

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Revocation of )  
the License to Conduct Gambling Activities of: )  
)  
)  
Thonyrose Tibi )  
Bremerton, Washington, )  
)  
Licensee. )

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NO. CR 2013-02276

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

I.

The Washington State Gambling Commission issued Thonyrose Tibi the following license:

Number 68-19820, authorizing Card Room Employee activity formerly with the Macau Casino in Lakewood.

The license expires on August 11, 2014, and was issued subject to Ms. Tibi's compliance with state gambling laws and rules.

II.

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

**SUMMARY:**

On October 13, 2013, dealer Thonyrose Tibi allegedly stacked approximately 60 cards in a particular order at the Macau Casino when she was supposed to be checking and shuffling them. Licensee Wiasana Sok, an off-duty dealer at the Macau, was present with Ms. Tibi for part of the time when Ms. Tibi was stacking the cards. Without following the correct procedures, Ms. Tibi later introduced those cards, which were neither cut nor shuffled by hand or a shuffling machine, onto a mini-baccarat table. Ms. Sok bought in for \$1,300 to play at the same mini-baccarat table. Ms. Sok bet her entire \$1,300 on the first hand she bet. During the next ten hands, all using the stacked cards, Ms. Sok correctly bet nine times. A total of \$23,100 was lost to Ms. Sok, who gave Tibi \$5,000 in casino chips that same evening after Ms. Sok finished gambling. Ms. Sok cashed in approximately \$7,000 in casino chips later that same evening.

**FACTS:**

1) On October 15, 2013, a Washington State Gambling Commission Special Agent (agent) talked to Operations Manager John McNutt from the company that owns the Macau Casino in Lakewood.

Mr. McNutt told the agent that dealer Thonyrose Tibi put a “cooler deck”<sup>1</sup> onto a mini-baccarat table while off-duty dealer Wiasana Sok was the player. Mr. McNutt said Ms. Tibi stacked the cards while sitting at a closed Progressive Fortune Pai Gow (PFPG) table. He said she later put the cards into play without following the shuffle and cut procedures and failed to place them into the shuffle machine.

2) On October 15, 2013, the agent went to the Macau Casino and met with surveillance observer Sokhom Buntun and Mr. McNutt to review video footage of the incident. Mr. Butun showed the agent a few minutes of video from October 13, 2013. In it, Ms. Tibi was supposed to be sorting previously used shoes<sup>2</sup> from hand-held mini-baccarat. Ms. Sok was sitting at the table for much of the time. Ms. Tibi spread out about 70 cards and appeared to be picking out cards and placing them into her hand in a particular order.

3) The agent reviewed video from October 13, 2013, that was recorded about 11:19 p.m. The video showed that Ms. Tibi was dealing and stepped up to the podium to collect a red shoe. She introduced the red shoe into play without following any shuffle or cut procedures. Ms. Sok bought in at the table and cut the shoe. Ms. Tibi removed the cut,<sup>3</sup> leaving the cards in order and then placed them directly into the dealing shoe. This allowed the cards to come out of the shoe in the same order as Ms. Tibi stacked them earlier. Ms. Sok was betting maximum amounts and appeared to be winning on each hand.

4) On October 15, 2013, the agent interviewed Mr. McNutt. Mr. McNutt’s interview is summarized as follows:

- Mr. McNutt noticed that on the gaming day October 13, 2013 Master Game Report (MGR) table MB-3 had “dumped” (taken a large loss). He said table MB-3 had a loss of \$46,944 for the whole day. He said this was about three times the loss of a normal “bad day.”
- Mr. McNutt compared that number to the “Hit Sheet” from the Sonoma Player Tracking System. This shows the rated play for the day. According to the form, the table had an estimated loss of \$2,052 for the October 13, 2013, gaming day. These numbers come only from what is put into the player tracking system; however, the difference between this and the MGR was too great to be normal.
- Mr. McNutt said he was looking closely at what he had already seen on the video. He believed the card room’s losses from cheating to be at \$21,973.25 for the cards he had reviewed. He said they had not finished reviewing all of the video and had yet to determine the total losses.

