience a severe negative impact from the diversion of potential customers to this new venue, as it is likely that the types of entertainers booked to appear at MG&E's location will be similar to entertainers that otherwise would appear at the Lynn Auditorium, such as Kenny Rogers, Alice Cooper, The Celtic Woman and Prince Royce, all of whom have played both the Lynn Auditorium and Mohegan Sun.

The Zeiterion Theatre's typical roster of more than sixty entertainers and performances is similar to those likely to be booked by MG&E at its gaming establishment, and as is the case for the theatres in Lynn and Cohasset, without an enforceable contractual commitment from MG&E that no exclusivity clauses will be incorporated into agreements with entertainers performing at MG&E's gaming establishment ... the Zeiterion Theatre will be vulnerable to diversion of those performances to MG&E's establishment.

B. APPLICANT RESPONSE

MGE has already indicated to MPAC that MGE does not intend to require geographic exclusivity with respect to the MPAC venues in the contracts of entertainers at the proposed gaming establishment.

C. CONSULTANT ANALYSIS

While MGE is not directly establishing an in-house venue solely for live entertainment, its proposed gaming establishment will feature multi-purpose space, which can be utilized to host live entertainment for up to 1,000 people.

MPAC member venues offer a range of drama, comedy, musical and children's performances, which present the potential for performance genre overlap with the MG&E facility

D. APPLICATION

4-2 Relationship with Surroundings

MG&E Casino Resort will become a regional destination offering first class gaming, entertainment, accommodations and dining options for southeastern Massachusetts, Rhode Island and Connecticut. MG&E Casino Resort will feature state-of-the-art gaming and entertainment facilities and attract patrons with a range of cuisine options. Conference and event space will welcome local organizations and special events to the complex as well. MG&E Casino Resort will blend an integrated hotel and casino resort project within the community. From a planning perspective, the best approaches for traffic and safety practices to direct patrons on and off the developed site will be employed. The architecture will be mindful of the strength of New

England design that will capture the spirit with fine detailing that also reflects modern, forward thinking design. The landscape design will create a sense of arrival and destination for the MG&E Casino Resort, while providing enhanced sustainability measures and appropriate visual buffering and open space for the surrounding community.

4-11 Non-Gaming Amenities

MG&E believes the MG&E Casino Resort in Brockton will be an anchor for the community, providing a fresh addition to Brockton's rich cultural history. MG&E Casino Resort will feature world-class non-gaming amenities that will provide a world-class entertainment experience for all visitors. To support the gaming options, MG&E Casino Resort will feature multiple amenities, including a hotel, spa and fitness center, restaurants, bars and lounges, and an event center.

4-12 Exhibition Spaces

MG&E Casino Resort will include a 25,000 square-foot multi-functional area that can be parceled to hold exhibitions such as sports card shows, fashion shows, jewelry shows and other trade shows. In addition to the multi-functional area, there will be ample, separate, meeting rooms. MG&E Casino Resort will also be able to accommodate smaller exhibitions in the meeting rooms.

4-13 Conference Space

MG&E Casino Resort will promote travel and tourism by attracting groups of all sizes. MG&E Casino Resort will feature a 25,000-square-foot multi-purpose space that can be parceled to hold large trade shows as well as small convention groups. In addition to the multi-functional area, there will be ample, separate, meeting rooms. MG&E Casino Resort will be able to accommodate smaller conferences and break-out groups in the meeting space.

4-15 Entertainment Venues

MG&E Casino Resort will not feature a dedicated entertainment venue. Instead, MG&E Casino Resort will feature approximately 25,000 square feet of multifunction event and entertainment space. This space, during certain programming, can be converted into a 1,000-person live-entertainment space. For events attracting over 1,000 persons, MG&E Casino Resort will utilize venues such as Campanelli Stadium.

2. PROXIMITY

Legal Framework

In determining whether a venue is a impacted live entertainment venue, the commission shall consider...factors including, but not limited to, the venue's distance from the gaming establishment, venue capacity and the type of performances offered by that venue")

Executive Summary

Proximity—respective MPAC member venues and the proposed MG&E site are separated by a range spanning 21 to 56 miles by road. Petitioners present actual distance between the proposed establishment while the approximate distance by road is raised by the applicant and verified by the consultants.

A. ENTERTAINMENT VENUE PETITION

The proposed establishment would be located approximately 19 miles from South Shore Music Circus and 47 miles from Cape Cod Melody Tent, both within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters.

The proposed establishment would be located approximately 26 miles from the Lynn Auditorium, well within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters.

The proposed gaming establishment would be located approximately 31 miles from the Zeiterion Theatre, well within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters.

B. APPLICANT RESPONSE

Cape Cod Melody Tent: Described in MPAC's letter as approximately 47 miles from MGE's proposed gaming establishment, this venue is approximately 61 miles away by road, a distance that would take over an hour to drive in moderate traffic.

Lynn Auditorium: this venue is northeast of Boston and over 35 miles away by road, a distance that would typically take over an hour to drive via the “direct” route through Boston.

Zeiterion Theatre: this venue is over 37 miles away by road, a distance that would typically take at least forty minutes to drive.

C. CONSULTANT ANALYSIS

The South Shore Music Circus is located 21 miles by road in Cohasset, MA, while the Cape Cod Melody Tent is located 56 miles by road in Hyannis, MA.

The Lynn Auditorium is located in Lynn, MA, approximately 35 miles by road from the site of the proposed MG&E gaming establishment.

Zeiterion Theatre is located in New Bedford, MA, approximately 37 miles by road from MG&E’s proposed site.

Proximity—respective MPAC member venues and the proposed MG&E site are separated by a range spanning 21 to 56 miles by road.

3. VENUE CAPACITY

Legal Framework

“In determining whether the venue is an ILEV the commission shall consider factors including, but not limited to, venue capacity and the type of performances offered by that venue” a G.L. c.23K, §4(39):

Executive Summary

By agreement of all parties seating capacities are a maximum of 1,000 seats at MG&E’s proposed site versus a range of 2,000 – 2,300 seats at the respective MPAC member venues.

A. ILEV PETITION

No reference to seating capacity in the petition but websites and information provided to the consultants verify the seating capacity of each venue.

B. APPLICANT RESPONSE

According to South Shore Playhouse Associates website, South Shore Music Circus in Cohasset has approximately 2,300 seats and the Cape Cod Melody Tent in Hyannis is about the same size having approximately 2,300 seats. Lynn Auditorium according to the operator’s website has approximately 2,100 seats.

C. CONSULTANT ANALYSIS

Seating capacities are a maximum of 1,000 seats at MG&E’s proposed site versus a range of 2,000 – 2,300 seats at the respective MPAC member venues.

D. APPLICATION

MG&E’s proposed gaming establishment features an in-house, multi-purpose area which could be used for hosting live entertainment. MG&E’s Category 1 Casino Application outlines the following:

- Plans for a total of 25,000 square feet of available multi-purpose space

- The largest room/banquet area is to be 12,000 square feet, constructed in a rectangular, non-elevated manner with a stage at the far end of the space
- Seating space for up to 1,000 people
- The space is to have multiple functions spanning from meetings, conventions, weddings, and seminars to live entertainment

4. POTENTIAL NEGATIVE IMPACT/ ENTERTAINER EXCLUSIVITY CLAUSE

Legal Framework

In making its determination, the Commission must consider the definition of impacted live entertainment venue as set forth in MGL C 23k, §2 (“a not-for-profit or municipally-owned performance venue designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, which the commission determines experiences, or is likely to experience, a negative impact from the development or operation of a gaming establishment.”)

