



1 Case No. NGC 20-11

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STATE OF NEVADA
BEFORE THE NEVADA GAMING COMMISSION

NEVADA GAMING CONTROL BOARD,

Complainant,

vs.

SSM GAMING, LLC, dba SSM GAMING,

Respondent.

STIPULATION FOR SETTLEMENT
AND ORDER

The State of Nevada, on relation of its NEVADA GAMING CONTROL BOARD (BOARD), Complainant herein, filed and served a Complaint, NGC Case No. 20-11, against the above-captioned RESPONDENT alleging certain violations of the Nevada Gaming Control Act and Regulations of the Nevada Gaming Commission (Commission).

IT IS HEREBY STIPULATED AND AGREED to by the BOARD and RESPONDENT that the Complaint, NGC Case No. 20-11, filed against RESPONDENT in the above-entitled case, shall be settled on the following terms and conditions:

1. RESPONDENT admits each and every allegation set forth in the Complaint, NGC Case No. 20-11.
2. RESPONDENT fully understands and voluntarily waives the right to a public hearing on the charges and allegations set forth in the Complaint, the right to present and cross-examine witnesses, the right to a written decision on the merits of the Complaint, which must contain findings of fact and a determination of the issues presented, and the right to obtain judicial review of the Nevada Gaming Commission's decision.
3. RESPONDENT agrees to pay a fine of FIVE THOUSAND DOLLARS (\$5,000.00), electronically transferred to the *State of Nevada-Nevada Gaming*

1 *Commission* on or before the date this Stipulation for Settlement is accepted by the
2 Commission. Interest on the fine shall accrue in accordance with Nevada Revised Statute
3 (NRS) 17.130 on any unpaid balance computed from the date payment is due until
4 payment is made in full.

5 4. Based on the Complaint, RESPONDENT wishes to state the following with
6 regard to the mitigating steps it will take to attempt to prevent recurrences of gaming
7 employee registration issues: (1) RESPONDENT will hire an outside consultant to
8 periodically audit RESPONDENT for compliance with gaming employee registration
9 requirements; (2) RESPONDENT will amend its policies and procedures internally to
10 ensure proper checks on employee registrations and requirements for proper submission
11 of employee status changes; and (3) RESPONDENT will train its current staff on
12 complying with regulatory requirements regarding gaming employee registrations and
13 changes to employment.

14 5. In consideration for the execution of this Stipulation for Settlement,
15 RESPONDENT, for itself, its heirs, executors, administrators, successors, and assigns,
16 hereby releases and forever discharges the State of Nevada, the Commission, the BOARD,
17 the Nevada Attorney General and each of their members, agents, and employees in their
18 individual and representative capacities, from any and all manner of actions, causes of
19 action, suits, debts, judgments, executions, claims, and demands whatsoever known or
20 unknown, in law and equity, that RESPONDENT ever had, now has, may have, or claims
21 to have against any and all of the persons or entities named in this paragraph arising out
22 of, or by reason of, the investigation of the allegations in the Complaint and this
23 disciplinary action, NGC Case No. 20-11, or any other matter relating thereto.

24 6. In consideration for the execution of this Stipulation for Settlement,
25 RESPONDENT hereby indemnifies and holds harmless the State of Nevada, the
26 Commission, the BOARD, the Nevada Attorney General, and each of their members,
27 agents, and employees in their individual and representative capacities against any and
28 all claims, suits and actions, brought against the persons named in this paragraph by

1 reason of the investigation of the allegations in the Complaint, filed in this disciplinary
2 action, NGC Case No. 20-11, and all other matters relating thereto, and against any and
3 all expenses, damages, charges and costs, including court costs and attorney fees, which
4 may be sustained by the persons and entities named in this paragraph as a result of said
5 claims, suits and actions.

6 7. RESPONDENT enters into this Stipulation for Settlement freely and
7 voluntarily and acknowledges that RESPONDENT had an opportunity to consult with
8 counsel prior to entering into this Stipulation for Settlement. RESPONDENT further
9 acknowledges that this Stipulation for Settlement is not the product of force, threats, or
10 any other form of coercion or duress, but is the product of discussions between
11 RESPONDENT and the attorney for the BOARD.