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<sup>1</sup> A “cooler deck” is an industry term which means a deck of cards stacked in an order that allows the player to cheat by knowing the order of the cards that are going to come out of the shoe.

<sup>2</sup> A shoe is a device, usually a wooden box, used for holding and dispensing playing cards to be dealt. Shoe games are typically composed of six or eight decks of cards.

<sup>3</sup> The cut is made when a colored card is randomly inserted into the deck. When the colored cut card comes out of the shoe, the dealer is to notify the floor supervisor or manager that the cards need shuffling.

- On the MGR was a large amount of fills. Mr. McNutt said he reviewed the fills<sup>4</sup> and noted three of them occurred within a very short period of time. In his decades of gaming experience, he knew this was abnormal, and it concerned him.
- Mr. McNutt said they followed the cards being played backwards to the sorting of the cards Ms. Tibi did earlier that night. He said they immediately noticed they had not been shuffled and seemed to be in the same order.

5) On October 15, 2013, the agent interviewed Sokhom Buntun. Mr. Buntun's interview is summarized as follows:

- Mr. Buntun identified four off-duty dealers who were also at the MB-3 table and said they did not act differently when the cooler deck was introduced into play.

6) On October 18, 2013, the agent interviewed General Manager, Mark Higgins. Mr. Higgins' interview is summarized as follows:

- Mr. Higgins stated the off-duty dealers, Lindsey Blanc, Thai "Bu" Le, Vanny Nguyen, and Trang Le, couldn't "wait to run to the baccarat table where the cheat was to take place." He was afraid they might have known what was going on.
- Mr. Verner, Food and Beverage Manager, stated Ms. Sok refused to leave the MB-3 table to collect her winnings from the previous blackjack tournament. He said she sent others to collect, but Hoc Hong Ky refused to give the winnings to anyone other than Ms. Sok. He said Ms. Sok gave "all of her prize money to the dealers as a tip" from the tournament.
- Ms. Higgins stated Ms. Blanc, an off-duty dealer, said, "it was weird how Wiasana [Sok] won every hand. It's like she knew what was coming out of the shoe. Could they have put a bad shoe on the game?"
- Mr. Higgins suspended Ms. Sok pending the agent's investigation. Mr. Higgins gave the agent Ms. Sok's signed statement from the house-banked card room. In it, she stated she bought in for \$1,300 and "won that night."

7) On October 18, 2013, the agent interviewed the shift manager Samuel Mickelson who was working on October 13, 2013. Mr. Mickelson's interview is summarized as follows:

- Mr. Mickelson stated it was unusual that there was already a red shoe on the table when he arrived at the MB-3 table. He said it was not normal for a dealer to get a shoe without being told to do so. He found it unusual for the shoe to get there so fast since he was only five feet away. When he asked Ms. Tibi, he believed Ms. Tibi told him someone already brought the shoe over.

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<sup>4</sup> "Table fills" refer to the transfer of chips from the cashier's cage to the gaming table.

