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**STATE OF NEVADA**

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**BEFORE THE NEVADA GAMING COMMISSION**

6

STATE GAMING CONTROL BOARD,

7

Complainant,

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v.

**COMPLAINT**

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ULTRA NEW TOWN TAVERN, INC.; dba  
ULTRA NEW TOWN TAVERN; and TARRA  
LORRAINE GREEN JACKSON,

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LORRAINE GREEN JACKSON,

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Respondents.

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The State of Nevada, on relation of its STATE GAMING CONTROL BOARD (BOARD), Complainant herein, by and through its counsel, CATHERINE CORTEZ MASTO, Attorney General, by JOHN S. MICHELA, Senior Deputy Attorney General, hereby files this Complaint for disciplinary action against ULTRA NEW TOWN TAVERN, INC., doing business as ULTRA NEW TOWN TAVERN; and TARRA LORRAINE GREEN JACKSON (individually referred to as JACKSON; collectively referred to as RESPONDENTS) pursuant to Nevada Revised Statute (NRS) 463.310(2) and alleges as follows:

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**JURISDICTION**

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

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2. Respondent, ULTRA NEW TOWN TAVERN, INC., dba ULTRA NEW TOWN TAVERN (sometimes "NEW TOWN") located at 600 West Jackson Avenue, Las Vegas, Nevada, is organized under the laws of the State of Nevada and holds a Group II nonrestricted gaming license.

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1 persons or unsuitable persons or persons whose operations are  
2 conducted in an unsuitable manner.

3 Nev. Gaming Comm'n Reg. 5.040.

4 8. Nevada Gaming Commission Regulation 5.010 provides as follows:

5 1. It is the policy of the commission and the board to require  
6 that all establishments wherein gaming is conducted in this state be  
7 operated in a manner suitable to protect the public health, safety,  
8 morals, good order and general welfare of the inhabitants of the  
9 State of Nevada.

10 2. Responsibility for the employment and maintenance of  
11 suitable methods of operation rests with the licensee, and willful or  
12 persistent use or toleration of methods of operation deemed  
13 unsuitable will constitute grounds for license revocation or other  
14 disciplinary action.

15 Nev. Gaming Comm'n Reg. 5.010.

16 9. Nevada Gaming Commission Regulation 5.011 states, in relevant part, as follows:

17 The board and the commission deem any activity on the part  
18 of any licensee, his agents or employees, that is inimical to the  
19 public health, safety, morals, good order and general welfare of the  
20 people of the State of Nevada, or that would reflect or tend to  
21 reflect discredit upon the State of Nevada or the gaming industry, to  
22 be an unsuitable method of operation and shall be grounds for  
23 disciplinary action by the board and the commission in accordance  
24 with the Nevada Gaming Control Act and the regulations of the  
25 board and the commission. Without limiting the generality of the  
26 foregoing, the following acts or omissions may be determined to be  
27 unsuitable methods of operation:

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

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8. Failure to comply with or make provision for compliance  
with all federal, state and local laws and regulations pertaining to  
the operations of a licensed establishment including, without  
limiting the generality of the foregoing, payment of all license fees,  
withholding any payroll taxes, liquor and entertainment taxes and  
antitrust and monopoly statutes.

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10. Failure to conduct gaming operations in accordance with  
proper standards of custom, decorum and decency, or permit any

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type of conduct in the gaming establishment which reflects or tends to reflect on the reput of the State of Nevada and act as a detriment to the gaming industry.

Nev. Gaming Comm'n Reg. 5.011 (1), (8), and (10).

10. NRS 463.170 provides, in relevant part:

2. An application to receive a license or be found suitable must not be granted unless the Commission is satisfied that the applicant is:  
(a) A person of good character, honesty and integrity;

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8. Any person granted a license or found suitable by the Commission shall continue to meet the applicable standards and qualifications setforth in this section and any other qualifications established by the Commission by regulation. The failure to continue to meet such standards and qualifications constitutes grounds for disciplinary action.

NRS 463.170 (2)(a) and (8).