12 8. RESPONDENT and the BOARD acknowledge that this Stipulation for
13 Settlement is made to avoid litigation and economize resources. The parties agree and
14 understand that this Stipulation for Settlement is intended to operate as full and final
15 settlement of the Complaint filed against RESPONDENT in the above-entitled
16 disciplinary case, NGC Case No. 20-11.

17 9. RESPONDENT affirmatively represents that if RESPONDENT, this
18 Stipulation for Settlement and Order, and/or any amounts distributed under this
19 Stipulation for Settlement and Order are subject to, or will become subject to, the
20 jurisdiction of any bankruptcy court, the bankruptcy court's approval is not necessary for
21 this Stipulation for Settlement and Order to become effective, or that the bankruptcy
22 court has already approved this Stipulation for Settlement and Order.

23 10. RESPONDENT and the BOARD recognize and agree that the Nevada
24 Gaming Commission has the sole and absolute discretion to determine whether to accept
25 this Stipulation for Settlement. RESPONDENT and the BOARD hereby waive any right
26 they may have to challenge the impartiality of the Nevada Gaming Commission to hear
27 the above-entitled case on the matters embraced in the Complaint if the Nevada Gaming
28 Commission determines not to accept this Stipulation for Settlement. If the Nevada

1 Gaming Commission does not accept the Stipulation for Settlement, it shall be withdrawn
2 as null and void and RESPONDENT's admissions, if any, that certain violations of the
3 Nevada Gaming Control Act and the Regulations of the Nevada Gaming Commission
4 occurred shall be withdrawn.

5 11. RESPONDENT and the BOARD agree and understand that this Stipulation
6 for Settlement is intended to operate as full and final settlement of the Complaint filed in
7 NGC Case No. 20-11. The parties further agree and understand that any oral
8 representations are superseded by this Stipulation for Settlement and that only those
9 terms memorialized in writing herein shall be effective.

10 12. RESPONDENT agrees and understands that although this Stipulation for
11 Settlement, if approved by the Commission, will settle the Complaint filed in NGC Case
12 No. 20-11, that the allegations contained in the Complaint filed in NGC Case No. 20-11
13 and the terms of this Stipulation for Settlement may be considered by the BOARD and/or
14 the Commission, with regards to any and all applications by RESPONDENT that are
15 currently pending before the BOARD or the Commission, or that are filed in the future
16 with the BOARD.

17 13. RESPONDENT and the BOARD shall each bear their own costs incurred in
18 this disciplinary action, NGC Case No. 20-11.

19 14. RESPONDENT, by executing this Stipulation for Settlement, affirmatively
20 waives all notices required by law for this matter including, but not limited to, notices
21 concerning consideration of the character or misconduct of a person (NRS 241.033),
22 notices concerning consideration of administrative action against a person (NRS 241.034),
23 and notices concerning hearings before the Commission (NRS 463.312). Regardless of the
24 waiver of legal notice requirements, the BOARD and Commission will provide reasonable
25 notice of the time and place of the hearing. Further, in negotiating this Stipulation for
26 Settlement, RESPONDENT acknowledges that the BOARD has provided RESPONDENT
27 with the date and time of the Commission hearing during which the BOARD anticipates
28 the Commission will consider approving this settlement.

1 15. This Stipulation for Settlement shall become effective immediately upon
2 approval by the Nevada Gaming Commission.

3 DATED this 14th day of October, 2020.

4 SSM GAMING, LLC
5 dba SSM GAMING

6 _____
7 RENALDO MILAN TIBERTI
8 Owner/Manager

9 MCDONALD CARANO

10 _____
11 A.G. BURNETT
12 Attorney for Respondent

NEVADA GAMING CONTROL BOARD

13 _____
14 SANDRA MORGAN, Chairwoman

15 _____
16 TERRY JOHNSON, Member

17 _____
18 PHILIP KATSAROS, Member

Submitted by:

19 AARON D. FORD
20 Attorney General

21 By _____
22 JOHN S. MICHELA
23 Senior Deputy Attorney General
24 Gaming Division
25 5420 Kietzke Lane, Suite 202
26 Reno, Nevada 89511
27 Telephone: (775) 687-2118
28 *Attorneys for Nevada Gaming Control Board*

ORDER

IT IS SO ORDERED in NGC Case No. 20-11.

DATED this _____ day of _____, 2020.

NEVADA GAMING COMMISSION

JOHN T. MORAN, JR., Chairman