Executive Summary

MGE has indicated in their application and in the applicant response that they will not impose an entertainer exclusivity clause on their performers relative to non-casino venues. ILEV Petitioners indicate that without an enforceable contractual commitment, MGE could program its venues with touring entertainers in direct competition with those presented their venues resulting in devastating impact. Consultant analysis indicates the potential for performance genre overlap with the MGE facility with music and comedy show entertainers as the genres most likely to overlap. Consultants believe the impacts to petitioning MPAC member venues caused by MGE operation are likely to be minimal.

A. ILEV PETITION

Please note that the draft ILEV agreement being negotiated between the Coalition and MG&E includes a commitment from the applicant that no exclusivity clauses will be incorporated into agreements with entertainers performing at MG&E’s gaming establishment. MG&E has stated that its intention is not to incorporate a geographic exclusivity clause into entertainer agreements that would impact Coalition members.... However, without an enforceable contractual commitment, MG&E could program its venues with touring entertainers in direct competition with those presented at South Shore Music Circus and Cape Cod Melody Tent and, using its disproportionate buying power (many time overpaying for the same acts, because it is not the gaming establishment’s core business), divert many of those acts to MG&E’s gaming establishment, which was not the intent of the 2011 Gaming Act.

This would have a devastating impact on both South Shore Music Circus and Cape Cod Melody Tent, which presented over 160 major concert events during the past two seasons, including such artists as Frankie Valli, Lynyrd Skynyrd, Steve Miller Band, Little Big Town, Lee Brice, Beach Boys, Doobie Brothers, Chris Botti and Jeff Foxworthy. It also seriously jeopardizes South Shore

Playhouse Associates' main operating objective, which is to put millions of dollars into arts education in our communities – as we have been doing for over 64 years.

B. APPLICANT RESPONSE

Given the distances involved, capacities of the MPAC venues, and MGE's intention to not require geographic exclusivity with respect to the MPAC venues, we dispute the eligibility of the venues in question for ILEV status under Chapter 23K and the applicable regulations.

C. CONSULTANT ANALYSIS

Similarity of performances—MPAC member venues offer a range of drama, comedy, musical and children's performances, which present the potential for performance genre overlap with the MG&E facility. Music and comedy shows entertainers are the genres most likely to overlap.

Operating Restrictions—MG&E states in their Application that no geographic exclusivity clauses, with respect to MPAC venues, will be required for hired entertainers.

In our view, the impacts to petitioning MPAC member venues caused by MG&E operation are likely to be minimal. However, we acknowledge that, if realized, any negative impacts to these not-for-profit entities could be consequential.

D. APPLICATION

3-24 Local Agreements

MG&E intends to partner with attractions and businesses in Brockton and the regional area including to expand the gaming establishment's draw. Additionally, MG&E intends to coordinate and work with the City of Brockton in creating an entertainment district. Moreover, MG&E will look to partner with local festivals, wineries, theatres, and tourist destinations, as well as leveraging Rush Rewards to incorporate local dining, attractions, and businesses.

3-25 Crossmarketing

The MG&E Casino Resort will benefit from the rich diversity of attractions in Brockton/Plymouth County. MG&E intends to work in cohesion with the Metro South Chamber of Commerce and historical and cultural attractions, as well as to participate appropriately in local events to further tourism and tourism spend within the county.

3-26 Collaboration with Tourism and Other Industries

MG&E-affiliated properties understand the importance of working cooperatively to further regional tourism. Each of the affiliates has a record of success in working collaboratively with local businesses as well as tourism and sales organizations in each of the markets it operates. MG&E will seek potential partnerships with local and regional tourism groups including the Massachusetts Office of Travel and Tourism, Massachusetts Port Authority, Greater Boston Visitors and Convention Bureau, and the Metro South Chamber of Commerce. These partnerships will help bring tourism to the City of Brockton by offering numerous activities and making the destination easily accessible. Additionally, MG&E is working in collaboration with the City of Brockton to research and develop plans for an entertainment district adjacent to the property.

3-28 Other Amenities

MG&E will leverage high quality, unique dining, hotel, and spa to create a fantastic quality getaway for both regional residents and visitors alike. MG&E will provide spa, fitness and pool areas for hotel guests. The Applicant will also focus on attracting tour and travel, sales, and event visitors through their banquet facility and the partnership with Campanelli Stadium. Additionally, working cooperatively with the City of Brockton, the casino would enjoy a location adjacent to an entertainment district to be developed as a unique destination in Brockton. All amenities beyond the hotel and the gaming floor will be a great complement to the City of Brockton while making the desired destination.

3-31 Record of Success

The Applicant understands the importance of the tourism industry to the regional economy and strives to partner with local entities to drive growth in the local economy. With our track record in Philadelphia, Pittsburgh, and Des Plaines, we are confident we can establish tremendous relationships with partners in Brockton and the regional area to drive tourism and revenue into the area.

3-32 Entertainment and Athletic Events

MG&E plans to offer an assorted range of non-gaming entertainment for guests of the resort. Examples include local acts in the lounge, boxing matches in the multi-event space and selectively purchased tickets or suites to a variety of professional sports and entertainment offerings. MG&E intends to work in concert with the nearby Campanelli Stadium and The Shaw's Center to support diverse offerings such as seasonal festivals, trade and special interest shows, and larger outdoor concerts.

4-1 Overall Theme

Also, MG&E intends to purchase tickets for invited consumers to enjoy the many offerings in the area. Examples of events could range from the great Boston sports teams to concerts and shows at the Boston Opera House and Emerson Colonial Theatre. The Applicant's history of respecting

a community's heritage is evident in the design and development of MG&E Casino Resort. The project's design has been well-received by the City of Brockton as it reflects conservative New England architecture, fitting comfortably within the context of the community. MG&E Casino Resort will complement existing entertainment complexes, such as The Shaw Center and Campanelli Stadium. The proximity of MG&E Casino Resort to these properties represents great components to develop an entertainment district for the City of Brockton. MG&E Casino Resort will become a regional destination offering first-class gaming, entertainment, accommodations, and dining options for southeastern Massachusetts, Rhode Island, and Connecticut. MG&E Casino Resort will feature state-of-the-art gaming and entertainment facilities, and attract patrons with a range of cuisine options. Conference and event space will welcome local organizations and special events to the complex as well.

4-21 Tourism Diversity

MG&E will build a high-quality casino resort with a variety of quality amenities included as part of the gaming establishment. MG&E anticipates entering into numerous local partnerships that will ensure patrons a diversified regional tourism experience. The Rush Rewards Plus Program, partnerships with local hotels, and sponsored events and festivals at the Campanelli Stadium, along with a potential entertainment district within the City of Brockton, will ensure a wide variety of high-quality amenities offered to both out-of-state and in-state visitors. Charter buses may also be offered in order to make the property more easily accessible to nonlocal visitors.

4-22 Diversified Regional Tourism

The Applicant will introduce highly diverse nongaming amenities to accommodate all visitors. Offering a luxurious spa, pool and fitness area for all guests staying at our hotel will improve tourism and complement additional features MG&E will provide. Partnerships with local and regional business are significant for both the city and the applicant; the Campanelli Stadium will be among those partnerships along with local hotels and annual events. Lastly, providing the Rush Rewards Plus Program will benefit both the visitors and the affiliated business. Working with Massachusetts Office of Travel and Tourism (MOTT) and Massachusetts Port Authority (Massport) will maximize our reach and greatly contribute to the remodeling of Brockton.

5-21 Exclusivity with Entertainers

Mass Gaming and Entertainment is in the process of finalizing with the Massachusetts Performing Arts Coalition an "Impacted Live Entertainment Venue" mitigation agreement. It is not our intention to incorporate a geographic exclusivity clause into MG&E agreements with entertainers that would impact the venues outlined in the Massachusetts Performing Arts Coalition. However, we may ask entertainers not to perform within a reasonable timeframe at other area casino resorts.