11. NRS 463.335 provides, in relevant part:

2. A person may not be employed as a gaming employee unless the person is temporarily registered or registered as a gaming employee pursuant to this section. An applicant for registration or renewal of registration as a gaming employee must file an application for registration or renewal of registration with the Board. Whenever a registered gaming employee, whose registration has not expired, has not been objected to by the Board, or has not been suspended or revoked becomes employed as a gaming employee at another or additional gaming establishment, the registered gaming employee must file a change of employment notice within 10 calendar days with the Board. The application for registration and change of employment notice must be filed through the licensee for whom the applicant will commence or continue working as a gaming employee, unless otherwise filed with the Board as prescribed by regulation of the Commission.

3. The Board shall prescribe the forms for the application for registration as a gaming employee and the change of employment notice.

4. A complete application for registration or renewal of registration as a gaming employee or a change of employment notice received by a licensee must be mailed or delivered to the Board within 5 business days after receipt unless the date is administratively extended by the Chairman of the Board for good cause. A licensee is not responsible for the accuracy or completeness of any application for registration or renewal of registration as a gaming employee or any change of employment notice.

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1 7. Except as otherwise prescribed by regulation of the  
2 Commission, an applicant for registration or renewal of registration  
3 as a gaming employee is deemed temporarily registered as a  
4 gaming employee as of the date a complete application of  
5 registration or renewal of registration is submitted to the licensee  
6 for which he will commence or continue working as a gaming  
7 employee. Unless objected to by the Board or suspended or  
8 revoked, the initial registration of an applicant as a gaming  
9 employee expires 5 years after the date employment commences  
10 with the applicable licensee. Any subsequent renewal of  
11 registration as a gaming employee, unless objected to by the Board  
12 or suspended or revoked, expires 5 years after the expiration date  
13 of the most recent registration or renewal of registration of the  
14 gaming employee.

15 NRS 463.335 (2), (3), (4) and (7).

16 12. Nevada Gaming Commission Regulation 5.100 provides as follows:

17 As used in Regulations 5.100 to 5.109, inclusive:

18 1. "Applicant" means a person who has submitted an  
19 application for registration or renewal of registration as a gaming  
20 employee and, unless otherwise indicated, also means a person  
21 who has filed a change of employment notice.

22 2. "Application for registration" means an application  
23 package containing all the components of a complete application  
24 for registration or renewal of registration as a gaming employee  
25 consisting of:

26 (a) The form for application;

27 (b) Two sets of fingerprints of the applicant or, if  
28 applicable, proof that the applicant's fingerprints were  
submitted electronically or by another means to the Central  
Repository for Nevada Records of Criminal History;

(c) The fee or a voucher guaranteeing payment of  
the fee for processing the application for registration; and

(d) The statement prescribed in subsections 1 and 2  
of NRS 463.3351.

Unless otherwise indicated, an "application for registration" also  
means the change of employment notice prescribed by the board.

3. "Form for application" means the application form  
prescribed by the board for registration or renewal of registration  
as a gaming employee and, unless otherwise indicated, also  
means the change of employment notice form prescribed by the  
board.

29 Nev. Gaming Comm'n Reg. 5.100.

30 13. Nevada Gaming Commission Regulation 5.105 provides, in relevant part, as  
31 follows:

32 12. On or before the fifteenth (15<sup>th</sup>) day of the ensuing  
33 month after a calendar quarter, each licensee shall submit a  
34 written report to the board containing the name, social security  
35 number, position held, and date of termination or separation of all

gaming employees terminated or separated from service within the preceding quarter.

Nev. Gaming Comm'n Reg. 5.105 (12).

14. Nevada Gaming Commission Regulation 5.160(6) provides that

Except as otherwise provided in subsections 8 and 9, each licensee shall install, maintain and operate a casino surveillance system in accordance with the casino surveillance standards adopted by the chairman. The failure of a licensee to comply with this section and the casino surveillance standards adopted by the chairman or any variation to the casino surveillance standards approved pursuant to subsection 8 is an unsuitable method of operation.

Nevada Gaming Commission Regulation 5.160(6).

15. Surveillance Standard 1.020 provides in relevant part that:

For purposes of these standards, licensees are categorized as follows based on annual gross gaming revenue during the preceding calendar year:

Category A--\$40 million or more.

Category B--\$15 million or more, but less than \$40 million.

Category C--\$3 million or more, but less than \$15 million.

Category D--Less than \$3 million.

Surveillance Standard 1.020.

