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## Massachusetts Gaming Commission Meeting Minutes

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**Date/Time:** January 31, 2018 – 2:00 p.m.

**Place:** Massachusetts Gaming Commission  
101 Federal Street, 12<sup>th</sup> Floor  
Boston, MA

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

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

### **Call to Order**

See transcript page 2

[2:00 p.m.](#) Chairman Crosby called to order the 234<sup>th</sup> Commission meeting.

### **Update to Commission on Recent Developments regarding Wynn Resorts and Next Steps in the Regulatory Review Process**

See transcript pages 2 – 6

Chairman Crosby opened by stating that the purpose of the day's meeting was to undertake a process to determine significance of the allegations outlined in the recent Wall Street Journal article on the suitability status of Mr. Steve Wynn and his organization. He also stated that the Commission sought to assure the people of Massachusetts of its absolute commitment to the Massachusetts Casino Gambling law.

Chairman Crosby stated that any resulting decisions would be firmly grounded in facts established by the Commission's investigators combined with legal guidance from the gaming statute.

## **Director Karen Wells – Investigations and Enforcement Bureau (IEB)**

See transcript pages 6 - 11

[2:03 p.m.](#) Director Wells stated that the IEB immediately began a regulatory review upon learning of the matter, and that the investigation is ongoing.

Director Wells stated that she had spoken to investigators about the initial Wynn Resorts, LLC suitability investigation to determine whether or not evidence of the concerning conduct was identified back in 2013 or any time subsequent to that. It was confirmed that the allegations and the \$7.5 million settlement agreement referenced in the Wall Street Journal were not identified at the time, and notably were not disclosed.

The circumstances around the \$7.5 million settlement and the decision not to disclose it to the IEB investigators during the Commission's suitability investigation would remain a critical element of the IEB's review.

Director Wells stated that the IEB plan going forward was to continue on a regulatory review which would consist of four components:

1. Review of suitability of individual qualifiers;
2. A review of any corporate action or lack thereof contemporaneous with the alleged misconduct;
3. Monitoring and reporting back to the commission on the corporate response to the commission on the corporate response to the information; and
4. Review of how the current situation potentially impacts the financial stability of the company.

## **General Counsel Catherine Blue – Legal Division**

See transcript pages 11 - 15

[2:10 p.m.](#) Counsel Blue stated that the Legal Division has reviewed Chapter 23K in Massachusetts General Laws as well as the Commission's regulations relating to the Commission's and the IEB's authority to conduct a regulatory review of the type described by IEB Director Wells.

Counsel Blue outlined relevant statutory authority and regulatory guidelines for the Commission regarding investigations and suitability evaluation. She also noted the regulation that places a continuing duty on gaming licensees and qualifiers to notify the Commission of matters that impact their suitability.

Counsel Blue specifically noted that notwithstanding the broad authority granted to the Commission in regulating gaming licensees and qualifiers, gaming licensees and qualifiers are entitled to due process. After the review is complete, the licensees and qualifiers are entitled to notice and a hearing before the Commission before any final action is taken by the Commission.

## **General Discussion**

See transcript pages 15 - 35

[2:15 p.m.](#) Commissioner Cameron and Director Wells discussed the time that it would take to conduct this investigation.

There was discussion around other investigations surrounding this matter and questions about coordination with other regulators involved.

[2:20 p.m.](#) Chairman Crosby noted that Wynn Resorts LLC's response to the Commission's requests for production of documents, and cooperation with this investigation will be a measure of the company's suitability and principles.

Commissioner Cameron stressed the importance of giving the IEB time to complete their investigation which is ongoing.

Executive Director Bedrosian stated that he will provide the IEB, Legal Division, and the staff appropriate resources for this investigation.

[2:41 p.m.](#) *Having no further business, a motion to adjourn was made by Commissioner Macdonald. The motion was seconded by Commissioner Zuniga. The motion passed unanimously.*

### **List of Documents and Other Items Used**

1. Notice of Meeting and Agenda, dated January 31, 2018

/s/ Catherine Blue  
Assistant Secretary