

RECEIVED/FILED

MAR 2 2010

NEVADA GAMING COMMISSION
CARSON CITY, NEVADA

1 NGC 09-15

2
3
4 STATE OF NEVADA

5 BEFORE THE NEVADA GAMING COMMISSION

6
7 STATE GAMING CONTROL BOARD,

8 Complainant,

9 vs.

COMPLAINT

10 M & M POCKET CHANGE, INC.,
11 dba POCKET CHANGE,

12 and

13 SALAM MATTI RAZUKI,

Respondents.

14 The State of Nevada, on relation of its State Gaming Control Board (BOARD),
15 Complainant herein, by and through its counsel, CATHERINE CORTEZ MASTO, Attorney
16 General, and MICHAEL P. SOMPS, Senior Deputy Attorney General, hereby files this
17 Complaint for disciplinary action against Respondents pursuant to Nevada Revised Statute
18 (NRS) 463.310(2) and alleges as follows:

19 1. Complainant, BOARD, is an administrative agency of the State of Nevada duly
20 organized and existing under and by virtue of chapter 463 of NRS and is charged with the
21 administration and enforcement of the gaming laws of this state as set forth in Title 41 of NRS
22 and the Regulations of the Nevada Gaming Commission.

23 2. Respondent, M & M POCKET CHANGE, INC., dba POCKET CHANGE (POCKET
24 CHANGE), is located at 5020 East Tropicana Avenue, No. A2, Las Vegas, Nevada 89122
25 and holds a restricted gaming license in Nevada. Respondent, SALAM MATTI RAZUKI, is
26 licensed or found suitable as the president, and as a director and a shareholder, of POCKET
27 CHANGE.

28

Office of the Attorney General
Gaming Division
5420 Kietzke Lane, Suite 202
Reno, Nevada 89511

RELEVANT LAW

3. The Nevada Legislature has declared under NRS 463.0129(1) that:

(a) The gaming industry is vitally important to the economy of the State and the general welfare of the inhabitants.

(b) The continued growth and success of gaming is dependent upon public confidence and trust that licensed gaming and the manufacture, sale and distribution of gaming devices and associated equipment are conducted honestly and competitively, that establishments which hold restricted and nonrestricted licenses where gaming is conducted and where gambling devices are operated do not unduly impact the quality of life enjoyed by residents of the surrounding neighborhoods, that the rights of the creditors of licensees are protected and that gaming is free from criminal and corruptive elements.

(c) Public confidence and trust can only be maintained by strict regulation of all persons, locations, practices, associations and activities related to the operation of licensed gaming establishments, the manufacture, sale or distribution of gaming devices and associated equipment and the operation of inter-casino linked systems.

NRS 463.0129(1)(a), (b) and (c).

4. The Nevada Gaming Commission has full and absolute power and authority to limit, condition, restrict, revoke or suspend any license, or fine any person licensed, for any cause deemed reasonable. See NRS 463.1405(4).

5. The BOARD is authorized to observe the conduct of licensees in order to ensure that the gaming operations are not being conducted in an unsuitable manner. See NRS 463.1405(1).

6. This continuing obligation is repeated in Nevada Gaming Commission Regulation 5.040, which provides as follows:

A gaming license is a revocable privilege, and no holder thereof shall be deemed to have acquired any vested rights therein or thereunder. The burden of proving his qualifications to hold any license rests at all times on the licensee. The board is charged by law with the duty of observing the conduct of all licensees to the end that licenses shall not be held by unqualified or disqualified persons or unsuitable persons or persons whose operations are conducted in an unsuitable manner.

Nev. Gaming Comm'n Reg. 5.040.

1 7. Nevada Gaming Commission Regulation 5.010(2) further provides that
2 "[r]esponsibility for the employment and maintenance of suitable methods of operation rests
3 with the licensee, and willful or persistent use or toleration of methods of operation deemed
4 unsuitable will constitute grounds for license revocation or other disciplinary action."

5 8. Nevada Gaming Commission Regulation 5.011 states, in relevant part, as follows:

6 The board and the commission deem any activity on the
7 part of any licensee, his agents or employees, that is inimical to the
8 public health, safety, morals, good order and general welfare of the
9 people of the State of Nevada, or that would reflect or tend to
10 reflect discredit upon the State of Nevada or the gaming industry,
11 to be an unsuitable method of operation and shall be grounds for
12 disciplinary action by the board and the commission in accordance
13 with the Nevada Gaming Control Act and the regulations of the
14 board and the commission. Without limiting the generality of the
15 foregoing, the following acts or omissions may be determined to be
16 unsuitable methods of operation:

17 1. Failure to exercise discretion and sound judgment to
18 prevent incidents which might reflect on the repute of the State of
19 Nevada and act as a detriment to the development of the industry.

20

21 8. Failure to comply with or make provision for compliance
22 with all federal, state and local laws and regulations pertaining to
23 the operations of a licensed establishment . . .