November 9, 2015

Chairman Stephen Crosby
Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Dear Chairman Crosby:

On behalf of the Massachusetts Performing Arts Coalition (“MPAC”), I respectfully ask you to designate the MPAC members below as Impacted Live Entertainment Venues (ILEVs) with respect to Mass Gaming & Entertainment’s proposed casino establishment in Brockton (“MG&E”).

As you know, one or more MPAC venues have been designated as “impacted” with respect to every gaming applicant that has filed a Part 2 application. MPAC has signed agreements:

- With Mohegan Sun, with respect to both its proposed gaming establishments in Palmer and Revere. Each of those agreements designated all 7 MPAC venues as impacted; ranging from 6 to 96 miles from the proposed casino sites.
- With Wynn Resorts with respect to its gaming establishment in Everett, designating all 7 MPAC venues as impacted; ranging from 8 to 95 miles from the casino site.
- With Penn National Gaming with respect to its proposed gaming establishment in Plainridge, designating all 7 MPAC venues as impacted; ranging from 41 to 85 miles from the proposed casino site.
- With MGM Resorts with respect to its gaming establishment in Springfield, designating Springfield’s Symphony Hall and Worcester’s Hanover Theatre as impacted; respectively ½ mile and 52 miles from the casino site.
- With Raynham Park LLC with respect to its proposed gaming establishment. The Mass Gaming Commission issued a decision recognizing South Shore Music Theatre, an MPAC venue 35 miles from the proposed casino site, as an impacted venue.
- With Rush Street Gaming with respect to its proposed gaming establishment in Leominster. The Mass Gaming Commission issued a decision recognizing The Hanover Theatre, an MPAC venue 21 miles from the proposed casino site, as an impacted venue.

I know that you have heard us make our case several times and are well familiar with it, but in brief, it is common in the touring entertainment industry for a casino to book touring entertainers and pay a premium of 50% or more above what a non-casino theatre might pay.

That casino will often include in the performer's contract a radius clause that prevents that act from playing anywhere else within a 100-mile radius for up to a year. Even if the casino does not seek to include a radius restriction, the reality is that the performer or agent themselves may effectively do so, by not wishing to play too many venues within a geographic area. As a result, theatres like ours lose access to the headline performers that keep people coming through our doors. Our audience doesn't have the opportunity to vote with their pocketbook by deciding where they want to see a show; they have to go to the casino if they want to see it.

This threat is not based on proximity of the casino to the entertainment venue; the reality is that all of our venues are within 100 miles of this proposed gaming establishment. We see a significant negative impact now from the two Connecticut casinos, and believe that multiple resort casinos in Massachusetts could be devastating.

When crafting the expanded gaming act, our legislators included a provision requiring that would-be casino operators sign a mitigation agreement with impacted live entertainment venues, enabling us to work together to create a level playing field. We do not seek to be unreasonable in the terms of a mitigation agreement with Mass Gaming & Entertainment, and we have every confidence that we will be able to reach an agreement that satisfies both parties.

Nevertheless, as we have not been able to reach an agreement as of this date, we feel compelled to respectfully ask the Commission to designate the following MPAC member venues as Impacted Live Entertainment Venues with respect to MG&E's proposed Brockton gaming establishment:

South Shore Playhouse Associates, Inc. d/b/a South Shore Music Circus, Cohasset and Cape Cod Melody Tent, Hyannis: The Coalition asks that the Commission designate South Shore Music Circus – Cohasset and Cape Cod Melody Tent – Hyannis as ILEVs with respect to MG&E's proposed Brockton gaming establishment. The proposed establishment would be located approximately 19 miles from South Shore Music Circus and 47 miles from Cape Cod Melody Tent, both within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters. Please note that the draft ILEV agreement being negotiated between the Coalition and MG&E includes a commitment from the applicant that no exclusivity clauses will be incorporated into agreements with entertainers performing at MG&E's gaming establishment. MG&E has stated that its intention is not to incorporate a geographic exclusivity clause into entertainer agreements that would impact Coalition members (see MG&E's RFA-2 application, Answer to Question 5-21). However, without an enforceable contractual commitment, MG&E could program its venues with touring entertainers in direct competition with those presented at South Shore Music Circus and Cape Cod Melody Tent and, using its disproportionate buying power (many time overpaying for the same acts, because it is not the gaming establishment's core business), divert many of those acts to MG&E's gaming establishment, which was not the intent of the 2011 Gaming Act. This would have a devastating impact on both South Shore Music Circus and Cape Cod Melody Tent, which presented over 160 major concert events during the past two seasons, including such artists as Frankie Valli, Lynyrd Skynyrd, Steve Miller Band, Little Big Town, Lee Brice, Beach Boys, Doobie Brothers, Chris Botti and Jeff Foxworthy. It

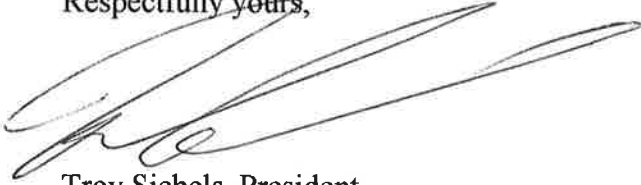
also seriously jeopardizes South Shore Playhouse Associates' main operating objective, which is to put millions of dollars into arts education in our communities – as we have been doing for over 64 years. Past beneficiaries have been South Shore Art Center, South Shore Conservatory, and the Paul Pratt Memorial Library, as well as the Arts Foundation of Cape Cod, Wellfleet Harbor Actors Theater, and Cape Cod Symphony and Conservatory of Music and Arts, to name just a few. South Shore Playhouse Associates wishes to continue to be an integral part of the fabric of the local arts communities on the South Shore and Cape Cod.

Lynn Auditorium, Lynn: The Coalition asks that the Commission designate the Lynn Auditorium as an ILEV with respect to MG&E's proposed Brockton gaming establishment. The proposed establishment would be located approximately 26 miles from the Lynn Auditorium, well within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters. Despite the representation by MG&E in its Answer to Question 5-21 in Wynn's RFA-2 application that it will not incorporate geographic exclusivity clauses into entertainer agreements, the Lynn Auditorium is likely to experience a severe negative impact from the diversion of potential customers to this new venue, as it is likely that the types of entertainers booked to appear at MG&E's location will be similar to entertainers that otherwise would appear at the Lynn Auditorium, such as Kenny Rogers, Alice Cooper, The Celtic Woman and Prince Royce, all of whom have played both the Lynn Auditorium and Mohegan Sun. In addition, the detrimental effect that the syphoning of acts away from the Lynn Auditorium would have on Lynn's local economy cannot be ignored. The Lynn Auditorium was put back to use in 2006 with a blue ribbon event with the Boston Pops. Since that time, the Auditorium's use has steadily grown and today it sits on par with other Boston based venues, competing - on a level playing field - for shows. As the numbers of shows and events have increased, so too has the massing of people in Lynn's downtown. It is no secret that older urban cities like Lynn, Lowell and Lawrence have had their fair share of issues in attracting people to their cores. In Lynn, economic spinoff the Auditorium creates has played a pivotal role in the rebirth of Lynn's downtown. Additionally, even in the absence of exclusivity clauses, MG&E's sheer buying power is likely to induce booking agents to choose the MG&E gaming establishment rather than the Lynn Auditorium when scheduling national entertainers to tour in Massachusetts.