- Mr. Mickleson said he notified surveillance to keep an eye on the game since he had done an abnormal amount of fills. However, he felt the game appeared to be operating normally and nothing stood out. He texted Mr. Higgins to report the “loss of revenue” on that table.
- 8) On October 18, 2013, the agent interviewed dealer Thonyrose Tibi. Ms. Tibi’s interview is summarized as follows:
- Ms. Tibi said she came in to work at 8:00 p.m. She said she didn’t feel well and asked to be on the EO (early off) list to study for midterms. Ms. Tibi said she was dealing MB-3 and the shoe was almost over. She said she asked Giang Nguyen to deal for her for a second. She said she went to the podium to get a mint or candy and, because the shoe was almost over, she took a shoe from the podium to replace it. Ms. Tibi said she tapped back in to the MB-3 table to resume dealing and the players wanted a ghost hand (no bets). Once the cut card came out of the shoe in play, she said she shuffled and did not ask for a new shoe. Ms. Tibi said she was “pretty sure” she put the new shoe into the shuffler (automatic shuffle machine). She said she didn’t know and was not paying attention.
  - She said Ms. Sok bought in for \$1,300 or \$1,500. Ms. Tibi said she was tapped out of the table for normal dealer rotations after one to two more hands. When dealer Vikki Son tried to tap her out, she said she asked to deal one more hand. Ms. Tibi said she made about \$150 in tips on those one to two hands. She said she cashed in about \$500 in tips that night.
  - Ms. Tibi said people started texting Ms. Sok asking for money. She offered to drive her to a local pho restaurant. Without asking, Ms. Tibi told the agent Ms. Sok gave her \$5,000 in black (\$100) casino chips. She said Ms. Sok owed her the money. Ms. Tibi later said she loaned the money to Ms. Sok three to four months prior. She admitted \$2,300 of the money was her student loan money. Ms. Tibi said she drove back to the Macau Casino in Lakewood and bought in about \$1,000 on MB-3 because it was a “luck thing.” She said she cashed out \$6,000 at the cashier’s cage and \$300.00 at the poker podium. Ms. Tibi said the \$6,000 included the \$5,000 in black chips Ms. Sok gave her at the pho restaurant.
  - When asked, Ms. Tibi said she knew Ms. Sok for about five years while working at the Macau Casino in Lakewood. Prior to that, they both worked at the Emerald Queen Casino in Tacoma. She claimed they did not “hang out” outside of work. The agent found it unusual that Ms. Tibi downplayed the relationship, especially since she had loaned Ms. Sok her tuition money.
  - The agent asked Ms. Tibi what the procedures were for placing a new shoe into play on a hand-held mini-baccarat game, and she knew all of the required steps. The agent asked Ms. Tibi what the procedures were for sorting shoes that had previously been played on the hand-held mini-baccarat tables. She again knew all of the required steps. The agent asked if there was any reason to take out cards other than to place them into order and she said, “No.” She said the cards needed to be mixed again.

- Ms. Tibi said she was sorting cards earlier on the night of October 13, 2013. The agent asked Ms. Tibi, that if he looked at the video of her sorting cards, would he see her following procedures, and she said, "Yes." The agent asked if he would see anything wrong and Ms. Tibi said, "I don't think so." The agent asked a third time if he would see anything, mentioning the shoe, and Ms. Tibi said, "I don't know, you shouldn't."
- The agent asked if anyone asked her to stack the deck and she said, "No." The agent asked Ms. Tibi if he would see the stacked cards come out during live play in order and she said, "No." The agent told her he had video of that, and she said, "I just sorted." The agent asked Ms. Tibi how the cards stacked by her came out in order. Then he told her Mr. Higgins said someone called and said it seemed like she "knew" what the cards would be. Ms. Tibi just said, "I don't know who would say that." The agent asked if she was telling the truth, and she said "yes."

The agent noted that the fact Ms. Tibi went out to eat and returned to the Macau to gamble is inconsistent with her statement she was not feeling well and had midterm exams the next day. She didn't refer to the fact she was not feeling well except when asked about putting a shoe into play without shuffling it.

9) On October 18, 2013, the agent interviewed Sarem Mang, surveillance observer. Mr. Mang's interview is summarized as follows:

- Mr. Mang collected the video recordings of Ms. Sok and Ms. Tibi cashing out on gaming day October 13, 2013.
- At about 1:03 a.m. on October 14, 2013, Ms. Sok cashed in \$7,000 in casino chips. At about 1:20 a.m., Ms. Tibi cashed in \$6,000 in casino chips.

10) On October 21, 2013, the agent interviewed off-duty dealer, Lindsay Blanc. Ms. Blanc's interview is summarized as follows:

- Ms. Blanc said she went into the Macau Casino with Bu Le because she had to fill out her tip report on October 13, 2013. They chose to play in the blackjack tournament. She said they played on table MB-3 before, during, and after the incident with Ms. Tibi and Ms. Sok. She admitted she "had a few drinks."
- Ms. Blanc said Bu Le had chips on table MB-3 before Ms. Tibi or Ms. Sok got there. When Mr. Le was done with the blackjack tournament, they noticed a new shoe was put into play on the table. Ms. Sok bought in and "shot the table" right away and didn't wait to see if there was a pattern. (By "shooting the table," Ms. Blanc meant Ms. Sok was betting each spot on the table. Ms. Blanc is an experienced dealer who has worked at three separate casinos.)

