STATE OF WASHINGTON
GAMBLING COMMISSION

In the Matter of the Suspension or Revocation of the License to Conduct Gambling Activities of:	)	No. CR 2009-01306
Shauna Dillon, Lakewood, Washington,	)	***AMENDED*** **NOTICE OF ADMINISTRATIVE CHARGES AND OPPORTUNITY FOR AN ADJUDICATIVE PROCEEDING**
Licensee.	)	*(Amendments appear in italics)*

I.

The Washington State Gambling Commission issued Shauna Dillon the following license:

- 68-09992, Authorizing Class "B" Card Room Employee activity, formerly at the Macau Casino.

The license expires on June 10, 2010, and was issued subject to the licensee's compliance with state gambling laws and rules.

II.

Rick Day, 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 August 3, 2009, the licensee, then a shift manager at the Macau Casino, issued an unauthorized Player Record Certificate ("comp") by falsifying player rating slips from a player's "Club" account. Ms. Dillon redeemed the comp for a pack of cigarettes.

- The "Club" Player Tracking System is a point based player reward computer system. A player receives points while playing house banked card games. The more wagered and played, the more points received. When the card room issues a comp, points are converted into a cash value and the comp can be redeemed for merchandise and food. The comp is issued by the manager logging into the system, pulling up the individual player's information, and requesting the comp. The comp is then printed on a piece of paper that includes the amount of the comp, the player's name, and a spot for the customer to sign and date.

- On August 20, 2009, a Commission Special Agent (agent) received a report that Shift Manager Shauna Dillon used an unauthorized comp from the Club Player Tracking System at Macau Casino. Ms. Dillon resigned from the Macau Casino on August 5, 2009

in lieu of being fired for theft.

- The agent spoke with the General Manager, John McNutt, who informed him that Ms. Dillon improperly issued herself a comp and redeemed it for a pack of cigarettes at the Macau cashier's cage.

- Mr. McNutt provided the agent with surveillance video from August 3, 2009, and copies of the comp and the receipt for the cigarettes. The agent reviewed the information and observed the following:

  - 9:27 p.m. - Ms. Dillon approaches the cashier's cage.
  - 9:28 p.m. - Ms. Dillon receives a pack of cigarettes from the cage cashier.
  - 9:48 p.m. - Ms. Dillon picks up and puts down the cigarettes two times from gaming podium.
  - 10:26 p.m. - Ms. Dillon picks up cigarettes and keys from gaming podium.
  - 10:30 p.m. –Ms. Dillon opens pack of cigarettes, gives at least one cigarette to another woman, and smokes.

- The agent reviewed the comp that was used to pay for Ms. Dillon's pack of Marlboro Light 100's on August 3, 2009. The comp was for a person named "Tanya J. Nutting." The value was $6.43. He also reviewed the receipt for the cigarettes and the Cigarette Log from the cage for August 3, 2009. Ms. Dillon was the individual who redeemed the comp.

- Ms. Dillon was counseled regarding the incident. She was accused of "theft of company assets." Ms. Dillon was to be terminated and barred from entry into Macau Casino for 90 days. Ms. Dillon refused to sign the Record of Incident/Counseling, and resigned.

- Therefore, grounds exist to suspend or revoke Shauna Dillon's license under RCW 9.46.075(1), (8) and (*10*), WAC 230-03-085(1), RCW 9.46.153, and RCW 9.46.190.

RCW 9.46.075 Suspending or revoking a license or permit states:
The Commission may 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) Has failed to prove by clear and convincing evidence qualifications for licensure.

(10) Has pursued or is pursuing economic gain in an occupational manner or context which is in violation of the criminal or civil public policy of this state if such pursuit creates probable

cause to believe that the participation of such person in gambling or related activities would be inimical to the proper operation of an authorized gambling or related activity in this state. For the purposes of this section, occupational manner or context shall be defined as the systematic planning, administration, management or execution of an activity for financial gain.

WAC 230-03-085 Suspending or revoking a license or permit states:
We may suspend or revoke any license or permit, when the licensee or anyone holding a substantial interest in the applicant's or licensee's business or organization:
(The following subsection applies.)

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

RCW 9.46.190 Violations relating to fraud or deceit states:
Any person, association, or organization operating any gambling activity who or which, directly or indirectly, shall in the course of such operation: (The following subsections apply.)

(1) Employ any device, scheme, or artifice to defraud; or

(3) Engage in any act, practice or course of operation as would operate as a fraud or deceit upon any person;

Shall be guilty of a gross misdemeanor subject to the penalty set forth in RCW 9A.02.021.

RCW 9.46.153 Applicants, licensees-Responsibilities, and duties-Waiver of liability-Investigation statement as privileged (1) states:
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.

III.

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

The licensee will have the opportunity to have a hearing on the alleged violations.

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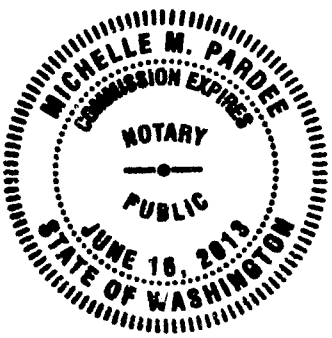
In order to have a hearing or discuss settlement options, the enclosed REQUEST FOR HEARING must be COMPLETED AND RETURNED to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, failure to return this document will result in the entry of a default order REVOKING your license.

STATE OF WASHINGTON)
) ss.
COUNTY OF THURSTON)

Rick Day, being duly sworn on oath, says: That he has read this Notice of Administrative Charges and Opportunity for An Adjudicative Proceeding, knows the contents of it, believes it to be true, that he is the Director of the Washington State Gambling Commission and in that capacity has executed said Notice.



RICK DAY, DIRECTOR

SUBSCRIBED AND SWORN TO before me this 17 day of December, 2009.

NOTARY PUBLIC in and for the State of Washington residing at Lacey.
My commission expires on June 16, 2013

STATE OF WASHINGTON)
)ss
COUNTY OF THURSTON)

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

Dated at Olympia, Washington this 17th day of December 2009

Communications and Legal Department
Washington State Gambling Commission