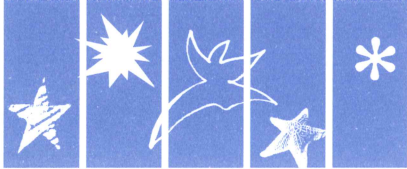
Zeiterion Theatre, New Bedford: The Coalition asks that the Commission designate the Zeiterion Theatre as an ILEV with respect to MG&E's proposed Brockton gaming establishment. The proposed gaming establishment would be located approximately 31 miles from the Zeiterion Theatre, well within the 50-mile radius many live entertainment presenters use to guarantee exclusivity from performers and much less than the 100-mile radius more common among casino presenters. The Zeiterion Theatre's typical roster of more than sixty entertainers and performances is similar to those likely to be booked by MG&E at its gaming establishment, and as is the case for the theatres in Lynn and Cohasset, without an enforceable contractual commitment from MG&E that no exclusivity clauses will be incorporated into agreements with entertainers performing at MG&E's gaming establishment (see MG&E's RFA-2 application Answer to Question 5-21), the Zeiterion Theatre will be vulnerable to diversion of those performances to MG&E's establishment. This will also have a devastating impact on The Zeiterion Theatre.

We are grateful for your past and consistent support as we seek to achieve a level playing field. Our theatres are great sources of vitality for their communities and the surrounding areas. They are destinations for entertainment, and civic gathering places. Collectively they bring a wealth of culture, education and pride to our citizens. We look forward to continuing to work with our casino partners to continue to bring the benefits of both to the Commonwealth.

Respectfully yours,

A handwritten signature in black ink, appearing to read 'Troy Siebels', written in a cursive style.

Troy Siebels, President
Massachusetts Performing Arts Coalition



MASSACHUSETTS CULTURAL COUNCIL

10 St. James Avenue
Boston, MA 02116-3803
617.858.2700
800.232.0960 Toll Free
617.727.0044 Fax
mcc@art.state.ma.us E-mail
www.massculturalcouncil.org Web

December 2, 2015

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110

Attention: Stephen Crosby, Chairman

Re: REGION C – Decisions by Commission on Surrounding Community / ILEV
petitions, December 9, 2015

Dear Chairman Crosby:

In connection with the MGC decisions referred to above, I am contacting you on behalf of the Massachusetts Cultural Council (MCC) in support of designating South Shore Music Circus in Cohasset and Cape Cod Melody Tent in Hyannis as Impacted Live Entertainment Venues (ILEVs) under the Massachusetts Gaming Law (Chapter 23K of the General Laws).

I have personal knowledge of both of these venues; they are integral parts of their communities, bringing a broad range of shows to Southeastern Massachusetts. These venues not only are key parts of their local arts communities, but we understand that each year, after expenses, the parent organization of these venues, South Shore Playhouse Associates (SSPA), makes donations in the “six figure range” to over 130 arts, cultural and entertainment 501(c)3 non-profits on Cape Cod and the South Shore. SSPA is not funded by the MCC and we understand that it is a unique 501(c) 3 in that it does not accept donations from anyone because all of its revenue comes from ticket sales only.

I personally know Vincent Longo, the CEO and talent booker for both venues under consideration, and I have found him to be an upstanding community leader. He has been in charge of both venues in the same capacity for the past 21 years.

I have personally seen the results of SSPA’s donations made directly to community arts organizations. There would be a significant impact to local arts organizations if SSPA were for any reason unable to continue to make these donations. That would then impact MCC in greater requests for financial support from both MCC’s direct programs and from the local cultural councils in each of the communities where these organizations are located.

Both venues under consideration are within 50 miles of the proposed Brockton gambling site. I support both venues being designated as ILEVs, and support the ability of both venues to enable SSPA to continue to be part of and support our local arts communities through its donation program.

Sincerely

Anita Walker
Executive Director

*Please note that this letter only applies the MGC’s decision to designate venues as ILEVs under section



Page Two

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110
Attention: Stephen Crosby, Chairman

17(b) of the Massachusetts Gaming Law. Under Section 59(2) (a) of the Massachusetts Gaming Law, MCC is to use certain revenues to support certain performing arts centers “impacted as a result of the operation of gaming facilities.” MCC’s support of the venues mentioned above for designations as ILEVs is not related in any way to the future MCC program to be established under Section 59(2)(a).

copy: Vince Longo
CEO/Executive Producer
Cape Cod Melody Tent, Hyannis, MA
South Shore Music Circus, Cohasset, MA
Music Circus Productions, Cohasset, MA



October 23, 2015

By E-Mail and First Class Mail

Massachusetts Gaming Commission
101 Federal Street, 12th Floor
Boston, MA 02110
Attn: John Ziembra, Ombudsman

Re: Request by MPAC for ILEV designations

Dear Ombudsman Ziembra:

I am writing on behalf of Mass Gaming & Entertainment, LLC (“MGE”), in response to the request by Troy Siebels, President of the Massachusetts Performing Arts Coalition (“MPAC”), in a letter dated October 8, 2015 (received by MGE on October 13, 2015), that four venues operated by three MPAC members be designated as Impacted Live Entertainment Venues (“ILEVs”) under 205 CMR 126.01(2).

MGE respects these MPAC venue operators and their concerns. MGE’s discussions with MPAC have been productive and are ongoing. MGE looks forward to concluding a mutually-beneficial agreement with MPAC, and anticipates entering into such a formal agreement in the near future. Nonetheless, in light of today’s deadline for responding to MPAC’s request, and to protect its own interests, MGE feels obliged to oppose MPAC’s request for ILEV designations.

The Gaming Commission’s regulations provide that in determining whether a venue will be designated as an ILEV, the factors to be considered include, but are not limited to, the venue’s distance from the gaming establishment, venue capacity, the type of performances offered by that venue, and whether the applicant intends to include a geographic exclusivity in contracts with entertainers or to otherwise limit the performance of entertainers within Massachusetts. MGE’s proposed project includes (i) a multi-use space that could host meetings, conventions, weddings, seminars, and live performances with seating for less than 1,000 people and (ii) other, smaller live entertainment venues in the project’s lounges, restaurants, bars, and other areas. Furthermore, MGE already has indicated to MPAC that MGE does not intend to require geographic exclusivity with respect to the MPAC venues in the contracts of entertainers at the proposed gaming establishment.

The MPAC venues in question are:

- *South Shore Playhouse Associates, Inc. d/b/a South Shore Music Circus, Cohasset*: Described in MPAC’s letter as approximately 19 miles from MGE’s proposed gaming establishment, this venue is over 21 miles away by road, a distance that would take three quarters of an hour to drive absent rush hour traffic. According to South Shore Playhouse Associate’s website, this venue has approximately 2,300 seats.



John Ziemba, Ombudsman
October 23, 2015
Page 2

- *South Shore Playhouse Associates, Inc. d/b/a Cape Cod Melody Tent, Hyannis*: Described in MPAC's letter as approximately 47 miles from MGE's proposed gaming establishment, this venue is approximately 61 miles away by road, a distance that would take over an hour to drive in moderate traffic. According to South Shore Playhouse Associate's website, this venue is approximately the same size as the South Shore Music Circus, *i.e.*, has approximately 2,300 seats.
- *Lynn Auditorium, Lynn*: Described in MPAC's letter as approximately 26 miles from MGE's proposed gaming establishment, this venue is northeast of Boston and over 35 miles away by road, a distance that would typically take over an hour to drive via the "direct" route through Boston. According to the operator's website, this venue has approximately 2,100 seats.
- *Zeiterion Theatre, New Bedford*: Described in MPAC's letter as approximately 31 miles from MGE's proposed gaming establishment, this venue is over 37 miles away by road, a distance that would typically take at least forty minutes to drive. The on-line seating chart for this venue shows approximately 1,228 seats.