- Ms. Blanc mentioned several things that were unusual to her. She asked Ms. Sok why she was betting so much without waiting for a pattern, and Ms. Sok's response was, "I'm feeling it." Ms. Blanc noticed Ms. Sok was not getting excited and she "showed no emotion."
- Ms. Blanc noticed there were an abnormal number of "naturals" appearing in the shoe Ms. Sok was playing. (A "natural" is a two-card 8 or 9 total.) Ms. Blanc asked Ms. Sok how was she winning each hand, and Ms. Sok's response was, "I just go with the run."
- Ms. Blanc said she knew Ms. Sok owed people money and Ms. Sok did not want to look excited because people were watching her. Ms. Blanc said Ms. Sok did not owe her any money.
- The agent explained to Ms. Blanc he was looking at her and Bu Le because they were in the blackjack tournament and raced over to MB-3. She said they were playing on MB-3 first. Ms. Blanc knew the appropriate procedures for sorting cards and dealing hand-held mini-baccarat. When asked, she said it would be unusual for anyone to pick up cards and stack them in order at the sorting table. The agent asked Ms. Blanc about dinner at the pho restaurant. Ms. Blanc said she did not see Ms. Sok give Ms. Tibi the \$5,000 in casino chips. When asked about it, she said it was "gonna look so bad, me sitting to her [sic]." She said, "We had no idea they were going to come up with this."

11) On October 21, 2013, the agent interviewed off-duty dealer, Thai "Bu" Le. Mr. Le's interview is summarized as follows:

- Bu Le said he finished 3rd place in the blackjack tournament and he left his chips at MB-3. He noticed there was a new shoe and Ms. Sok "shot" or "bet everything." He said it was "crazy" to bet all spots, \$2,000-3,000 per hand. Mr. Le noticed Ms. Sok "took a couple of fills" and "took everything" from the table.
- He found it weird that Ms. Sok kept getting naturals. He said Ms. Sok "is a big gambler in the past, but she has been losing so much money." He added, "She gambled a lot, lost a lot, and she's been working her ass off." Mr. Le said Ms. Sok did not owe him any money. He said he only lends to family. He said he hears "she gambles and owes a lot of money." Mr. Le said the same thing as Ms. Blanc about the group who went to the pho restaurant and he didn't see Ms. Sok give Ms. Tibi any casino chips there either. Mr. Le knew the correct sorting and dealing procedures for hand-held mini-baccarat. He said "that's just stupid" to cheat. He said it would be "impossible to cheat on game [sic]" because you have to shuffle and put the shoe through the shuffle machine. He said even surveillance is required to be notified about the shuffle.

12) On October 21, 2013, the agent interviewed dealer Giang Nguyen. Mr. Nguyen's interview is summarized as follows:

- He identified himself as the dealer Ms. Tibi asked to tap her out and cover her table briefly. Mr. Nguyen said he brought a red deck to the table for the shuffle, but Ms. Tibi “suddenly pushed my hand to give me a signal that she got the red deck already.” He said he checked inside of the shuffle machine to “make sure everything was ok.”

13) On October 22, 2013, the agent interviewed off-duty dealer, Trang Le. Ms. Le’s interview is summarized as follows:

- Ms. Le only stated she watched Ms. Sok “because she bet big.” Ms. Le said she did not gamble that night; she only played in the tournament. Ms. Le said she and her ex-husband, Mr. Nguyen, were at the blackjack tournament. She noticed Ms. Sok was betting a lot of money. Ms. Sok had not played for a long time, and Ms. Le was curious why she bet big. Ms. Le said Ms. Sok does not owe her any money. She and Mr. Nguyen did not join the group that went out to the restaurant afterwards. Ms. Le said she didn’t know anything about illegal activity and she needed to protect herself.

