



Meeting Minutes

Date/Time: May 8, 2014 – 1:00 p.m.

Place: Boston Convention and Exhibition Center
415 Summer Street, Room 151
Boston, Massachusetts

Present: Commissioner Stephen P. Crosby, Chairman
Commissioner Gayle Cameron
Commissioner James F. McHugh
Commissioner Bruce Stebbins
Commissioner Enrique Zuniga

Absent: None

Clicking on the time posted in the margin will link directly to the appropriate section of the video.

Call to Order

See transcript pages 2-4.

1:07 p.m. Chairman Crosby opened the 120th public meeting.

1:07 p.m. Chairman Crosby stated that he would recuse himself from all future decisions relative to Region A.

1:09 p.m. Chairman Crosby left the meeting. The Commission took a brief recess.

Wynn Petition for Failure to Participate

See transcript pages 5-24.

1:19 p.m. General Counsel Blue introduced Wynn's petition alleging the City of Somerville's failure to participate in the arbitration process and the City of Somerville's response to that petition. The Commission discussed the petition.

1:37 p.m. *Motion made by Commissioner McHugh that the Commission deny, for the reasons set out in the discussion just had, the petition of Wynn alleging that Somerville has failed to participate in surrounding community arbitration. Motion seconded by*

Commissioner Cameron. The motion passed 3-1 with Commissioners McHugh, Cameron, and Stebbins voting aye and Commissioner Zuniga voting nay.

1:38 p.m. *Motion made by Commissioner Stebbins that the Commission grant to the Commission's General Counsel the authority to appoint a third arbitrator if within a five-day window Wynn and Somerville cannot agree on a third arbitrator. Motion seconded by Commissioner Zuniga. The motion passed unanimously by a 4-0 vote.*

Flexible 14 Update

See transcript pages 24-28.

1:40 p.m. Ombudsman Ziemba presented an update on the Commissions use of the flexible 14 days to extend the arbitration process and requested additional flexibility in allocating the 14 days within the schedule.

1:43 p.m. *Motion made by Commissioner Cameron that the Commission accept the changes outlined in the memo by Ombudsman Ziemba and General Counsel Blue, as amended on May 8. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 4-0 vote.*

Premises of the Gaming Establishment

See transcript pages 28-185.

1:44 p.m. Commissioner McHugh introduced the discussion to determine the premises of the gaming establishment for Mohegan Sun Massachusetts and Wynn MA.

1:56 p.m. Mr. O'Flaherty and Mr. Frongillo, on behalf of the City of Boston, presented the City's comments relative to the premises of the gaming establishment proposed by Mohegan Sun MA and responded to the Commission's questions.

2:17 p.m. Kevin Conroy, Charlie Baker, David Rome, and Bruce Barnett, on behalf of Mohegan Sun MA, presented the applicant's comments relative to the premises of the gaming establishment proposed by Mohegan Sun MA and responded to the Commission's questions.

2:34 p.m. Brian Falk, representing the City of Revere, presented the City's comments relative to the premises of the gaming establishment proposed by Mohegan Sun MA.

2:37 p.m. Celeste Meyers and Matthew Cameron, on behalf of No Eastie Casino, presented the organization's comments relative to the premises of the gaming establishment proposed by Mohegan Sun Massachusetts and responded to the Commission's questions.

2:48 p.m. The Commission took a brief recess.

- 2:57 p.m. Mr. O'Flaherty and Mr. Frongillo, on behalf of the City of Boston, presented the City's comments relative to the premises of the gaming establishment proposed by Wynn MA and responded to the Commission's questions.
- 3:36 p.m. Celeste Meyers and Matthew Cameron, on behalf of No Eastie Casino, presented the organization's comments relative to the premises of the gaming establishment proposed by Wynn MA and responded to the Commission's questions.
- 3:45 p.m. Commissioner McHugh provided his comments relative to the process.
- 3:47 p.m. Samuel Starr, William Weld, Robert DeSalvio, Dan Gaquin, and Jennifer McCarthy, on behalf of Wynn MA, presented the applicants comments relative to the premises of the gaming establishment proposed by Wynn MA and responded to the Commission's questions.
- 4:32 p.m. The Commission discussed the process for making a decision on the premises of the gaming establishments proposed by Mohegan Sun Massachusetts and Wynn MA.
- 4:37 p.m. The Commission took a brief recess.
- 4:47 p.m. Wynn MA and Mohegan Sun Massachusetts waived the opportunity to file additional briefs based on the new materials presented at the meeting.
- 4:49 p.m. The Commission discussed the premises of the gaming establishment proposed by Mohegan Sun Massachusetts and agreed that the proposed gaming establishment is entirely within the City of Revere.
- 5:02 p.m. The Commission discussed the premises of the gaming establishment proposed by Wynn MA and agreed that the proposed gaming establishment is entirely within the City of Everett.
- 5:14 p.m. *Motion made by Commissioner Cameron that the Commission approve the decision in principle relative to the premises of the gaming establishment for Mohegan Sun Massachusetts and Wynn MA. Motion seconded by Commissioner Stebbins. The motion passed unanimously by a 4-0 vote.*
- 5:15 p.m. Meeting adjourned.

List of Documents and Other Items Used

1. Massachusetts Gaming Commission May 8, 2014 Notice of Meeting and Agenda
2. May 1, 2014 Mintz Levin Letter Regarding City of Somerville, MA and Wynn MA, LLC, Surrounding Community Arbitration with Enclosures
3. Massachusetts Gaming Commission April 18, 2014 Memorandum as amended May 8, 2014 Regarding Region A Arbitration Extension Requests

4. Submitted Briefs and Responses Regarding Determination of the Premises of the Gaming Establishment

/s/ Catherine Blue
Catherine Blue
Assistant Secretary