Given the distances involved, capacities of the MPAC venues, and MGE's intention to not require geographic exclusivity with respect to the MPAC venues, we dispute the eligibility of the venues in question for ILEV status under Chapter 23K and the applicable regulations.

For the foregoing reasons, I respectfully request that the Massachusetts Gaming Commission deny MPAC's request that the four venues operated by three of the Coalition's members be granted ILEV status.

Sincerely,

Charles N. Le Ray

cc: Troy Siebels, President, MPAC
Jill Lacey Griffin, Massachusetts Gaming Commission



HLT Advisory Inc. 370 King Street W, Suite 604 (Box24), Toronto, ON M5V 1J9
Tel: 416-924-7737 | Fax: 416-961-7737 | www.hlt.ca

Ms. Jill Griffin, Director
Workforce, Development and Supplier Diversity
Massachusetts Gaming Commission
84 State Street, 10th Floor
Boston, MA 02109

December 4, 2015

Subject: Request for Impacted Live Entertainment Venue ("ILEV") status by Massachusetts Performing Arts Coalition ("MPAC")

Dear Ms. Griffin:

As requested, we are submitting this letter report with respect to a petition by the Massachusetts Performing Arts Coalition ("MPAC") that four venues, operated by three MPAC members, be declared Impacted Live Entertainment Venues ("ILEVs") as set out in MGL 205 CMR 126.01(2). MPAC is comprised of seven non-profit and municipally owned venues, of which the South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and Zeiterion Theatre are requesting ILEV status through this petition.

The Massachusetts Gaming Commission has requested that HLT Advisory Inc¹. ("HLT") assess and comment on the reasonableness of MPAC's petition. This report outlines the steps we took to conduct the analysis together with our conclusions.

1. BACKGROUND

In accordance with MGL 205 CMR 126.01(2), MPAC members have the right to petition the Massachusetts Gaming Commission (the "Commission") for declaration as ILEVs with respect to the Category 1 casino application by Mass Gaming & Entertainment, LLC ("MG&E") for Brockton, Massachusetts, a process identical to that undertaken in Regions A and B. In accordance with MGL c23K (2) an ILEV is defined as a: *"not-for-profit or municipally-owned performance venue designed in whole or in part for the presentation of live concerts, comedy or theatrical performances, which the commission determines experiences, or is likely to experience, a negative impact from the development or operation of a gaming establishment."*

MPAC submitted a petition for its respective member venues to be considered as ILEVs on October 8, 2015. As per MPAC's petition material, their position for ILEV status is predicated on the basis that without an enforceable contractual commitment, MG&E could implement preventive performance radius clauses, design conflicting entertainment schedules and use disproportionate buying power to divert entertainment acts into MG&E's gaming establishment, harming both the market position and revenue base of the venues in question.

¹ HLT Advisory is a Toronto-based consultancy focused on the gaming, tourism, accommodation and leisure industries. HLT has a significant public- and private sector client base within these industries and has completed a broad range of market assessment, bid process, economic impact and strategic planning engagements across North America as well as in Asia, Europe and the Caribbean.

MG&E responded on October 23, 2015 with a blanket rebuttal against all four MPAC member venues stating that the distances involved as well as MG&E's intention not to require radius clauses should exclude the four venues from ILEV status.

Both MPAC (together with representatives of the South Shore Playhouse Associates and the Zeiterion Theatre) and MG&E appeared at the Commission's November 12, 2015 meeting to present their positions on ILEV designation. In addition to the concerns raised in previous correspondence, MPAC raised the issue of further competition should, in addition to MG&E's proposal, a gaming establishment be built in Taunton by the Wampanoag Indian Tribe. Specifically, the MPAC representatives stated that a more rigorous set of standards need to be applied to the MG&E casino proposal as a result of the potential Taunton casino (recognizing the Commission's limited influence/control over facilities that might be built in Taunton).

2. OBJECTIVE AND SCOPE

The Commission engaged HLT to assess MPAC's request, specifically to determine if MPAC's claims hold validity and whether the four MPAC member venues could experience a negative impact from the development and operation of MG&E's proposed Category 1 casino.

To complete this assessment we:

- Reviewed MGL 205 CMR 126.01(2) regarding the process to determine an ILEV as well as the definition of an ILEV set out in MGL c.23K (2).
- Reviewed MPAC's petition and support materials distributed at the Commission meeting on November 12, 2015.
- Reviewed the presentations made by MPAC and MG&E to the Commission at the November 12, 2015 as well as the Commission's questions to MPAC and MG&E.
- Reviewed applicable sections of MG&E's Application including the description of the proposed casino premises and utilization plans for its multi-purpose space.
- Gathered background information on the program offerings of MPAC member venues and neighbouring arts venues.

Upon completion of these steps we completed the following letter report.

3. THE MG&E PROPOSAL

MG&E's Category 1 casino Application features an in-house, multi-purpose area that could be used for hosting live entertainment. The venue is described in the Application as follows:

- A total of 25,000 square feet of multi-purpose space (including assembly areas, break out space and main room) to be used for social functions, meetings and entertainment
- A 12,000 square foot main room (flat floor, no purpose-built staging)

- Seating capacity for up to 1,000 people depending on configuration.

While the multi-purpose room could be (and is planned to be) used for entertainment events as well as a range of other uses, the Application states that there is no intention to require geographic exclusivity clauses for entertainers.

4. DESCRIPTION OF THE FOUR MPAC MEMBER VENUES

The Massachusetts Performing Arts Coalition represents a number of performing arts venues within the state. Four venues are the subject of the petition brought against MG&E.

South Shore Music Circus / Cape Cod Melody Tent

The South Shore Music Circus and Cape Cod Melody Tent are sister venues and are owned and operated by South Shore Playhouse Associates, a non-profit and MPAC member. From the proposed site of the MG&E gaming establishment, The South Shore Music Circus is located 21 miles by road in Cohasset, MA, while the Cape Cod Melody Tent is located 56 miles away in Hyannis, MA. Both the South Shore Music Circus and Cape Cod Melody Tent have capacities of 2,300 seats and are purposed as open-air tents, operating between roughly April and Labor Day (with a concentration of events through July and August). The venues typically offer a range of live concerts, children's shows, and comedy performances.

Lynn Auditorium

The Lynn Auditorium is located in Lynn, MA, approximately 35 miles by road from the site of the proposed MG&E gaming establishment. The venue is municipally owned and situated in Lynn City Hall, with a capacity of 2,100 people. The auditorium typically features performances in the musical, dance, and theatre genres.

Zeiterion Theatre

The theatre is located in New Bedford, MA, approximately 37 miles by road from MG&E's proposed site. The theatre operates as a non-profit organization and typically features performances in the musical, comedy and child-friendly genres. The venue has a capacity of ~2,000 seats.

Detailed financial and operational statements were not provided, however, we requested and received information on event activity at each venue.

Event Breakdown by Venue (2015)				
Genre	Lynn Auditorium	South Shore	Melody Tent	Zeiterion Theatre
Music	15	12	30	29
Family	1	6	6	2
Comedy	1	3	4	2
Theatrical Show	1	0	0	12
Dance	1	0	1	3
Other	3	1	1	8
Total	22	22	42	56
Occupancy (Occ) Rates				
Total Average Occ Rate	69%	56%	69%	n.a.
Music & Comedy Occ Rate	70%	65%	76%	n.a.
# of >90% Occ Music & Comedy Shows	3	3	12	31*

Source: HLT Advisory Inc. based on venue website schedules
* Zeiterion Theatre data shows attendance (not per show capacity) & sellouts, there were 31 sellouts in 2015

The venues operate a modest number of events on an annual basis although the South Shore Music Circus and Cape Cod Melody Tent are very active venues given the short (summer) season. Overall average occupancy rates (i.e., the percentage of seats occupied out of the total available seats) is reasonably strong. Occupancy rates for music and comedy events (the types of events most likely to be sought after by MG&E) produce even stronger occupancy rates with many running at sell-out or near sell-out.