14) On October 22, 2013, the agent interviewed off-duty dealer Vanny Nguyen. Mr. Nguyen’s interview is summarized as follows:

- Mr. Nguyen watched Ms. Sok win while “shooting the whole table.” Mr. Nguyen said he won the final table of the blackjack tournament. He said he has been a dealer since 2003, and since 2005 in Washington. Mr. Nguyen said Ms. Sok usually borrows a lot, but not from him. He said she was a big gambler and now gambles a lot. He said Ms. Sok normally bet three or four spots, and does not “shoot whole table [sic].” He said it was not normal to really win that big, that fast.

15) On October 21, 2013, the agent talked to Wiasana Sok on the phone and asked to interview her regarding the October 13, 2013, incident. Ms. Sok and the agent agreed to meet on October 25, 2013. She asked if she could bring her attorney and the agent told her she could. On October 24, 2013, the day before the interview with Ms. Sok, the agent received an e-mail from attorney Andy Robertson. She said she represented Ms. Sok and they would not attend the scheduled appointment.

16) On November 6, 2013, the agent interviewed off-duty dealer Hoc Hong Ky. Mr. Ky’s interview is summarized as follows:

- Mr. Ky said Ms. Sok was at the final table of the blackjack tournament on October 13, 2013. He thinks she finished fourth place and won \$100. He said Ms. Sok told him to keep the winnings and give them to the dealers of the tournament. He had to wait for Ms. Sok to come back over from playing on one of the tables to collect her winnings.
- Mr. Ky said he heard rumors Ms. Sok owed a lot of people money. He said he lent her money in the past, but had not done it in years. She had paid all old debts to him years ago. He and Ms. Sok and him were only friends at work (as co-workers).

- Mr. Ky told the agent he had an agreement with Ms. Sok. If she was ever winning, he was to help her get off the table and help her keep her winnings because she had lost so much. Mr. Ky took the winning chips that were in front of Ms. Sok and placed them in the pocket of his jacket. He said he later gave them to the cashier's cage for her.
- The agent asked about how long it took to cash the chips in. Mr. Ky said he went for pho with Ms. Sok and some others. He said he kept the chips in his pocket the entire time. He said Ms. Sok had many people asking her for money, so she just wanted to get away from the casino. Ms. Ky confirmed he later placed the chips on the cashier's cage counter and left Ms. Sok to collect the money.

17) The following is the agent's summary of events that took place on October 13, 2013:

- At about 10:25 p.m., Ms. Tibi placed her toke (tip) box on progressive fortune pai gow table #2 (PFPG2). This table was closed and used for sorting cards. She walked over to table MB-3, lifted the lid on the dealing shoe and then went to the podium. Ms. Tibi got a blue and red shoe of cards, each in a clear plastic bin, and returned to the dealer's spot at the table. Ms. Sok sat down across the table from Ms. Tibi.
- Ms. Tibi spread out about 70 cards in what is called a "ribbon spread." This is an arc of cards, all face up, so the dealer can see the face of each of the cards.
- At about 10:27 p.m., Ms. Sok took about a two-minute phone call on her cell phone. She remained along the south wall of the casino near PFPG2. Ms. Tibi picked up a 3, 10, 5, and 8 card and placed them in that order in her left hand. She then spread the cards out and picked up a 10 and face card. She picked up a 9, went back to the top of the ribbon spread and collected a 3 and an face card. She slid one card out of the way, picked up a face card, moved back, then an 8 and a 2. She spread the cards, picked up a face card, spread again to get another face card, 9, and 2. These are not the normal sorting procedures. At this time, Ms. Tibi spread out the cards she had stacked in her hand and looked at them. It was clear she was verifying how the cards were stacked.
- She then squared the cards in her left hand and went back to picking up cards from the ribbon spread. The last six cards she stacked were a 3, 4, 7, 6, face card, and 9. This looked unusual to the agent until he later learned it resulted in a hand with a 30:1 payout. Once Ms. Tibi finished stacking the deck, she put the stacked cards at the back of the clear shoe bin and put the remainder of the ribbon spread at the front of it. The cards she left in the clear bin were never removed from the bin or sorted. It took Ms. Tibi only about 97 seconds to stack the 60 cards into the order she wanted. The stacked cards, once introduced (without being shuffled or cut), resulted in five hands with a Player win, seven hands with a Banker win, one hand with a 4:1 bonus, one hand with a 2:1 bonus, and one hand with a 30:1 bonus.<sup>5</sup> Ms. Tibi took the clear bin of red cards she just stacked and placed them into the podium. The agent noticed she bent down and placed them in the back of the podium,

