



1 NGC 14-06

2

3

STATE OF NEVADA

4

BEFORE THE NEVADA GAMING COMMISSION

5

STATE GAMING CONTROL BOARD,)

6

Complainant,)

7

vs.)

COMPLAINT

8

GITA INCORPORATED, dba)

9

QUICK STOP FOOD MART; and)

10

BHARAT VASANT PATEL, an individual,)

11

Respondents.)

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, and EDWARD L. MAGAW, Deputy Attorney General, hereby files this Complaint for disciplinary action against GITA INCORPORATED, dba QUICK STOP FOOD MART (QUICK STOP), and BHARAT VASANT PATEL, Respondents herein, pursuant to Nevada Revised Statute (NRS) 463.310(2) and alleges as follows:

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 (Nevada Gaming Control Act) and the Regulations of the Nevada Gaming Commission (Commission or NGC).

2. Respondent, QUICK STOP, located at 2083 East Fremont Street, Las Vegas, Nevada, currently holds a restricted gaming license, and, as such, is charged with the responsibility of complying with all of the provisions of the Nevada Gaming Control Act and the Regulations of the Commission.

3. Respondent, BHARAT VASANT PATEL is currently licensed by the Nevada Gaming Commission as an officer, director, and 60% shareholder of GITA INCORPORATED, which owns and operates the QUICK STOP.

1 **RELEVANT LAW**

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

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

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

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

21 (d) All establishments where gaming is conducted and
22 where gaming devices are operated, and manufacturers, sellers
23 and distributors of certain gaming devices and equipment, and
24 operators of inter-casino linked systems must therefore be
25 licensed, controlled and assisted to protect the public health,
26 safety, morals, good order and general welfare of the inhabitants of
27 the State, to foster the stability and success of gaming and to
28 preserve the competitive economy and policies of free competition
of the State of Nevada.

17 NRS 463.0129(1)(a)-(d).

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

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

24 7. This continuing obligation is repeated in NGC Regulation 5.040, which provides as
25 follows:

26 A gaming license is a revocable privilege, and no holder
27 thereof shall be deemed to have acquired any vested rights therein
28 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

1 end that licenses shall not be held by unqualified or disqualified
2 persons or unsuitable persons or persons whose operations are
3 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
6 require that all establishments wherein gaming is conducted in this
7 state be operated in a manner suitable to protect the public health,
8 safety, morals, good order and general welfare of the inhabitants of
9 the 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.

11 Nev. Gaming Comm'n Reg. 5.010.

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

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

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

27

28 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 license fees,
withholding any payroll taxes, liquor and entertainment taxes and
antitrust and monopoly statutes.

The Nevada gaming commission in the exercise of its sound
discretion can make its own determination of whether or not the
licensee has failed to comply with the aforementioned, but any
such determination shall make use of the established precedents

27

28

1 in interpreting the language of the applicable statutes. Nothing in
2 this section shall be deemed to affect any right to judicial review.

3

4 10. Failure to conduct gaming operations in accordance
5 with proper standards of custom, decorum and decency, or permit
6 any type of conduct in the gaming establishment which reflects or
7 tends to reflect on the repute of the State of Nevada and act as a
8 detriment to the gaming industry.

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

10 10. Nevada Gaming Commission Regulation 5.030 provides as follows:

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

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

24 11. Nevada Revised Statutes 463.310 states in relevant part as follows:

25 1. The Board shall make appropriate investigations:

26 (a) To determine whether there has been any violation of
27 this chapter or chapter 462, 464, 465 or 466 of NRS or any
28 regulations adopted thereunder.

(b) To determine any facts, conditions, practices or matters
which it may deem necessary or proper to aid in the enforcement
of any such law or regulation.

. . . .

2. If, after any investigation the Board is satisfied that

(a) A license, registration, finding of suitability, preliminary
finding of suitability, pari-mutuel license or prior approval by the
Commission of any transaction for which the approval was
required or permitted under the provisions of this chapter or
chapter 462, 464 or 466 of NRS should be limited, conditioned,
suspended or revoked; or

(b) A person or entity which is licensed, registered, found
suitable pursuant to this chapter or chapter 464 of NRS or which
previously obtained approval for any act or transaction for which
Commission approval was required or permitted under the
provisions of this chapter or chapter 464 of NRS should be fined,
↪ the Board shall initiate a hearing before the Commission by filing

1 a complaint with the Commission in accordance with NRS 463.312
2 and transmit therewith a summary of evidence in its possession
3 bearing on the matter and the transcript of testimony at any
4 investigative hearing conducted by or on behalf of the Board.

