

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Revocation of the License )  
to Conduct Gambling Activities of: )  
 )  
Hai N. Nguyen )  
Olympia, Washington, )  
 )  
Licensee. )  
\_\_\_\_\_ )

NO. CR 2014-01327

**NOTICE OF ADMINISTRATIVE  
CHARGES AND OPPORTUNITY  
FOR AN ADJUDICATIVE  
PROCEEDING**

I.

The Washington State Gambling Commission issued Hai N. Nguyen license number 68-25584, authorizing Card Room Employee activity, formerly at Chips Casino in Lakewood and currently with Macau Casino and Hawks Prairie Casino.

The Commission issued this license, which expires on August 12, 2015, subject to the licensee's compliance with state gambling laws and Commission rules.

II.

David Trujillo, Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230.

**SUMMARY:**

On June 29, 2014, Hai Nguyen allegedly assaulted another patron at Chips Casino and had to be separated from the other patron by casino staff. On August 22, 2014, the City of Lakewood filed a Complaint against Mr. Nguyen for Assault in the Fourth Degree.

**FACTS:**

1) On July 1, 2014, a Washington State Gambling Commission Special Agent (agent) was conducting a routine inspection at Chips Casino. During the inspection, the agent learned a fight occurred at Chips Casino on June 29, 2014. The fight involved three patrons: Hai Nguyen, Minh Nguyen, and Kiem Cosol.

2) Based on the initial review of the surveillance coverage, it appeared Hai Nguyen and Minh Nguyen had a verbal disagreement with Mr. Cosol at a baccarat table. Mr. Cosol walked away from the table, around the gaming pit, and towards the south entrance to the cardroom. Hai Nguyen and Minh Nguyen pursued Mr. Cosol, who turned around to face them near the entrance. Hai Nguyen ran towards Mr. Cosol, jumped in the air, and kicked him in the stomach area. Hai Nguyen then appeared to stand over Mr. Cosol while he was down on the ground. Chips Casino staff separated the men.

3) On July 22, 2014, the agent spoke with Carmine Corrado, floor supervisor. Mr. Corrado believed Hai Nguyen and Minh Nguyen were the aggressors. Mr. Corrado stated he observed Hai Nguyen and Minh Nguyen pursue the older customer, Mr. Cosol, around the pit. Hai Nguyen then assaulted Mr. Cosol.

4) On July 22, 2014, the agent contacted the Lakewood Police Department regarding the assault. The agent was informed that officers interviewed Minh Nguyen and Hai Nguyen regarding the assault at Chips. Hai Nguyen claimed the victim instigated the altercation and he was defending himself. Further, Hai Nguyen claimed in his written statement he did not touch the victim. Minh Nguyen provided the same description and claimed he was trying to separate the two.

5) On August 22, 2014, the City of Lakewood filed a Complaint against Mr. Nguyen for Assault in the Fourth Degree; a pretrial conference is scheduled for November 18, 2014.

## **VIOLATIONS**

### **1) RCW 9.46.075 Denial, suspension, or revocation of license, application, or permit**

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

(1) Has violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control;

(8) Fails to prove, by clear and convincing evidence, that he, she or it is qualified in accordance with the provisions of this chapter;

(9) Is subject to current prosecution or pending charges, or a conviction which is under appeal, for any of the offenses included under subsection (4)<sup>1</sup> of this section: PROVIDED that at the request of an applicant for an original license, the commission may defer decision upon the application during the pendency of such prosecution or appeal.

### **2) WAC 230-03-085 Denying, suspending, or revoking an application, license or permit**

We may deny, suspend, or revoke any application, license or permit, when the applicant, certified employee, or anyone holding a substantial interest in the applicant's or certified employee's business or organization:

(The following subsections apply.)

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<sup>1</sup> (4) Has been convicted of, or forfeited bond upon a charge of, or pleaded guilty to, forgery, larceny, extortion, conspiracy to defraud, wilful failure to make required payments or reports to a governmental agency at any level, or filing false reports therewith, or of any similar offense or offenses, or of bribing or otherwise unlawfully influencing a public official or employee of any state or the United States, or of any crime, whether a felony or misdemeanor involving any gambling activity or physical harm to individuals or involving moral turpitude;

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(8) Poses a threat to the effective regulation of gambling, or creates or increases the likelihood of unfair or illegal practices, methods, and activities in the conduct of gambling activities, as demonstrated by: (a) Prior activities.

**3) RCW 9.46.153(1) Applicants and licensees - responsibilities and duties**

It shall be the affirmative responsibility of each applicant and licensee to establish by clear and convincing evidence the necessary qualifications for licensure of each person required to be qualified under this chapter, as well as the qualifications of the facility in which the licensed activity will be conducted.

On June 29, 2014, Hai Nguyen allegedly assaulted another patron at Chips Casino, and the City of Lakewood has filed charges against him for Assault in the Fourth Degree. Hai Nguyen has failed to establish clearly and convincingly that he is qualified to be licensed, in violation of RCW 9.46.153(1). As a result, there are grounds to revoke his license based on RCW 9.46.075(1), (8), and (9), and WAC 230-03-085(1), and (8).

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III.

Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

You have the right to a hearing. To have a hearing, or to settle the case, the Gambling Commission must receive the hearing request form back from you within 23 days. After we receive this form, we will call you about settlement options. If you do not return the form on time, your license may be revoked (taken away) and you cannot work. (RCW 34.05.440.)

IV.

I have read this Notice of Administrative Charges and Opportunity for an Adjudicative Proceeding, know the contents of it, believe it to be true, and have executed this Notice in my capacity as Director of the Washington State Gambling Commission.

*David Trujillo*  
DAVID TRUJILLO, DIRECTOR      10/28/14  
(Date)

STATE OF WASHINGTON )  
  )  
COUNTY OF THURSTON )

I certify I have this day served a copy of the document upon all parties of record in the proceeding by mailing a copy, properly addressed with postage prepaid, by regular and certified mail to each party to the proceeding or his or her attorney or authorized agent.

Dated at Olympia, Washington this 29 day of October, 2014

*Mareen Pretell*