16. Surveillance Standard 2.010(9) provides:

For all category "C" and "D" licensees, there must be at least one person on the property at all times with a working knowledge and the ability to operate the surveillance equipment, and who can provide immediate access to the secured location to board agents.

Surveillance Standard 2.010(9).

17. Surveillance Standard 11 provides in relevant part that:

2. All DVR equipment and systems used by a licensee in their surveillance system to comply with the requirements of the Surveillance Standards, shall:

(a) Be capable of recording and thereafter, being viewed, at a minimum of 30 images per second, full screen, in real time.

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(d) Have a failure notification system that provides an audible, as well as a visual notification of any failure in the surveillance system or the DVR media storage system.

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9. A licensee shall immediately provide written notification to the Enforcement Division if any portion of their surveillance system is changed from an analog to a DVR format, setting forth what the change will be, when the change will occur, and how the change will affect their surveillance system as a whole.

Surveillance Standards 11(2)(a), (d) and (9).

18. Nevada Revised Statute 463.1405 provides in relevant part:

4. The Commission has full and absolute power and authority to deny any application or limit, condition, restrict, revoke or suspend any license, registration, finding of suitability or approval, or fine any person licensed, registered, found suitable or approved, for any cause deemed reasonable by the Commission.

NRS 463.1405(4).

19. Nevada Revised Statute 463.220 provides in relevant part:

3. The Commission may limit or place such conditions as it may deem necessary in the public interest upon any registration, finding of suitability or approval for which application has been made.

NRS 463.220(3).

20. Nevada Gaming Commission Regulation 3.100 states, in relevant part, as follows:

All nonrestricted licensees, including each manufacturer, distributor, service provider, operator of a slot machine route, of a mobile gaming system, of interactive gaming, or of an inter-casino linked system, and each pari-mutuel systems operator shall submit an employee report to the board two times yearly within 30 days after March 31st and within 30 days after September 30th.

Nev. Gaming Comm'n Reg. 3.100(2).

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1           21. Nevada Revised Statute 78.150 provides as follows:

2                   1. A corporation organized pursuant to the laws of this State  
3 shall, on or before the last day of the first month after the filing of its  
4 articles of incorporation with the Secretary of State, file with the  
5 Secretary of State a list, on a form furnished by the Secretary of  
6 State, containing:

7                           (a) The name of the corporation;

8                           (b) The file number of the corporation, if known;

9                           (c) The names and titles of the president, secretary  
10 and treasurer, or the equivalent thereof, and of all the  
11 directors of the corporation;

12                           (d) The address, either residence or business, of  
13 each officer and director listed, following the name of the  
14 officer or director;

15                           (e) The information required pursuant to NRS 77.310;  
16 and

17                           (f) The signature of an officer of the corporation  
18 certifying that the list is true, complete and accurate.

19           2. The corporation shall annually thereafter, on or before the  
20 last day of the month in which the anniversary date of incorporation  
21 occurs in each year, file with the Secretary of State, on a form  
22 furnished by the Secretary of State, an annual list containing all of  
23 the information required in subsection 1.

24           3. Each list required by subsection 1 or 2 must be  
25 accompanied by:

26                           (a) A declaration under penalty of perjury that the  
27 corporation:

28                                   (1) Has complied with the provisions of  
chapter 76 of NRS; and

                                  (2) Acknowledges that pursuant to NRS  
239.330, it is a category C felony to knowingly offer  
any false or forged instrument for filing with the Office  
of the Secretary of State.

                                  (b) A statement as to whether the corporation is a  
publicly traded company. If the corporation is a publicly  
traded company, the corporation must list its Central Index  
Key. The Secretary of State shall include on the Secretary of  
State's Internet website the Central Index Key of a  
corporation provided pursuant to this paragraph and  
instructions describing the manner in which a member of the  
public may obtain information concerning the corporation  
from the Securities and Exchange Commission.

4. Upon filing the list required by:

                                  (a) Subsection 1, the corporation shall pay to the  
Secretary of State a fee of \$125.

1 (b) Subsection 2, the corporation shall pay to the Secretary  
2 of State, if the amount represented by the total number of shares  
provided for in the articles is:

3 \$75,000 or less.....\$125  
4 Over \$75,000 and not over \$200,000.....175  
5 Over \$200,000 and not over \$500,000..... 275  
6 Over \$500,000 and not over \$1,000,000..... 375

7 Over \$1,000,000:  
8 For the first \$1,000,000.....375

9 For each additional \$500,000 or fraction thereof... 275  
10 → The maximum fee which may be charged pursuant to paragraph  
11 (b) for filing the annual list is \$11,100.