5 NRS 463.310(1)(a) and (b), and (2).

6 12. In response to a Complaint brought by the Board, NRS 463.310(4) provides in relevant
7 part that the Commission may:

8 (a) Limit, condition, suspend or revoke the license of any
9 licensed gaming establishment or the individual license of any
10 licensee without affecting the license of the establishment;

11

12 (d) Fine each person or entity or both, which is licensed,
13 registered, found suitable . . . pursuant to this chapter or chapter
14 464 of NRS . . . :

15

16 (2) . . . not more than \$100,000 for each separate
17 violation of the provisions of this chapter or chapter 464 or 465 of
18 NRS or of the regulations of the Commission which is the subject
19 of an initial complaint and not more than \$250,000 for each
20 separate violation of the provisions of this chapter or chapter 464
21 or 465 of NRS or of the regulations of the Commission which is the
22 subject of any subsequent complaint.

23 NRS 463.310(4)(a) and (d)(2).

24 13. The phrase "licensed gaming establishment" is defined under NRS 463.0169 as
25 follows:

26 "Licensed gaming establishment" means any premises
27 licensed pursuant to the provisions of this chapter wherein or
28 whereon gaming is done.

29 NRS 463.0169.

30 14. The term "gaming" includes, but is not limited to, the offering of slot machines for play.
31 See NRS 463.0152 and NRS 463.0153.

32 15. Pursuant to NGC Regulation 1.145, the term "premises" means "land together with all
33 buildings, improvements and personal property located thereon." Nev. Gaming Comm'n
34 Reg. 1.145.

35 16. Pursuant to NRS 205.275(1), it is unlawful for a person, for his or her own gain, to buy,
36 receive, or possess stolen property: (1) knowing that it is stolen property; or (2) under such

1 circumstances as should have caused a reasonable person to know that it is stolen property.
2 See NRS 205.275(1).

3 17. Pursuant to NRS 205.275(2)(b), a person who commits an offense involving stolen
4 property in violation of NRS 205.275(1), where the stolen property has a value of at least
5 \$650, but less than \$3,500, is guilty of a category C felony, and shall be punished as provided
6 for under NRS 193.130. See NRS 205.275(2)(b).

7 18. Pursuant to NRS 205.275(6), the value of the stolen property involved in any violation
8 of NRS 205.275(1) "shall be deemed to be the highest value attributable to the property by
9 any reasonable standard." See NRS 205.275(6).

10 19. Pursuant to NRS 205.275(7), the term "stolen property", as used in NRS 205.275,
11 means "property that has been taken from its owner by larceny, robbery, burglary,
12 embezzlement, theft or any other offense that is a crime against property, whether or not the
13 person who committed the taking is or has been prosecuted or convicted for the offense."
14 NRS 205.275(7).

15 20. Pursuant to NRS 193.330(1), "[a]n act done with the intent to commit a crime, and
16 tending but failing to accomplish it, is an attempt to commit that crime." NRS 193.330(1).

17 21. The Nevada Supreme Court has held that "even though the actual commission of the
18 substantive crime is impossible because of circumstances unknown to the defendant, he is
19 guilty of an attempt if he has the specific intent to commit the substantive offense, and under
20 the circumstances, as he reasonably sees them, he does the acts necessary to consummate
21 what would be the attempted crime." *Darnell v State*, 92 Nev. 680, 681-82, 558 P.2d 624, 625
22 (1976). "An attempt requires only that the [person] have an intent to commit the crime and
23 that he take a direct but ineffectual act toward the commission of the crime." *Darnell*, 92 Nev.
24 at 682, 558 P.2d at 625-26.

25 22. Pursuant to NRS 199.480(3), a person who conspires with another or others to buy,
26 receive, or possesses stolen property in violation of NRS 205.275, is guilty of a gross
27 misdemeanor. See NRS 199.480(3).

