

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Revocation of the  
License to Conduct Gambling  
Activities of:

Thuc H. Nguyen  
Seattle, Washington,

Licensee.

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NO. CR 2015-01185

**SETTLEMENT ORDER**

This Settlement Order is entered into between the Washington State Gambling Commission and Licensee Thuc H. Nguyen to resolve the administrative charges now pending against Mr. Nguyen. Gregory J. Rosen, Assistant Attorney General, and Amy Hunter, Deputy Director, represent the Gambling Commission. The Licensee is represented by Justin Elsner.

I.

The Washington State Gambling Commission issued Thuc H. Nguyen the following license:

Number: 68-18926, authorizing Card Room Employee activity at Macau Casino, and the Great American Casino, Tukwila.

The Commission issued this license, which expires on January 28, 2016, subject to the Licensee's compliance with state gambling laws and Commission rules.

II.

On August 20, 2015, Mr. Nguyen was personally served with the Commission's Findings of Fact, Conclusions of Law, and Order of Summary Suspension that was issued in his case. On August 20, 2015, the Commission received Mr. Nguyen's application for a Stay Hearing as to the Order of Summary Suspension and his request for an Administrative Hearing on his revocation proceedings. On August 27, 2015, a stay hearing was conducted in his case. On September 3, 2015, Administrative Law Judge Lisa N.W. Dublin issued an Order Denying Request For Stay in Mr. Nguyen's case.

III.

The following summary of facts and violations were alleged in the Order of Summary Suspension:

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**SUMMARY:**

On July 6, 2015, Licensee Thuc H. Nguyen was arrested by the Tukwila Police Department for allegedly assaulting his girlfriend at the Macau Casino in Tukwila, Washington. On July 7, 2015, the Prosecuting Attorney for the City of Tukwila charged Mr. Nguyen with the crime of Assault in the Fourth Degree, Domestic Violence. Mr. Nguyen denies the allegations. As of the signing of this settlement order that case is still pending resolution.

**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 certified employee, 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.

(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

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<sup>1</sup> RCW 9.46.075(4) includes the following offenses: "...forgery, larceny, extortion, conspiracy to defraud, willful 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."

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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.)

(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.

Thuc H. Nguyen was arrested by the Tukwila Police Department at the Macau Casino in Tukwila for allegedly assaulting his girlfriend. He was charged with Assault in the Fourth Degree, Domestic Violence in Tukwila Municipal Court on July 7, 2015. As a result, the Licensee may be unable to prove by clear and convincing evidence that he is qualified to hold a license, in violation of RCW 9.46.153(1). If the allegations against the Licensee were proven, there would be grounds for revocation of his license pursuant to RCW 9.46.075(1), (8), and (9), and WAC 230-03-085(1), and (8).

IV.

Licensee Thuc Nguyen has waived his right to an administrative hearing based on the terms and conditions of this Settlement Order and further agrees to the following:

1) Thuc Nguyen, without admitting to any wrongdoing, shall surrender his Card Room Employee license effective October 31, 2015. After that date, he will not be authorized to conduct Card Room Employee activity unless and until he is licensed, certified, or otherwise approved by the Washington State Gambling Commission to do so.

2) In the event that Thuc Nguyen applies in the future for certification or a gambling license, he will be subject to all of the Commission's investigative procedures for processing such application. Furthermore, no promises or assurances have been made to Thuc Nguyen that he will receive a certification or license from the Commission should he apply.

3) Unless licensed, certified or otherwise approved by the Washington State Gambling Commission, Thuc Nguyen agrees that he shall have no involvement, either paid or unpaid, in

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the ownership, operation, or financing of any activity regulated by the Washington State Gambling Commission. This prohibition does not prevent Mr. Nguyen from working in non-gambling related employment at an establishment engaged in authorized gambling activities.

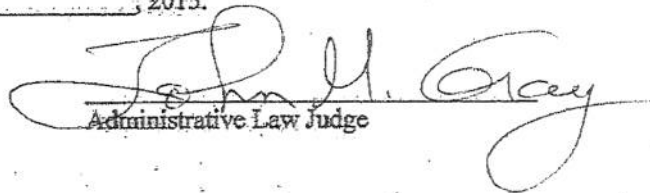
4) The signed Settlement Order must be received by Commission staff no later than October 20, 2015. It should be mailed to Commission Headquarters at the following address:

Washington State Gambling Commission  
Attention: Hollee Arrona  
P.O. Box 42400  
Olympia, WA 98504-2400

Or delivered (in person or via private courier) to the following address:


Washington State Gambling Commission  
Attention: Hollee Arrona  
4565 7<sup>th</sup> Avenue SE, Third Floor  
Lacey, WA 98503


DATED this 21<sup>st</sup> day of oct, 2015.


  
Administrative Law Judge

By his signature, the Licensee understands and agrees to the terms and conditions of this Order.

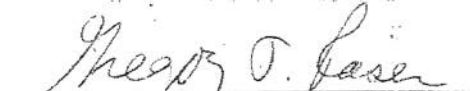
APPROVED FOR ENTRY:

  
Thuc H. Nguyen, (Date) 10/19/15  
Licensee

  
Justin Elsner, WSBA # 39251 (Date) 10/19/15  
Attorney Representing Thuc Nguyen

  
Amy Hunter, #23773  
Deputy Director  
Washington State Gambling Commission

APPROVED AS TO FORM:

  
Gregory J. Rosen, WSBA# 15870  
Assistant Attorney General,  
Representing Washington State  
Gambling Commission Staff

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