12 5. If a director or officer of a corporation resigns and the  
13 resignation is not reflected on the annual or amended list of  
14 directors and officers, the corporation or the resigning director or  
15 officer shall pay to the Secretary of State a fee of \$75 to file the  
16 resignation.

17 6. The Secretary of State shall, 90 days before the last day  
18 for filing each annual list required by subsection 2, provide to each  
19 corporation which is required to comply with the provisions of NRS  
20 78.150 to 78.185, inclusive, and which has not become delinquent,  
21 a notice of the fee due pursuant to subsection 4 and a reminder to  
22 file the annual list required by subsection 2. Failure of any  
23 corporation to receive a notice does not excuse it from the penalty  
imposed by law.

17 7. If the list to be filed pursuant to the provisions of  
18 subsection 1 or 2 is defective in any respect or the fee required by  
19 subsection 4 is not paid, the Secretary of State may return the list  
for correction or payment.

20 8. An annual list for a corporation not in default which is  
21 received by the Secretary of State more than 90 days before its due  
22 date shall be deemed an amended list for the previous year and  
23 must be accompanied by the appropriate fee as provided in  
subsection 4 for filing. A payment submitted pursuant to this  
subsection does not satisfy the requirements of subsection 2 for the  
year to which the due date is applicable.

24 NRS 78.150.

25 22. Nevada Revised Statute 78.170 provides, in relevant part, as follows:

26 1. Each corporation which is required to make a filing and  
27 pay the fee prescribed in NRS 78.150 to 78.185, inclusive, and  
28



1 which refuses or neglects to do so within the time provided shall be  
2 deemed in default.

3 NRS 78.170(1).

4 23. Nevada Revised Statute 78.175 provides, in relevant part, as follows:

5 1. The Secretary of State shall notify, by providing written  
6 notice to its registered agent, each corporation deemed in default  
7 pursuant to NRS 78.170. The written notice:

- 8 (a) Must include a statement indicating the amount of
- 9 the filing fee, penalties incurred and costs remaining unpaid.
- 10 (b) At the request of the registered agent, may be
- 11 provided electronically.

12 2. On the first day of the first anniversary of the month  
13 following the month in which the filing was required, the charter of  
14 the corporation is revoked and its right to transact business is  
15 forfeited.

16 3. The Secretary of State shall compile a complete list  
17 containing the names of all corporations whose right to transact  
18 business has been forfeited.

19 4. The Secretary of State shall forthwith notify, by providing  
20 written notice to its registered agent, each corporation specified in  
21 subsection 3 of the forfeiture of its charter. The written notice:

- 22 (a) Must include a statement indicating the amount of
- 23 the filing fee, penalties incurred and costs remaining unpaid.
- 24 (b) At the request of the registered agent, may be
- 25 provided electronically.

26 NRS 78.175 (1), (2), (3), and (4).

27 24. Nevada Gaming Commission Regulation 6.040 states, in relevant part, as follows:

28 1. Each licensee, in such manner as the chairman may  
approve or require, shall keep accurate, complete, legible, and  
permanent records of all transactions pertaining to revenue that is  
taxable or subject to fees under chapters 463 and 464 of NRS...

2. Each nonrestricted licensee shall keep general  
accounting records on a double entry system of accounting,  
maintaining detailed, supporting, subsidiary records, including:

- (a) Detailed records identifying revenues, expenses,  
assets, liabilities, and equity for each establishment. . . .

Nev. Gaming Comm'n Reg. 6.040 (1) and (2).

1 25. Nevada Gaming Commission Regulation 6.060 states:

2 Each licensee shall provide the audit division, or the tax and  
3 license division, upon request, with the records required to be  
4 maintained by Regulation 6. Unless the chairman approves or  
5 requires otherwise in writing, each licensee shall retain all such  
6 records within Nevada for at least 5 years after they are made.  
7 Failure to keep and provide such records is an unsuitable method  
8 of operation.