The South Shore Playhouse Associates (South Shore Music Circus and Cape Cod Melody Tent) appear to contract entertainers (primarily music and comedy entertainers) to perform at both venues within the same operating season. In 2015, 10 music and comedy events performed at both South Shore and Melody Tent, producing a combined occupancy rate of 70%. South Shore Playhouse Associates' decision to offer the same artist at both venues suggests at least a degree of independence between these two nearby markets (i.e., both Cohasset and Hyannis have sufficient population to support an artist performing in a 2,000-seat venue).

5. THE ISSUE & CONSIDERATIONS

While MG&E is not establishing an in-house venue solely for live entertainment, MG&E has proposed a multi-purpose space capable of being used to host live entertainment events for audiences of up to 1,000 people.

In determining whether a petitioning venue qualifies for ILEV status, the Commission shall consult MGL 205 CMR 126.01(2) and consider the legally-defined competitive factors, specifically: the distance between venues, venue capacity, type of performances and any

intentions with respect to operating restrictions (e.g., geographic exclusivity clauses for entertainers). Each of these factors, with respect to MG&E's proposal, is highlighted below:

1. Proximity—respective MPAC member venues and the proposed MG&E site are separated by as little as 21 miles (i.e., South Shore Music Circus) to 56 miles (i.e., Cape Cod Melody Tent). Actual driving times are believed to be longer (in some cases and seasons, substantially longer) than suggested by the mileage.
2. Seating capacities—a maximum of 1,000 seats at MG&E's proposed site versus a range of 2,000 – 2,300 seats at the respective MPAC member venues.
3. Similarity of performances—MPAC member venues offer a range of drama, comedy, musical and children's performances, which present the potential for performance genre overlap with the MG&E facility. Music and comedy shows entertainers are the genres most likely to overlap.
4. Operating Restrictions—MG&E states in their Application that no geographic exclusivity clauses, with respect to MPAC venues, will be required for hired entertainers.

Each of these competitive similarities are identified as considerations in MGL 205 CMR 126.01(2). Despite MPAC's concern regarding the potential additional competition from a casino developed by the Wampanoag Tribe in Taunton, nothing within MGL 205 CMR 126.01(2) makes allowance for this concern when evaluating ILEV status in respect of venues impacted by the MG&E Application. As a result, we have not attempted to consider any future impact from a casino project in Taunton.

6. CONCLUSIONS

Based on our review of MPAC's petition for ILEV status, we conclude that:

- MPAC member venues and MG&E's multi-purpose space are potentially competitive with respect to certain types/genres of entertainment (notably music and comedy). Some natural barriers will separate the venues from competing for other genres such as children's performances (i.e., age restrictions to enter a casino). Additionally, MG&E's Application states that it will seek to add and diversify its live entertainment offerings with such events as boxing matches.
- MG&E's proposed multi-purpose space offers less than half the capacity of the petitioning MPAC venues (less than 1,000 seats versus 2,000+ seats). The MG&E space is not purpose-built entertainment space and lacks various attributes present at the MPAC venues including purpose-built staging, raked floor seating (permitting better sight lines), festival ambience and outdoor/seasonal attributes.
- While the distances between the MG&E site and the MPAC venues are all less than 60 miles, traffic (notably seasonal peaks) conspires to make travel time significantly longer than actual distances indicate. For example, the Lynn Auditorium, located north east of Boston, would require interested patrons to travel

through Boston and the greater Boston area to reach Brockton. Similar congestion issues exist on Cape Cod.

- South Shore Playhouse Associates' operating structure (placing entertainment in two venues over a short summer season) provides a degree of security given the ability to offer more than 4,500 seats to a given entertainer (over multiple nights but in proximate locations) versus a MG&E's proposed 1,000-seat venue. Further, this operating practice suggests a depth of market (in Cohasset and Hyannis) to support live entertainment.
- The operating season of South Shore Music Circus and Cape Cod Melody Tent limit potential competition to a few months a year.
- MG&E's Application states it does not intend to introduce geographic exclusivity clauses with entertainers and performers.

In our view, the impacts to petitioning MPAC member venues caused by MG&E operation are likely to be minimal. Therefore, we do not believe designation of ILEV status for South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and Zeiterion Theatre is warranted based on the requirements of MGL 205 CMR 126.01(2) to establish competitive impact.


However, we acknowledge that, if realized, any negative impacts to these not-for-profit entities could be consequential. As a result, the Commission may wish to encourage MG&E to ensure the minimization of any impact through various actions ranging from supporting MPAC venue productions (e.g., MG&E staff ticket purchases) to minimizing the competition for target entertainment acts during the peak summer season and avoiding conflicts with key MPAC member venue performance dates such as opening nights.

* * * * *

Thank you for providing HLT the opportunity to assist you on this matter. Should you have any questions on this letter report, please do not hesitate to contact the under signed at (416) 924-7737.

Yours very truly,

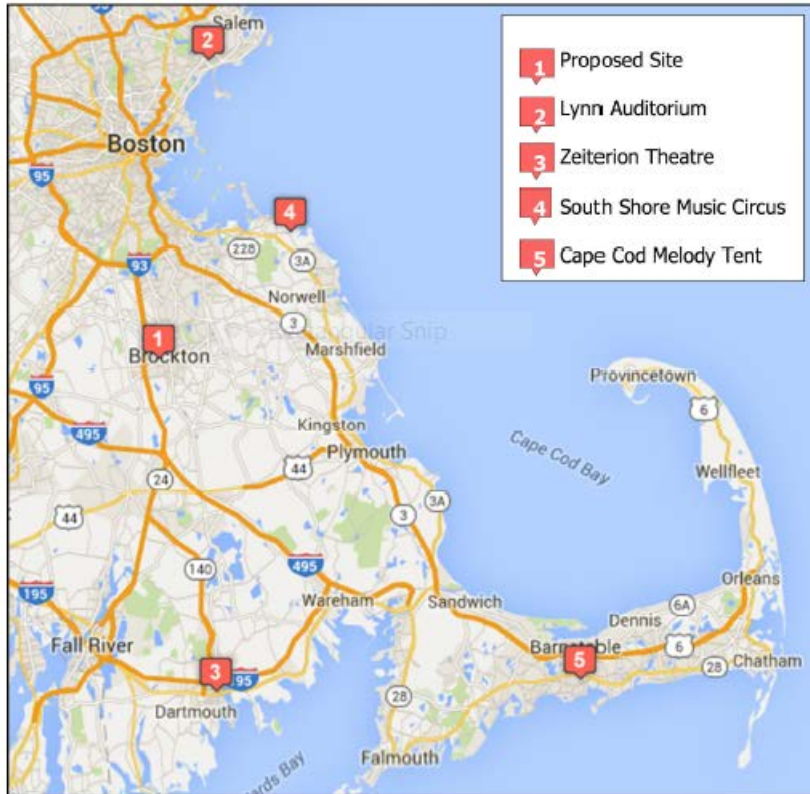
HLT Advisory Inc.



Lyle Hall
Managing Director

Encl: Appendix A – Map showing the location of the proposed MG&E gaming establishment site and each of the South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and Zeiterion Theatre

Appendix A – Map showing the location of the proposed MG&E gaming establishment site and each of the South Shore Music Circus, Cape Cod Melody Tent, Lynn Auditorium, and Zeiterion Theatre



5-14 Executed Surrounding Community Agreements

Provide a copy of all executed surrounding community agreements as described in 205 CMR 125.01(1)(b).