<sup>5</sup> In mini-baccarat, players can bet that either the "Banker hand" or the "Player hand" will win.

behind the other clear bins. As soon as Ms. Tibi went back to the table, Ms. Sok rushed right over and joined her. Ms. Sok finished her call after being back at the table. Ms. Tibi sorted the next shoe of cards, following proper internal controls. Ms. Sok leaned across the table and spoke directly to Ms. Tibi in her face. They appeared to be whispering to each other. They kept looking and nodding towards table MB-3. They remained for about ten more minutes at the table.

- At about 11:19 p.m., Ms. Tibi was dealing at table MB-3. The agent noticed Ms. Le had drinks and chips sitting at spot 3 from earlier play. Customer Kevin Trinh was sitting at spot 9 and customer Thuy Le was sitting at spot 10; both had been there awhile. Ms. Le asked Mr. Nguyen to cover her table. Mr. Nguyen tapped in and Ms. Tibi went to the podium. It appeared Ms. Tibi got something to put into her mouth, then bent down and took a red shoe in a clear bin from the back of the podium. She placed it onto the shuffle machine of table MB-3 and tapped back in. The agent noticed she tapped Mr. Nguyen at least three times, like she was in a hurry.
- At about 11:21 p.m., the cut card came out of the shoe. Ms. Tibi placed the cards in the discard rack and the remaining (unplayed) cards from the shoe into a clear plastic bin and exchanged it with the stacked deck. Instead of placing the new cards into the automatic shuffle machine, Ms. Tibi placed a cut card<sup>6</sup> on the back of them and placed them into the shoe behind the follower. The blue shoe in the shuffle machine was required to be put into play next. Ms. Tibi “colored up” (exchanged smaller for larger casino chips) for customer Mr. Trinh at spot 9. Ms. Sok and Mr. Le arrived at table MB-3 at about 11:22 p.m. Ms. Sok pulled about \$1,300 cash from her purse and Ms. Tibi gave her the cut card. Ms. Sok placed the cut card about 75% of the way up the shoe. Ms. Tibi immediately removed the cut card without cutting the shoe. She placed it about 16 cards from the end of the shoe, spread that group of cards face down in a ribbon spread to count, then placed them onto the back of the shoe. Once done, she placed the cards into the shoe.
- Ms. Tibi pulled the first card out of the shoe, a 3, and burned the next three cards (called a baccarat burn). The three-burned cards are not revealed to the players. Ms. Tibi then played the next hand of cards with no bets by customers. Sometimes baccarat players will want to see a hand or two to decide how they will bet. This is called a ghost hand. The four cards that came out were a 10, face card, 9, and a 3; all matched how they were stacked. The Player hand won nine to three.
- At about 11:23 p.m., Ms. Sok bet her entire \$1,300 on the Player hand (Player). Another player, Mr. Le bet a total of \$90, also on Player. The four cards that came out were face card, face card, 8, 2. The Player hand won eight to two. Dealer Vikki Son tapped out Ms. Tibi as part of the normal rotation.

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<sup>6</sup> When a player is given the cut card, they place it into the shoe of cards. The dealer is supposed to take all cards behind the cut and place them in front of the rest of the cards. Even though Ms. Tibi had stacked the deck, if she had placed them into the shuffle machine, cut as required, or used the correct shoe from the shuffle machine, the cards would not have come out in the order she stacked them in. Ms. Tibi had to follow none of the required procedures in order to introduce the stacked deck of cards into play without their order being changed.