9 Nev. Gaming Comm'n Reg. 6.060.

10 26. Nevada Gaming Commission Regulation 6.100 states, in relevant part, as follows:

11 1. As used in this section "licensees" mean Group II  
12 licensees and "chairman" means the chairman or other member of  
13 the state gaming control board.

14 . . . . .

15 6. Not later than 30 days after service of written notice that  
16 the internal control procedures adopted or revised pursuant to this  
17 section are effective, each licensee shall comply with the  
18 procedures. The chairman, in his sole and absolute discretion, may  
19 extend the time for complying with this subsection.

20 7. A licensee may not implement internal control procedures  
21 that deviate from the published internal control procedures unless  
22 the deviations are approved in writing by the chairman.

23 8. Failure to follow the internal control procedures issued by  
24 the chairman, or approved deviations from the procedures, is an  
25 unsuitable method of operation.

26 Nev. Gaming Comm'n Reg. 6.100 (1),(6), (7), and (8).

27 27. Internal Control Procedures Slots (ICP Slots) and Internal Control Procedures  
28 Cage and Credit (ICP C&C) apply to Group II licensees. All citations to ICP Slots and ICP  
C&C refer to Version 3.1. Version 3.1 of ICP Slots and ICP C&C has an effective date of  
February 14, 2009.

29 28. ICP Slots No. 16 states:

30 For systems that generate a report at a printer station in a  
31 cashier's area:

32 a. The report is used for shift-end reconciliation  
33 procedures.

34 b. If the report does not uniquely identify the cashier  
35 performing the reconciliation, the cashier must sign the  
36 report.

1 c. If the employee(s) supervising the games cannot  
2 visually verify the specific patron playing a slot machine  
3 (either physically or through electronic surveillance), any  
4 automatic or remote controlled reset device for those games  
5 must be disabled. Any jackpot payout or credit cash out  
6 required for that machine must be physically verified by an  
7 employee at the machine.

8 29. ICP Slots No. 107 states: "[t]he contest/tournament entry fees and payouts are  
9 summarized and posted to the accounting records on at least a monthly basis."

10 30. ICP C&C No. 4 states:

11 The casino accountability is counted, recorded and signed  
12 by at least two persons on an accountability form:

- 13 a. At the end of each shift during which activity took  
14 place.  
15 b. At least once daily for those areas which no  
16 activity took place.

17 31. ICP C&C No. 7 states: "[c]asino accountability is summarized and posted or  
18 reconciled to the general ledger on at least a monthly basis."

19 32. Nevada Gaming Commission Regulation 6.150 states, in relevant part, as follows:

20 5. Each restricted gaming licensee, nonrestricted gaming  
21 licensee and each person licensed as an operator of an inter-  
22 casino linked system or as an operator of a slot machine route shall  
23 maintain in accordance with the bankroll formula adopted by the  
24 chairman pursuant to the requirements of this section, cash or cash  
25 equivalents in an amount sufficient to reasonably protect the  
26 licensee's or operator's patrons against defaults in gaming debts  
27 owed by the licensee or operator. If at any time the licensee's or  
28 operator's available cash or cash equivalents should be less than  
the amount required by this section, the licensee or operator shall  
immediately notify the board of this deficiency and shall also detail  
the means by which the licensee shall comply with the minimum  
bankroll requirements. Failure to maintain the minimum bankroll  
required by this section, or a higher bankroll as required by the  
chairman pursuant to this section, or failure to notify the board as  
required by this section, is an unsuitable method of operation.

6. Records reflecting accurate, monthly computations of  
bankroll requirements and actual bankroll available shall be  
maintained by nonrestricted gaming licensees, operators of inter-  
casino linked systems and operators of slot machine routes in  
accordance with Regulation 6.060. The chairman, in his sole  
discretion, may require more frequent computations, require  
additional recordkeeping not specified in the formula, or require the  
licensee to maintain a bankroll higher than is or would otherwise be

1 required by the bankroll formula, or require recordkeeping by  
restricted gaming licensees.

2 Nev. Gaming Comm'n Reg. 6.150 (5) and (6).

3 33. Nevada Gaming Commission Regulation 5.030 provides as follows:

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

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

#### 17 BACKGROUND

18 34. NEW TOWN has a long history of prior regulatory violations. From 1998 to the  
19 present there have been three (3) Unsuitable methods of operation cases; three (3)  
20 Regulation 5 violation cases; one general investigation that cited concerns at NEW TOWN,  
21 and two (2) orders to show cause.

