



Meeting Minutes

Date: December 6, 2018

Time: 12:30 p.m.

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

Present: Interim Chairwoman Gayle Cameron
Commissioner Eileen O'Brien
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga
General Counsel Catherine Blue
Deputy General Counsel Todd Grossman
David Mackey, Esq. Anderson & Kreiger
Melissa Allison, Esq. Anderson & Kreiger

Executive Session

12:30 p.m. Interim Chairwoman Cameron asked for a motion to enter into executive session pursuant to M.G.L. c.30A §21(a) (3) for the purpose of discussing litigation strategy in the case of Stephen A. Wynn vs. Karen Wells, the Massachusetts Gaming Commission, and Wynn Resorts, when a discussion in an open session would have a detrimental effect on the litigation position for the Commission. Interim Chairwoman Cameron stated that the Commission would not come back into public session after the executive session. The motion was made by Commissioner Zuniga and seconded by Commissioner Stebbins.

By roll call vote:

Commissioner O'Brien	Aye
Commissioner Stebbins	Aye
Commissioner Zuniga	Aye
Interim Chairwoman Cameron	Aye

The Commission entered into executive session.

Attorney Mackey outlined the chronology of the correspondence between the IEB and attorneys for Steven Wynn (SAW) leading up to the filing of the request for a TRO/Preliminary Injunction in Nevada. Mr. Mackey went on to explain the basis for the Nevada litigation, [REDACTED]

[REDACTED]

SAW alleges that this breach of the attorney client privilege would result in irreparable harm if the IEB report including this information were released to the public.

Mr. Mackey and Ms. Allison explained the arguments made by each party at the first hearing before Judge Gonzales in Nevada on November 20, 2018. At the end of that hearing, the Judge indicated that she would issue a TRO while the parties continued to discuss narrowing the issues and would hold a status conference on the request for a preliminary injunction (PI) on December 13. [REDACTED]

Mr. Mackey and Ms. Allison advised the commission that individual counsel has been engaged for Karen Wells since she has been named in the litigation in her individual as well as official capacity.

Mr. Mackey explained possible future actions that the Commission could consider depending on the outcome of the next conference with Judge Gonzales on December 13, 2018. No decision needs to be made regarding next steps at this time.

The Commissioners posed questions to Mr. Mackey and Ms. Allison about the issues raised in the litigation. The Commissioners requested that Mr. Mackey and Ms. Allison return to brief the Commissioners on the ongoing litigation as requested by the Commissioners and Mr. Mackey and Ms. Allison agreed to do so.

2:51 pm. Interim Chairwoman Cameron asked for a motion to adjourn the meeting. The motion was made by Commissioner Zuniga and seconded by Commissioner Stebbins.

By roll call vote:
Commissioner O'Brien Aye
Commissioner Stebbins Aye
Commissioner Zuniga Aye
Interim Chairwoman Cameron Aye

The meeting was adjourned.

/s/ Catherine Blue
Catherine Blue
Assistant Secretary