



Meeting Minutes

Date: February 1, 2019

Time: 9:34 a.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

Call to Order Interim Chairwoman Cameron called to order the 260th meeting of the Commission.

Executive Session

9:35 a.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 reconvene in public session after the executive session. The motion was made by Commissioner Stebbins and seconded by Commissioner O'Brien.

By roll call vote:

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

The Commission entered into executive session.

In addition to the Commissioners, Attorneys Melissa Allison and David Mackey from Anderson & Kreiger, Executive Director Ed Bedrosian, General Counsel Catherine Blue and Deputy General Counsel Todd Grossman were present.

Attorney Mackey described for the Commission what had taken place since the last executive session. Over the last 3 weeks, Mr. Mackey and Attorney Allison were speaking with the parties to the litigation in an effort to see if the parties could come to an agreement on whether certain information listed as privileged in the Judge Gonzalez' minute order could in fact be used by the Commission in its report and if the parties could agree to a resolution that resulted in a dismissal of the case against all parties. Mr. Mackey and Ms. Allison indicated that all parties were open to such a discussion.

Since Mr. Mackey and Ms. Allison are SAAGs (Special Assistant Attorney Generals) and represent the Commission in the same manner as the Attorney General's office would, they were reporting as required on the litigation to the Attorney General's office. They had several calls with the AG's office regarding the attempts by the parties to resolve the litigation through a stipulated order signed by the parties. The Attorney General raised

[REDACTED]

On January 30 Mr. Mackey, Ms. Allison and Catherine Blue met with members of the Attorney General's staff.

[REDACTED]

The Attorney General's staff expressed concern

[REDACTED]

Mr. Mackey and Ms. Allison agreed to provide a copy of the draft order

[REDACTED]

. The stipulated order would take the place of the preliminary injunction order.

On the day following the meeting with the Attorney General's staff, the Attorney General's staff reached out to Mr. Mackey and Ms. Allison

[REDACTED]

The Attorney General's staff advised that it needed to further consider the issue and would promptly advise the Commission on the matter.

[REDACTED]

The Commissioners asked Mr. Mackey and Ms. Allison to explain in further detail

Mr. Mackey and Ms. Allison discussed

The Commissioners and Mr. Mackey and Ms. Allison discussed the alternative

Mr. Mackey and Ms.

Allison explained

In that scenario, Mr. Mackey and Ms. Allison explained

They further advised that

The Attorney General's office also advised, and Mr. Mackey and Ms. Allison agreed,

Mr. Mackey and Ms. Allison

reiterated that

Commissioner O'Brien asked if the

Mr. Mackey responded

that he would

Mr. Mackey and Ms. Allison advised the Commission that the Nevada court had given the parties until close of business February 1 to submit an order to the Judge. Since the parties will not be submitting an order that results in an agreed dismissal of the case, the parties will submit an order that complies with the ruling the Judge issued from the bench in January. Once that order is entered, Mr. Mackey and Ms. Allison will review

12:05 pm. Interim Chairwoman Cameron asked for a motion to reconvene in public session. The motion was made by Commissioner O'Brien and seconded by Commissioner Zuniga.

By roll call vote:

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

12:11 p.m. The meeting was reconvened in public session.

Interim Chairwoman Cameron stated that the Commission received a briefing on litigation strategy in the executive session. The agenda for the meeting indicated that the Commission would reconvene in public session and vote after the briefing. That was put on the agenda in the event that there was a request to the Commission to take some action since pursuant to the Open Meeting Law the Commission cannot vote on a matter unless it indicates on the posted agenda that a vote may occur. The briefing did not request any action on the part of the Commission; rather it was an update on the status of the litigation. The Commission will not be voting on any matter today. Commissioner Cameron further stated that the Commission expects the Nevada Court to issue an order shortly and that the Commission will review the order carefully.

12:15 Interim Chairwoman Cameron asked for a motion to adjourn. Motion made by Commissioner Zuniga and seconded by Commissioner O'Brien. Motion passed unanimously.

/s/ Catherine Blue
Catherine Blue
Assistant Secretary