22 35. In 2009, the Nevada Gaming Commission, on application to add, remove, and/or  
23 modify conditions, added some new conditions in an attempt to alleviate some of NEW  
24 TOWN's prior regulatory problems. These new and/or modified conditions included, but are  
25 not limited to, a slots only condition, an independent accounting service condition with  
26 required monthly reporting, and a revolving monitoring account condition.

27 36. Additionally, the BOARD's Tax and License Division has sent NEW TOWN two  
28 letters since 2009 concerning regulations within its supervision which have been violated. A  
number of these regulatory violations are again charged in this Complaint. Specifically,  
Nevada Gaming Commission Regulations 3.100, 5.011(8) (with regard to annual filings with  
the Nevada Secretary of State), 6.040, 6.060, 6.150 and ICP C&C #4 and #7 are again  
charged.

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1 52. On November 9, 2012, BOARD Enforcement Division Agents again went to NEW  
2 TOWN and found that no one at NEW TOWN was able to operate the surveillance system, so  
3 an inspection of the surveillance system was not able to be performed

4 53. On November 9, 2012, JACKSON was asked to have her technician create a  
5 Digital Video Disk (DVD) with certain required information to assist in the surveillance system  
6 inspection, and contact Enforcement Division Agent Alford when it was completed.

7 54. JACKSON did not call.

8 55. After numerous attempts were made to contact JACKSON, Enforcement Division  
9 Agent Alford was able to speak to JACKSON on January 13, 2013. JACKSON was advised  
10 that the NEW TOWN technician was still required to make the DVD as the information on the  
11 DVD was necessary for a surveillance system inspection.

12 56. JACKSON advised that she was not able to make the DVD and her technician did  
13 not show up for work.

14 57. On February 7, 2013, Enforcement Division Agent Alford again responded to NEW  
15 TOWN, went over the each surveillance standard with JACKSON, left her a copy of each  
16 surveillance standard, and advised JACKSON that she needed to bring the NEW TOWN  
17 surveillance system into compliance.

18 58. The NEW TOWN surveillance system remains in non-compliance with BOARD and  
19 Nevada Gaming Commission surveillance standards.

20 59. The actions and/or inactions of JACKSON and NEW TOWN set out above are  
21 violations of Nevada Gaming Commission Regulation 5.160 and Surveillance Standards  
22 2.101(9), and 11(2)(a), (d) and (9). This constitutes an unsuitable method of operation, and,  
23 as such, is grounds for disciplinary action. See Nev. Gaming Comm'n Regs. 5.010(2), 5.011  
24 and 5.030.

25 **COUNT FOUR**

26 **VIOLATION OF NRS 463.1405 AND/OR NRS 463.220**

27 60. Complainant BOARD realleges and incorporates by reference as though set forth  
28 in full herein paragraphs 1 through 59 above.





1 68. Examination of the Secretary of State's records disclosed the licensee did not file  
2 the Annual List of Officers and Directors for 2012. Furthermore, the entity is currently in  
3 revoked status with the Secretary of State.

4 69. The actions and/or failures to act, of JACKSON and NEW TOWN as set out above,  
5 are a violation of Nevada Gaming Commission Regulation 5.011(8). This constitutes an  
6 unsuitable method of operation, and, as such, is grounds for disciplinary action. See Nev.  
7 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

8 **COUNT SEVEN**

9 **VIOLATION OF NEVADA GAMING COMMISSION REGULATION 6.040**

10 70. Complainant BOARD realleges and incorporates by reference as though set forth  
11 in full herein paragraphs 1 through 69 above.

12 71. Discussions with the Independent Accountant's Assistant on November 14, 2012  
13 disclosed the general ledger has not been prepared since December 2010.

14 72. The actions and/or failures to act, of JACKSON and NEW TOWN as set out above,  
15 are a violation of Nevada Gaming Commission Regulation 6.040. This constitutes an  
16 unsuitable method of operation, and, as such, is grounds for disciplinary action. See Nev.  
17 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

18 **COUNT EIGHT**

19 **VIOLATION OF NEVADA GAMING COMMISSION REGULATION 6.060**

20 73. Complainant BOARD realleges and incorporates by reference as though set forth  
21 in full herein paragraphs 1 through 72 above.