- At about 11:25 p.m., Ms. Sok bet \$2,500 on Player. Mr. Le bet a total of \$230, also on Player. The four cards that came out were face card, face card, 9, 2. The Player hand won nine to two.
- At about 11:26 p.m., Ms. Sok “shot the table” betting every spot for a total of \$3,050 on Player. Mr. Le couldn’t bet, as side bet-not allowed by rule, but he placed \$240 on the Dragon Bonus<sup>7</sup> of spot 5 (under Ms. Sok’s bet). The six cards that came out were face card, face card, 10, 10, 8, and 2. The Player hand won eight to two and the Dragon Bonus paid out 4:1.
- At about 11:29 p.m., Ms. Sok bet every spot again for a total of \$3,300 on Player. No other players were allowed to bet. The four cards that came out were face card, face card, 9, 3. The Player hand won nine to three. An emergency fill had to be done (\$12,000 in casino chips) so Ms. Tibi could pay all of Ms. Sok’s winnings.
- At about 11:33 p.m., Ms. Sok bet \$1,900 on Player and no other players bet. The six cards that came out were 10, 10, face card, 10, 4, 8. The Player hand won eight to four.
- At about 11:35 p.m., Ms. Sok bet \$3,050 on the Banker hand (Banker)<sup>8</sup> and no other players bet. The four cards that came out were face card, face card, 6, 9. The Banker hand won nine to six.
- At about 11:37 p.m., Ms. Sok bet \$3,360 on Banker and no other players bet. The four cards that came out were face card, face card, 7, 9. The Banker hand won nine to seven. At the end of this hand, Mr. Nguyen bought in for \$500 and Ms. Le bought in for \$1,200.
- At about 11:40 p.m., Ms. Sok bet \$2,505 on Banker. Mr. Nguyen bet \$725 on Banker and Mr. Le bet \$165 on Banker. At one point, Ms. Sok gestured with her hand down the line between their betting spots. Ms. Sok and Mr. Nguyen each used a \$100. “Match Play” coupon on one of their bets. The six cards that came out were 10, face card, face card, face card, 2, 7. The Banker hand won seven to two and the Dragon Bonus paid out 2:1. At the end of this hand, customer Nam Ngo bought in for \$100.
- At about 11:44 p.m., Ms. Sok bet \$1,552 on Banker. Mr. Ngo bet his full \$100 on Banker and Mr. Nguyen bet \$1,435 on Banker. The four cards that came out were 6, 3, 5, and 6. The Banker hand won nine to one. An emergency fill had to be done (\$9,500 in casino chips) to pay all of the winnings.
- At about 11:48 p.m., Ms. Sok bet \$1,415 on Banker. Mr. Ngo bet \$91 on Banker, Mr. Nguyen bet \$625 on Banker, and a black, male customer in dark coat reached over and bet \$400 on spot 9 for Banker. The four cards that came out were 5, 5, Ace, 4. The Banker hand won nine to six.

<sup>7</sup> This is a bonus bet for some mini-baccarat games.

<sup>8</sup> Banker bets that win are subject to a 5% commission. This means a \$100 bet will pay \$95. The commission does not apply to Dragon Bonus bets.