BRIEF OVERVIEW:

MG&E has designated the eight adjacent communities as Surrounding Communities. MG&E is currently in negotiations with each and will provide the Surrounding Community Agreements once agreed to by both parties. The communities are as follows:

1. Abington, MA
2. Avon, MA
3. East Bridgewater, MA
4. Easton, MA
5. Holbrook, MA
6. Stoughton, MA
7. West Bridgewater, MA
8. Whitman, MA

DETAILED RESPONSE:

MG&E has designated the eight adjacent communities as Surrounding Communities. MG&E is currently in negotiations with each and will provide the Surrounding Community Agreements once agreed to by both parties. The communities are as follows:

1. Abington, MA
2. Avon, MA
3. East Bridgewater, MA
4. Easton, MA
5. Holbrook, MA
6. Stoughton, MA
7. West Bridgewater, MA
8. Whitman, MA

List of Attachments:

5-14-01 Answer.pdf



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Abington ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

Chairman Stephen P. Crosby

January 10, 2015

Date:

Commissioner Gayle Cameron

Commissioner Lloyd Macdonald

Commissioner Bruce Stebbins

Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Avon ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ January 10, 2015 Date:
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(l)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of East Bridgewater ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ January 10, 2015 Date:
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Easton ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ Date: January 10, 2015
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Holbrook ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ January 10, 2015 Date:
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Stoughton ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ January 10, 2015 Date:
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of West Bridgewater ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ January 10, 2015 Date:
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Notice of Designation Pursuant to 205 CMR 125.01(1)(a)(2)

The Applicant Mass Gaming & Entertainment, LLC ("Applicant") has designated, in its RFA-2 application, the Town of Whitman ("Community") as a Surrounding Community in accordance with 205 CMR 125.01(1)(a)(1) and G.L. c. 23K. The Community has submitted to the Massachusetts Gaming Commission ("Commission") written assent to the designation. The Commission hereby designates the Community as a Surrounding Community to the Applicant's proposed gaming establishment.

Pursuant to 205 CMR 125.01(6)(b) the Applicant shall negotiate a signed agreement with the Community within 30 days from this surrounding community determination by the Commission in accordance with 205 CMR 125.01(1)(a) or (2). In the event that the Applicant and Community cannot reach an agreement by January 11, 2016 they shall commence the binding arbitration procedure outlined in 205 CMR 125.01(6)(c). The parties may, however, engage in binding arbitration in accordance with 205 CMR 125.01(6)(c) at any time during that 30 day period.

_____ Chairman Stephen P. Crosby	_____ Date: January 10, 2015
_____ Commissioner Gayle Cameron	_____ Commissioner Lloyd Macdonald
_____ Commissioner Bruce Stebbins	_____ Commissioner Enrique Zuniga



Massachusetts Gaming Commission



Memorandum

DATE: December 7, 2015

TO: Chairman Crosby and Commissioners Cameron, Macdonald and Zuniga

FROM: Commissioner Stebbins

Cc: Chief of Staff Janice Reilly
Human Resources Manager Trupti Banda
Interim Executive Director Karen Wells

SUBJECT: Screening for Executive Director / Interviews of Finalists

In September 2015, the Commission charged me with serving as the Hiring Manager for the new Massachusetts Gaming Commission Executive Director. This memo is to provide a background on our search, interview process for our two finalists and subsequent steps.

Recruitment

On September 15th, the Commission posted the notice for the Executive Director's position. I greatly appreciate the assistance of Chief of Staff Reilly, Human Resources Manager Banda, and our talented senior administration team who assisted with the review and analysis of the candidates.

In our efforts to promote the position, the MGC took the following steps to reach the broadest group of candidates:

- Promoted the job through the following career websites – CEO, MGC Website, Linked-In, National Urban League (60 days), Minority Professional Network (30 days), Hispanic/Latino Professionals Association (National/30 day), Latino Professionals Network (Boston/30 days), Casino Careers (posted 9/25, 60 days), International Gaming Regulators Association, IAGR (posted on 9/25) and NAGRA (posted on 9/29 for 60 day)
- Shared posting with leadership in other gaming jurisdictions including Indiana and Pennsylvania and invited them to share the posting with potential candidates.
- Networked information on position with AGA and with the International Gaming Institute at UNLV.



Massachusetts Gaming Commission

The Commission received over 75 resumes and cover letters. The applicants selected for initial interviews included individuals with experience in senior level private sector management, working within the gaming industry, law enforcement, gaming regulation, horse racing regulation, working within the horse racing industry, and public policy. Approximately 20% of the candidates were interviewed in a first round.

Additionally, senior staff and directors were able to interview candidates and discuss their responsibilities within the Commission. Our gaming consultants from Michael & Carroll and former Commissioner McHugh also met with candidates to share additional insight on the Commission's work and ask about the experience of each candidate. Their feedback was also shared with me.

Interviews with Finalists

The following candidates have been selected for finalist interviews – Edward Bedrosian and Charles LaBoy. Their professional resumes are included with this memorandum. Both candidates met the criteria as requested in the posting and offer a unique set of skills and experience that will benefit the Commission and staff.

The candidates will be interviewed in alphabetical order. After the conclusion of both interviews, the five Commissioners shall discuss their interest for the priorities and responsibilities of the next Executive Director. The Commissioners will discuss the answers as provided by each candidate and express their preference for a candidate. Once one candidate has the preference of a majority of the Commissioners, the Chair will ask for the following motion:

Motion

“The Commission shall charge Commissioner Stebbins and staff to negotiate a compensation package within the range between \$130K and 180K as specified in the posting for the preferred candidate and that the preferred candidate shall also submit to a required background check, drug screen, and review of references prior to employment by the Commission.”



Massachusetts Gaming Commission

Edward R. Bedrosian Jr.

Executive Manager

Experienced attorney/MBA with executive management experience. A proven record of managing legal/non-legal staff, exercising regulatory authority, leading investigatory teams, defending lawsuits and negotiating large settlements on behalf of Commonwealth of Massachusetts, setting agency priorities, overseeing a \$40 million budget, hiring senior staff, advising on political appointments to boards and commissions and interfacing with all levels of state and federal government and the private sector.

Experience

Orrick, Herrington & Sutcliffe, LLC, New York, NY.

2014-2015

Member of the Public Policy Group representing clients with the states' Attorneys General and other state regulators.

Massachusetts' Attorney General's Office, Boston, Ma.

2007-2014

The Commonwealth of Massachusetts' law firm is responsible for defense of lawsuits against the state, enforcing the state's employment, environmental, consumer protection laws, overseeing the state's charities and also prosecuting public corruption, Medicaid fraud and other criminal cases. The Attorney General's office has approximately 500 employees, including 270 lawyers and a \$40 million annual budget.

TRUSTED LEADER OF DIVERSE LEGAL-REGULATORY ORGANIZATION

Skillfully managed attorneys in diverse regulatory, litigation and legislative environment. Approved press strategy and communications.

- Trusted advisor to State Attorney General on legal and policy matters.
- Implemented yearly strategic plan for Attorney General's office. Recruited and hired senior staff on on-going basis.
- Conducted screening interview and advised Attorney General on high-level government appointments such as Gaming Commissioner(s) and State Inspector General.
- Supervised high-level negotiations on regulatory and litigation matters such as \$450m Big Dig settlement.
- Helped Commonwealth implement legalized gaming: advised Legislature on regulatory structure for Gaming Legislation, worked with Gaming Commission on implementing regulatory structure, managed early litigation against the Gaming Commission, and created and managed the Attorney General's Division of Gaming Enforcement.
- Managed team of lawyers to insure compliance with national agreement with tobacco companies, which returns approximately \$250 million dollars to the Commonwealth. Led State's team in national arbitration with tobacco companies involving dispute worth \$1.9 billion. Coordinated nation wide communication among State Attorney General Chief Deputies on tobacco arbitration issues.
- Implemented and monitored Attorney General's yearly budget of approximately \$40 million.