22 74. Casino accountability documents for June 2012 could not be provided to BOARD  
23 agents for examination.

24 75. Examination of bank statements and discussions with the President on December  
25 7, 2012 disclosed documents supporting a deposit of \$8,804.05 made on December 14, 2011  
26 could not be provided to BOARD agents for review.

27 76. The actions and/or failures to act, of JACKSON and NEW TOWN as set out above,  
28 are a violation of Nevada Gaming Commission Regulation 6.040. This constitutes an

1 unsuitable method of operation, and, as such, is grounds for disciplinary action. See Nev.  
2 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

3 **COUNT NINE**

4 **VIOLATION OF NEVADA GAMING COMMISSION REGULATION 6.100**

5 **(ICP SLOTS NO. 16)**

6 77. Complainant BOARD realleges and incorporates by reference as though set forth  
7 in full herein paragraphs 1 through 76 above.

8 78. Discussions with the cashier on November 9, 2012 revealed the EZ Route system  
9 does not uniquely identify the cashier and examination of the shift-end report disclosed it is  
10 not signed by the cashier.

11 79. JACKSON and NEW TOWN's failure to comply with ICP Slots No. 16 is a violation  
12 of Nevada Gaming Commission Regulation 6.100. This constitutes an unsuitable method of  
13 operation, and, as such, is grounds for disciplinary action. See Nev. Gaming Comm'n Regs.  
14 6.100 (8), 5.010(2), and 5.030.

15 **COUNT TEN**

16 **VIOLATION OF NEVADA GAMING COMMISSION REGULATION 6.100**

17 **(ICP SLOTS NO. 107)**

18 80. Complainant BOARD realleges and incorporates by reference as though set forth  
19 in full herein paragraphs 1 through 79 above.

20 81. The general ledger has not been prepared since December 2010; consequently,  
21 contest payouts were not summarized and posted to the accounting records.

22 82. JACKSON and NEW TOWN's failure to comply with ICP Slots No. 107 is a  
23 violation of Nevada Gaming Commission Regulation 6.100. This constitutes an unsuitable  
24 method of operation, and, as such, is grounds for disciplinary action. See Nev. Gaming  
25 Comm'n Regs. 6.100 (8), 5.010(2), and 5.030.

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1 90. Discussions with the President on November 9, 2012 disclosed bankroll  
2 calculations have not been prepared for the period May 2012 through September 2012.

3 91. BOARD agents performed a bankroll calculation on November 1, 2012 which  
4 disclosed deficiencies of \$2,883 for the Current Day and \$13,512 for the Next Business Day.

5 92. The actions and/or failures to act, of JACKSON and NEW TOWN as set out above,  
6 are a violation of Nevada Gaming Commission Regulation 6.040. This constitutes an  
7 unsuitable method of operation, and, as such, is grounds for disciplinary action. See Nev.  
8 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

9 **PRAYER FOR RELIEF**

10 **WHEREFORE**, based upon the allegations contained herein which constitute  
11 reasonable cause for disciplinary action against RESPONDENTS, pursuant to NRS 463.310  
12 and Nevada Gaming Commission Regulations 5.010 and 5.030 the STATE GAMING  
13 CONTROL BOARD prays for the relief as follows:

14 1. That the Nevada Gaming Commission serve a copy of this Complaint on  
15 RESPONDENTS pursuant to NRS 463.312(2);

16 2. That the Nevada Gaming Commission fine RESPONDENTS a monetary sum  
17 pursuant to the parameters defined at NRS 463.310(4) for each separate violation of the  
18 provisions of the Nevada Gaming Control Act or the Regulations of the Nevada Gaming  
19 Commission;

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

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

3 DATED this 11<sup>th</sup> day of September, 2013.

4 STATE GAMING CONTROL BOARD

5   
6 \_\_\_\_\_  
A.G. BURNETT, Chairman

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8 \_\_\_\_\_  
SHAWN R. REID, Member

9   
10 \_\_\_\_\_  
TERRY JOHNSON, Member

11 Submitted by:

12 CATHERINE CORTEZ MASTO  
13 Attorney General

14 By:

  
15 \_\_\_\_\_  
16 JOHN S. MICHELA  
17 Senior Deputy Attorney General  
18 Gaming Division  
19 (775) 850-4153