28

1 23. According to NRS 370.140(1)(c)(2) and (2)(b), in order for a person to lawfully sell
2 cigarettes at retail in the State of Nevada, the person must hold a current retail dealer's
3 license. See NRS 370.140(1)(c)(2) and (2)(b).

4 24. Pursuant to NRS 370.140(1)(c)(1) and (2)(b), a person who holds a retail dealer's
5 license may only purchase cigarettes for resale from a person who holds a current wholesale
6 dealer's license. See NRS 370.140(1)(c)(1) and (2)(b).

7 **BACKGROUND**

8 25. Sometime in or around November 2012, a local retailer informed the Las Vegas
9 Metropolitan Police Department (LVMPD) that merchandise that had been stolen from the
10 retailer's store was being sold at the QUICK STOP.

11 26. Based on the information provided by the retailer, LVMPD launched an undercover
12 investigation of the QUICK STOP to determine whether the allegations made by the retailer
13 were true.

14 27. To assist LVMPD, two large grocery stores provided LVMPD with numerous cartons of
15 cigarettes for use in the investigation.

16 28. Each of the cartons provided by the grocery stores, along with each individual
17 cigarette packet contained therein, was marked by LVMPD with a unique and distinguishable
18 feature that would allow for later identification.

19 29. On three different dates (1/10/2013, 1/14/2013, and 1/15/2013) employees and/or one
20 of the owners of the QUICK STOP purchased cartons of purportedly stolen cigarettes from an
21 undercover LVMPD officer (UC#1).

22 30. The two employees involved in the purchase of the purportedly stolen cigarettes were
23 Paramjit Singh and Gita Patel, while the owner involved was BHARAT VASANT PATEL.

24 31. On 1/29/2013, an employee at the QUICK STOP sold an undercover LVMPD
25 detective one of the packets of cigarettes that the QUICK STOP had purchased from the
26 undercover LVMPD officer on one of the dates discussed above.

27

28

1 32. On or about January 29, 2013, based on the information obtained by LVMPD during
2 its undercover investigation of the QUICK STOP, LVMPD requested and obtained a search
3 warrant for the QUICK STOP.

4 33. On or about January 31, 2013, LVMPD officers executed the above referenced search
5 warrant at the QUICK STOP.

6 34. During LVMPD's execution of the search warrant, the following relevant items were
7 recovered:

8 a. Three packs of Marlboro cigarettes with a gold label that had the unique and
9 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
10 by UC#1.

11 b. Twelve packs of Marlboro cigarettes with a red label that had the unique and
12 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
13 by UC#1.

14 c. Twelve cartons of Marlboro cigarettes with a red label that had the unique and
15 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
16 by UC#1.

17 d. Fifteen cartons of Newport cigarettes with a green label that had the unique and
18 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
19 by UC#1.

20 35. On or about October 18, 2013, based on the events described herein, a criminal
21 complaint was filed in the Las Vegas Township Justice Court naming Paramjit Singh, Gita
22 Patel, and BHARAT VASANT PATEL and charging them with the following crimes:

23 a. Gita Patel

24 i. Three counts of conspiracy to possess stolen property in violation of NRS
25 205.275, which constitutes a gross misdemeanor offense.

26 ii. One count of attempted possession of stolen property valued at less than \$650 in
27 violation of NRS 205.275(2)(a), which constitutes a misdemeanor offense.

28

1 iii. Two counts of attempted possession of stolen property valued at between \$650
2 and \$3,500 in violation of NRS 205.275(2)(b), which constitutes a felony offense.

3 b. Paramjit Singh

4 i. One count of conspiracy to possess stolen property in violation of NRS 205.275,
5 which constitutes a gross misdemeanor offense.

6 ii. One count of attempted possession of stolen property valued at less than \$650 in
7 violation of NRS 205.275(2)(a), which constitutes a misdemeanor offense.

8 c. BHARAT VASANT PATEL

9 i. Two counts of conspiracy to possess stolen property in violation of NRS 205.275,
10 which constitutes a gross misdemeanor offense.

11 ii. Two counts of attempted possession of stolen property valued at between \$650
12 and \$3,500 in violation of NRS 205.275(2)(b), which constitutes a felony offense.