ORGANIZATION REVIEW AND MODERNIZATION

- Successfully transitioned Attorney General's office during administration transition, including: interviewing and hiring senior staff, restructuring organizational chart to fit priorities and transitioning personnel who were not staying in new administration.
- Helped update Attorney General's antiquated information technology systems, including: successful lobbying of legislature for bond money, working to set a multi-year schedule of upgrades and making sure existing personnel were successfully engaged in the process.
- Continued to modernize and transition Attorney General's office after initial change in administrations, including: creating both an Office of the State Solicitor and the Gaming Enforcement Division.

PROFESSIONAL EXPERIENCE

Orrick, Herrington & Sutcliffe, LLC – New York, NY 2014 - 2015

- **OF COUNSEL**, REPRESENT CLIENTS WITH MULTI-STATE REGULATORY ISSUES WITH STATE REGULATORS INCLUDING THE STATE ATTORNEYS GENERAL.

Massachusetts Attorney General's Office - Boston, MA 2007 - 2014

- **FIRST ASSISTANT ATTORNEY GENERAL**, Oversaw the legal work of the State's law firm with an annual budget of approximately \$40 million. Supervised approximately 275 attorneys and 200 staff. Helped set the legal priorities of the office, advised the Attorney General on policy and approved external communications. Responsible for hiring managerial level staff.
- **DEPUTY FIRST ASSISTANT ATTORNEY GENERAL**

Middlesex County District Attorney's Office - Cambridge, MA 1991 - 2006

- **Deputy Second Assistant District Attorney** – Supervised 40, Felony Prosecutors in State's largest county.
- **Chief Special Investigations and Forfeiture Unit**- Successfully rebuilt unit of Assistant District Attorneys, State Troopers and Forensic computer and financial investigators to aggressively investigate major narcotics, white collar and organized crime.
- **Assistant District Attorney**- prosecuted hundreds of felony cases. Responded to crime scenes. Worked with local, state and federal law enforcement.

PROFESSIONAL ORGANIZATIONS

- MASSACHUSETTS BAR, ADMITTED, 1991
- NEW YORK BAR, ADMITTED, 1991
- MA FEDERAL BAR, ADMITTED 1993

COMMUNITY SERVICE

- YOUTH HOCKEY COACH, WELLESLEY YOUTH HOCKEY

EDUCATION

- **MBA**, GRADUATE SCHOOL OF MANAGEMENT, BOSTON UNIVERSITY, BOSTON, MA
- **JD**, GEORGE WASHINGTON UNIVERSITY, WASHINGTON, D.C
- **BA**, CUM LAUDE, GEORGETOWN UNIVERSITY, WASHINGTON, D.C .

References Available Upon Request



Objective **To instill the trust and confidence of the public in the gambling industry by providing leadership to the regulatory authority to ensure that associated individuals are held to a high professional, moral and ethical standard and that gambling operations are proficient, transparent and conducted in a responsible manner.**

- Profile**
- 29 years of experience in accounting and auditing.
 - 17 years of experience regulating gambling industries to include casino, pari-mutuel, tribal, lottery, charitable, and skills-based amusement.
 - 17 years of managerial experience.
 - 6 years of technical experience with casino gambling systems and devices.
 - Ability to lead complex projects from concept to fully operational status.
 - Goal-oriented individual with strong leadership capabilities.
 - Organized, highly motivated, and detail-directed problem solver.
 - Proven ability to work cooperatively with staff, government officials and regulated community.
 - Proficient written and oral communication skills.
 - Successful completion of background investigations by U.S. Military, Kansas Racing and Gaming Commission and Maryland Lottery and Gaming Control Agency.
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Education **B.A., Business Administration, 2003, Accounting Major, Washburn University**
Credentials **C.P.A., 2008, Licensed to practice in Maryland. Inactive licenses in Kansas and Illinois.**

Relevant Experience & Accomplishments

- Implemented quality management practices by developing, reviewing and updating government regulations, policies and procedures including gaming system/device technical standards.
 - Provided leadership and management for accounting, auditing, gambling technology, and responsible gambling departments.
 - Maintained effective working relationships between the state authority, gambling facilities, vendors and contractors.
 - Served as audit, fiscal and technical advisor to the commissioners of the regulatory authority.
 - Provided leadership in the preparation and review of various governmental and private sector financial and audit reports, including financial statements, audit reports, governmental budgets and annual reports.
 - Provided leadership in the development, implementation, security and operation of various racing, gaming and lottery gaming systems and various other financial reporting and regulatory compliance systems.
 - Assured internal and industry compliance with applicable statutes and regulations.
 - Developed minimum internal control standards for gaming industry and reviewed and approved internal control systems.
 - Represented the Regulatory Authority in public and private meetings, discussions and negotiations with representatives of the executive and legislative branches in state government and representatives of the gaming industries.
 - Developed and coordinated the overall recruitment, training and professional development of staff including certified public accountants, certified information systems security professionals and public health officials.
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Employment	Assistant Director for Gaming, <i>Maryland Lottery and Gaming Control Agency</i> , Baltimore, MD	2011-Present
	<ul style="list-style-type: none"> • Oversee the ownership and regulation of over 8,000 video lottery terminals and 400 table games at five locations within the state of Maryland. • Regulate the operation of over 1,000 server-based gaming devices at 13 Instant Bingo Halls and 60 Veteran Organizations. • Ensure compliance with all statutory and regulatory requirements for the gaming program. • Manage internal controls and ongoing audits of gaming operations. • Oversee gaming device and table game testing, operation and performance. • Direct the state's responsible gambling program. 	
	<p>Deputy Director - Audit and Electronic Security, <i>Kansas Racing and Gaming Commission</i>, Topeka, KS</p>	2007-2011
	<ul style="list-style-type: none"> • Developed regulatory plan from inception for auditing and electronic security of State owned casinos. • Developed regulations for minimum internal control standards, electronic gaming and technical standards for State owned casinos. • Developed internal policies for audit department and electronic security department. • Managed the hiring, training and professional development of division employees. 	
	<p>Chief Fiscal Officer, <i>Kansas Racing and Gaming Commission</i>, Topeka, KS</p>	1998-2007
	<ul style="list-style-type: none"> • Managed daily operations of the agency accounting department with responsibilities over 7 funds and 5 programs. • Managed daily operations of pari-mutuel auditors located in the field. • Prepared agency financial statements, fiscal notes, annual report and annual budget. • Performed annual audits in accordance with Generally Accepted Auditing Standards (GAAS) for 4 regulated entities. 	
	<p>Staff Auditor, <i>Harold Johnson CPA</i>, Lawrence, KS</p>	1997-1998
	<ul style="list-style-type: none"> • Performed audits in accordance with GAAS. • Performed client write up services in accordance with Generally Accepted Accounting Principles. 	
	<p>Controller, <i>Innovative People Solutions, Inc.</i>, Lawrence, KS</p>	1995-1997
	<ul style="list-style-type: none"> • Managed daily accounting and financial reporting of non-profit mental healthcare organization. 	
	<p>Office Manager, <i>Barclays Bank PLC</i>, Washington, DC</p>	1994
	<p>Signals Intelligence NCO, <i>United States Marine Corps</i></p>	1991-1993
	<p>Senior Reconciler, <i>Citibank</i>, New York, NY</p>	1988-1990
	<p>Communications Teller, <i>Emigrant Saving Bank</i>, New York, NY</p>	1986-1988