24

25 Nev. Gaming Comm'n Regs. 5.011(1), and (8).

26 9. Nevada Gaming Commission Regulation 5.030 provides as follows:

27 ***Violation of any provision of the Nevada Gaming***
28 ***Control Act or of these regulations by a licensee***, his agent or
employee ***shall be deemed*** contrary to the public health, safety,
morals, good order and general welfare of the inhabitants of the
State of Nevada and ***grounds for suspension or revocation of a***
license. Acceptance of a state gaming license or renewal thereof
by a licensee constitutes an agreement on the part of the licensee
to be bound by all of the regulations of the commission as the
same now are or may hereafter be amended or promulgated. ***It is***
the responsibility of the licensee to keep himself informed of
the content of all such regulations, and ignorance thereof will
not excuse violations.

29 Nev. Gaming Comm'n Reg. 5.030 (emphasis added).

30

1 10. NRS 463.310(4)(d)(2) states in relevant part that the Commission may:

2 (d) Fine each person or entity or both, who was licensed,
3 registered or found suitable pursuant to this chapter or chapter 464
4 of NRS or who previously obtained approval for any act or
5 transaction for which Commission approval was required or
6 permitted under the provisions of this chapter or chapter 464 of
7 NRS:

8

9 (2) Except as otherwise provided in subparagraph (1) of
10 this paragraph, not more than \$100,000 for each separate violation
11 of the provisions of this chapter or chapter 464 or 465 of NRS or of
12 the regulations of the Commission which is the subject of an initial
13 complaint and not more than \$250,000 for each separate violation
14 of the provisions of this chapter or chapter 464 or 465 of NRS or of
15 the regulations of the Commission which is the subject of any
16 subsequent complaint.

17

18 NRS 463.310(4)(d)(2).

19 **BACKGROUND**

20 11. On December 18, 2008, the Nevada Gaming Commission (Commission) granted a
21 restricted gaming license to POCKET CHANGE.

22 12. At the time of the licensure of POCKET CHANGE, the Commission placed a "key
23 employee" condition on the license as follows: "A key employee application must be filed
24 within 60 days of issuance of the state gaming license, and thereafter be refiled within 60 days
25 of any change in the person occupying that position."

26 13. The restricted license for POCKET CHANGE was issued on June 1, 2009.

27 14. Within the 60 days after the issuance of POCKET CHANGE's license, POCKET
28 CHANGE had not filed a key employee application as required by its license condition.

15. On August 3, 2009, the BOARD sent a letter to Mr. RAZUKI requesting that a key
employee application be filed.

16. On September 2, 2009, the BOARD sent a second letter to Mr. RAZUKI requesting
that a key employee application be filed.

. . . .

1 17. On October 2, 2009, the BOARD sent a third letter by certified mail to Mr. RAZUKI
2 requesting that a key employee application be filed.

3 18. To date, POCKET CHANGE has not filed a key employee application.

4 **COUNT ONE**

5 **NEV. GAMING COMM'N REGS. 5.011(1) and 5.011(8)**

6 19. Complainant BOARD realleges and incorporates by reference as though set forth
7 in full herein paragraphs 1 through 18 above.

8 20. Respondents failed to file a key employee application within 60 days of issuance of
9 POCKET CHANGE's state gaming license.

10 21. Respondents failed to comply with the "key employee" condition placed on
11 POCKET CHANGE's license.

12 22. The failure of Respondents to comply with the "key employee" condition placed on
13 POCKET CHANGE's license constitutes a violation of Nev. Gaming Comm'n Reg. 5.011(1)
14 and (8).

15 23. Respondents' failure to comply with Nev. Gaming Comm'n Regs. 5.011(1) and (8)
16 is an unsuitable method of operation and is grounds for disciplinary action. See Nev. Gaming
17 Comm'n Regs. 5.010(2) and 5.030.

18 WHEREFORE, based upon the allegations contained herein which constitute
19 reasonable cause for disciplinary action against Respondents, pursuant to NRS 463.310, and
20 Nevada Gaming Commission Regulations 5.010, 5.011 and 5.030 the STATE GAMING
21 CONTROL BOARD prays for the relief as follows:

22 1. That the Nevada Gaming Commission serve a copy of this Complaint on
23 Respondents pursuant to NRS 463.312(2);

24 2. That the Nevada Gaming Commission fine Respondents a monetary sum pursuant
25 to the parameters defined at NRS 463.310(4) for each separate violation of the provisions of
26 the Nevada Gaming Control Act or the Regulations of the Nevada Gaming Commission;

27 3. That the Nevada Gaming Commission take action against Respondents' license or
28 licenses pursuant to the parameters defined in NRS 463.310(4); and

1 4. For such other and further relief as the Nevada Gaming Commission may deem just
2 and proper.

3 DATED this 30th day of March, 2010.

4 STATE GAMING CONTROL BOARD

5 

6 DENNIS K. NEILANDER, Chairman

7 

8 RANDALL E. SAYRE, Member

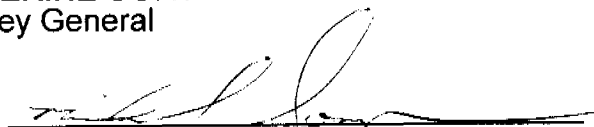
9 

10 MARK A. LIPPARELLI, Member

11 Submitted by:

12 CATHERINE CORTEZ MASTO
13 Attorney General

14 By:


15 MICHAEL P. SOMPS
16 Senior Deputy Attorney General
17 Gaming Division
18 (775) 850-4152