13 36. On or about December 19, 2013, the parties pleaded out and were found guilty of
14 committing lesser offenses. The final disposition for each individual was as follows:

15 a. Gita Patel

16 i. Pleaded guilty to one count of disorderly conduct in violation of Clark County Code
17 section 12.33.010, which constitutes a misdemeanor offense.

18 ii. Pleaded guilty to two counts of petit larceny in violation of NRS 205.240, which
19 constitutes a misdemeanor offense.

20 iii. Received a one year suspended sentence.

21 iv. Ordered to pay \$1,000 in fines and fees.

22 v. Ordered to stay out of trouble for one year.

23 b. Paramjit Singh

24 i. Pleaded guilty to one count of disorderly conduct in violation of Clark County Code
25 section 12.33.010, which constitutes a misdemeanor offense.

26 ii. Received a 60 day suspended sentence.

27 iii. Ordered to pay \$500 in fines and fees.

28 iv. Ordered to stay out of trouble for six months.

1 c. BHARAT VASANT PATEL

2 i. Pled *nolo contendere* to one count of disorderly conduct in violation of Clark
3 County Code section 12.33.010, which constitutes a misdemeanor offense.

4 ii. Received a 60 day suspended sentence.

5 iii. Ordered to pay \$600 in fines and fees.

6 iv. Ordered to stay out of trouble for six months.

7 37. The Counts set forth below describe in detail the events leading up to and including
8 the purchase of the purportedly stolen cigarettes from the undercover LVMPD officer (UC#1)
9 by the employees and an owner of the QUICK STOP and the subsequent sale of one of the
10 packs of cigarettes at issue to an undercover LVMPD detective (UC#2) at the QUICK STOP.

11 **COUNT I**
12 **VIOLATION OF NRS 463.170(8) AND/OR**
13 **NGC REGULATIONS 5.011, 5.011(1), 5.011(8) AND/OR 5.011(10)**
14 **PURCHASE OF PURPORTEDLY STOLEN CIGARETTES AND/OR PURCHASE OF**
15 **CIGARETTES FROM PERSON NOT LICENSED AS A WHOLESALE DEALER**

16 38. Complainant BOARD realleges and incorporates by reference as though set forth in
17 full herein paragraphs 1 through 37 above.

18 39. On 12/17/2012 (LVMPD event # 121217-2600), UC#1 entered the QUICK STOP and
19 spoke with a store clerk named Paramjit Singh about cigarette prices. During the
20 conversation, UC#1 told Mr. Singh that he or she could get any brand of cigarette and liquor
21 for cheap. The clerk responded that he would ask his boss if UC#1's offer could be accepted.
22 The clerk further informed UC#1 that his boss would be at the QUICK STOP after 4:00 PM.
23 UC#1 then left the store.

24 40. On 12/19/2012 (LVMPD event # 121219-1664), UC#1 returned to the QUICK STOP.
25 Upon entering the store, UC#1 approached Mr. Singh and asked him if he had spoken to his
26 boss about buying the cigarettes from him or her. Mr. Singh responded by informing UC#1
27 that his boss would be in after 3:00 PM that day. Before leaving the store, UC#1 informed Mr.
28 Singh that he or she had eight cartons of cigarettes available for sale.

41. On 1/8/2013 (LVMPD event # 130117-3068), UC#1 once again returned to the QUICK
STOP. Upon entering the store, UC#1 saw Mr. Singh, working behind the counter. UC#1

1 also saw a woman working inside the QUICK STOP that he or she identified as Gita Patel.
2 UC#1 engaged Ms. Patel in conversation, and asked her if she was the owner of the
3 business. Ms. Patel answered in the affirmative. UC#1 then asked Ms. Patel if she was
4 interested in buying cigarettes. Ms. Patel responded by inquiring as to which cigarettes UC#1
5 had for sale. UC#1 replied that he or she had Marlboro and Newport cigarettes, and that he
6 or she could return with at least ten cartons in a couple of days. Ms. Patel indicated to UC#1
7 that she was scared to buy cigarettes. UC#1 stated that he or she would come back and
8 asked Ms. Patel whether she would be at the QUICK STOP around the same time of day.
9 Ms. Patel nodded her head in the affirmative. UC#1 then left the store.