- At the end of the hand, a man identified as dealer Hoc Ky reached over Ms. Sok's right shoulder and started to collect thousands of dollars in casino chips. Ms. Sok resisted, but let him do it. After Mr. Ky left the table, Ms. Sok soon followed him.
- At about 11:52 p.m., Mr. Nguyen bet \$645 on Banker. Mr. Ngo bet \$80 on Banker and the unidentified man at spot nine sat down and bet \$790 on Banker. The six cards that came out were 3, 4, 7, 6, face card, 9. The Banker hand won nine to zero and the Dragon Bonus paid out 30:1. An emergency fill had to be done (\$14,700 in casino chips) to pay all of the winnings. After this hand, all of the dealers colored up their chips and left the table. Ms. Tibi was tapped out by another dealer and the next two hands (same shoe, but not stacked) were played as ghost hands.
- At about 11:52 p.m., Mr. Le exchanged about \$1,250 of casino chips for cash at the cashier's cage.
- At about 12:11 a.m., Mr. Le exchanged another \$200 of casino chips for cash.
- At about 1:00 a.m., Mr. Ky placed about \$7,000 of casino chips on the cashier's cage counter. This was after the group returned from eating pho. Ms. Sok collected the cash after Mr. Ky had walked away.
- At about 1:18 a.m., Ms. Tibi exchanged about \$6,000 of casino chips at the cashier's cage for cash. This was consistent with what she said during her interview.
- At about 3:15 a.m., Ms. Sok exchanged about \$800.00 of casino chips at the cashier's cage. She cashed in \$1,000 at 2:03 a.m. and cashed out \$800 at 3:23 a.m.

18) In total, Ms. Sok took \$23,100 of losses from the casino. She was present part of the time when the deck was stacked by Ms. Tibi, and when Ms. Tibi introduced the uncut, unshuffled stacked deck to a live game on mini-baccarat table #3.

19) A referral for criminal charges as to Ms. Sok and Ms. Tibi was sent to the Pierce County Prosecuting Attorney's Office.

### **ADMINISTRATIVE HISTORY:**

Ms. Tibi received a Notice of Violation and Settlement (NOVAS)<sup>9</sup> in 2013 for violating internal controls and under-reporting her tips. Ms. Tibi received another NOVAS in 2012 for "causing to violate rule" by making an "untrue statement of a material fact." She also received verbal warnings for violating "wagering limits for house-banked card games" and "tips from players and patrons to card room employees."

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<sup>9</sup>NOVAS- Notice of Violation and Settlement identifies the violation and gives the licensee the opportunity to pay a fine to settle the matter.

## **VIOLATIONS:**

### **1) RCW 9.46.075 Denial, suspension, or revocation of certification, 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 is qualified in accordance with the provisions of this chapter.
- (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.

### **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.)

- (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; or
  - (b) Criminal record; or
  - (c) Reputation; or
  - (d) Habits; or
  - (e) Associations.

### **3) RCW 9.46.1961 Cheating in the first degree.**

- (1) A person is guilty of cheating in the first degree if he or she engages in cheating and:
  - (a) Knowingly causes, aids, abets, or conspires with another to engage in cheating; or

(b) Holds a license or similar permit issued by the state of Washington to conduct, manage, or act as an employee in an authorized gambling activity.

**4) RCW 9.46.190 Violations relating to fraud or deceit.**

Any person or 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.20.021.

**4) 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 October 13, 2013, dealer Thonyrose Tibi stacked about 60 cards in a particular order while she was supposed to be checking and shuffling them. She later introduced those cards, uncut, onto mini-baccarat table #3. Off-duty dealer Wiasana Sok immediately bought in for \$1,300 and, with only one exception accurately bet each hand of stacked cards resulting in a total loss to the cardroom of \$23,100 in violation of RCW 9.46.1961. Ms. Tibi has failed to establish by clear and convincing evidence that she is qualified, as required by RCW 9.46.153(1). As a result, there are grounds to revoke Tibi's license based on RCW 9.46.075(1), (8), and (10), 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.

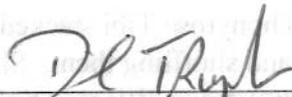
The licensee will have the opportunity to have a hearing on the alleged violations. In order to have a hearing, the enclosed REQUEST FOR HEARING must be completed in full by the licensee or representative and returned to the Gambling Commission within **23 days** from the date of the mailing of this notice.

Based on RCW 34.05.440, FAILURE TO RETURN THIS DOCUMENT WILL RESULT IN THE ENTRY OF A DEFAULT ORDER FOR REVOCATION OF YOUR LICENSE.

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.

Dated March 6, 2014

  
\_\_\_\_\_  
DAVID TRUJILLO, DIRECTOR

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, property 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 6 day of March, 2014.  
