



For Immediate Release
August 15, 2019

Media Contact:
Elaine Driscoll (MGC) 617-571-2964
Press release: 19-043

The Massachusetts Gaming Commission Announces Appointment of Independent Monitor

Today the Massachusetts Gaming Commission (MGC) announced the appointment of Washington D.C. based law firm **Miller & Chevalier Chartered** to serve as the Independent Monitor for Wynn MA, LLC, *et al.* During a public meeting at MGC's Boston office, the five gaming commissioners voted unanimously to ratify the selection of the firm and authorize the execution of the contract.

In April 2019, the Commission issued a [Decision and Order](#) regarding Wynn's suitability. As one of several conditions, the decision required the implementation of an independent monitor at the Company's expense and with the Company's full cooperation. In May 2019, the MGC issued a competitive Request for Response seeking to retain an independent monitor of Wynn MA, LLC, the holder of the Region A Category 1 gaming license, to mitigate the risk of recurrence of violations identified in the MGC's written decision.

After a comprehensive procurement process, MGC's internal procurement review team selected Miller & Chevalier to review and evaluate policies and organizational changes made by the Company. The review will focus primarily on the Massachusetts licensee and accomplish the following objectives:

- Ensure compliance with the priorities outlined in MGC's written decision.
- Review the Company's design, implementation, enforcement, and effectiveness of human resources policies and procedures, with particular attention to communications and trainings on those policies and procedures.
- Review the use of retractions, mandatory arbitrary provisions, gag orders, confidentiality clauses, and non-disparagement provisions.
- Evaluate and test the Company's internal reporting and communication channels and ensure that the response and investigation of such reports are independent and impartial.
- Assess the selection and use of the Company's outside counsel and ensure the maintenance of and adherence to de-conflicting policies and procedures.

Alejandra Montenegro Almonte, Miller & Chevalier team lead, said, "Our firm will approach these objectives through the lens of our decades of experience building compliance programs across industries and through our extensive monitorship expertise.



Massachusetts Gaming Commission

The process will be grounded on three inter-related principles — independence, efficiency, and transparency.”

MGC Chair **Cathy Judd- Stein** stated, “The overall wellbeing, safety, and welfare of employees are a key metric of the gaming industry’s success here in the Commonwealth. A second but equally important metric is the importance of compliance and communication with the regulator. We believe that the team at Miller & Chevalier will ensure that the Company’s multitude of policy and organizational changes meet best practices.”

In May 2019, the MGC issued a notice of intent to post a Request for Response for the services of an independent monitor. The internal procurement review team met to discuss the parameters of the RFR and collaboratively drafted the request for responses to reflect the decision of the Commission. The team conducted a robust competitive bidding process that resulted in many high-quality responses. The team reviewed the responses and scored submissions based on relevant experience, diversity, cost, and quality and thoroughness.

Miller & Chevalier has estimated its fees for the first six months of monitorship will range from \$575,000 to \$775,000, based on an estimate of approximately 850 to 1,150 hours. This is only an estimate and will be subject to adjustment based on initial findings during monitoring activities. All monitoring fees will be paid for by the licensee.

Miller & Chevalier’s contract will be for a term of 5 years; however, it would be subject to early termination at the request of the gaming licensee, and at the Commission’s sole discretion after the initial 3 years.

About Miller & Chevalier

Founded in 1920, Miller & Chevalier is a Washington, DC law firm with a global perspective and leading practices in Tax, Litigation, International Law, Employee Benefits (including ERISA), White Collar Defense and Internal Investigations, and Government Affairs. Miller & Chevalier is a top-ranked firm sharply focused on targeted areas that interact with the federal government. Over the past three years, the firm’s lawyers have represented more than 40 percent of the Fortune 100, one-quarter of the Fortune 500 and approximately 30 percent of the Global 100. Based in Washington, DC, a significant number of firm lawyers have held senior positions in the U.S. government and have written many of the regulations they currently help clients navigate. For more information on the firm, visit www.millerchevalier.com.

About MassGaming

The mission of the Massachusetts Gaming Commission is to create a fair, transparent, and participatory process for implementing the expanded gaming law passed by the Legislature and signed by the Governor in November 2011. In creating that process, the Commission will strive to ensure that its decision-making and regulatory systems engender the confidence of the public and participants, and that they provide the greatest possible economic development benefits and revenues to the people of the Commonwealth, reduce to the maximum extent possible the potentially negative or unintended consequences of the new legislation, and allow an appropriate return on investment for gaming providers that assures the operation of casino-resorts of the highest quality. For more information on MGC, please visit MassGaming.com or connect and share on Twitter ([@MassGamingComm](https://twitter.com/MassGamingComm)) or Facebook www.facebook.com/MAGamingComm.



Massachusetts Gaming Commission