10 42. On 1/10/13 (LVMPD event # 130110-0656), the following events occurred:

11 a. UC#1 entered the QUICK STOP and saw both Mr. Singh and Ms. Patel working in
12 the store. UC#1 approached Mr. Singh, who was working behind the counter, and asked if he
13 remembered him or her. After Mr. Singh answered in the affirmative, UC#1 informed Mr.
14 Singh that he or she had eight cartons of cigarettes. Mr. Singh responded by asking if they
15 were Marlboros, to which UC#1 responded in the affirmative. Mr. Singh then inquired as to
16 how much UC#1 was selling the cigarettes for. UC#1 responded by stating \$20.00 a carton.
17 UC#1 also informed Mr. Singh that he or she had razors and laundry detergent inside his or
18 her van that were also for sale. Mr. Singh then left UC#1 and went to discuss UC#1's offer
19 with Ms. Patel. Mr. Singh returned to UC#1 and instructed him or her to bring a carton of
20 cigarettes into the store for inspection.

21 b. UC#1 complied with Mr. Singh's request and retrieved a carton of Marlboro menthol
22 cigarettes (blue label) from his or her van. UC#1 concealed the carton of cigarettes under his
23 or her jacket and re-entered the store. After waiting for approximately five minutes behind
24 customers in line at the cash register, UC#1 approached Mr. Singh and removed the cigarette
25 carton from under his or her jacket and slid it under the glass partition that divided the public
26 and employee-only side of the check-out counter. Mr. Singh picked up the carton and
27 commented on the cigarettes being menthol. In response, UC #1 stated that he or she had
28 different cartons of Marlboro cigarettes and that he or she would sell them at the same price of

1 \$20.00 per carton or all eight cartons, along with the razors and laundry detergent, for
2 \$150.00. Overhearing the conversation, Ms. Patel instructed Mr. Singh to get the Marlboro
3 cigarettes that have a red label. Mr. Singh explained to UC#1 that the menthol Marlboro
4 cigarettes (blue label) did not sell well. Mr. Singh then returned the carton of blue labeled
5 Marlboros to UC#1. UC#1 informed Mr. Singh that the cartons of cigarettes he or she had
6 were difficult to sell individually, and he or she once again offered to sell Mr. Singh all of the
7 cartons (menthol and non-menthol), as well as the razors and laundry detergent, for \$150.00.
8 Mr. Singh and Ms. Patel both indicated to UC#1 that they only wanted the Marlboro cigarettes
9 with the red label.

10 c. UC#1 left the QUICK STOP and went to his or her van. Once at the van, UC#1
11 retrieved three cartons of Marlboro cigarettes that had a red label. UC#1 then re-entered the
12 QUICK STOP and passed the cigarette cartons under the glass divider to Mr. Singh. At that
13 time, UC#1 once again reminded Mr. Singh about the razors and laundry detergent that he or
14 she had for sale. Mr. Singh inspected each of the cigarette cartons individually and looked
15 inside one that had been partially opened. After inspecting the cigarette cartons, Mr. Singh
16 asked UC#1 what his or her asking price was for the three cartons. Ms. Patel was also
17 present for this discussion. In response, UC#1 informed Mr. Singh and Ms. Patel that he or
18 she wanted \$60.00 for all three cartons. At that point UC#1 once again stated that he or she
19 would sell all eight cartons of cigarettes (blue and red labels), plus the razors and laundry
20 detergent for \$150.00. Ms. Patel took \$60.00 from the cash register and paid UC#1 for the
21 three cartons of cigarettes. She then informed UC#1 that Mr. Singh would meet him or her
22 out at his or her van to view the other merchandise (razors and laundry detergent) that UC#1
23 had for sale.

24 d. Shortly thereafter, Mr. Singh met UC#1 outside at his or her van. Upon Mr. Singh's
25 arrival, UC#1 opened the rear door of his or her van to show Mr. Singh what merchandise was
26 available for purchase. Mr. Singh inspected the razors and laundry detergent and commented
27 that the QUICK STOP did not sell those items. Mr. Singh then briefly picked up a carton of
28 Marlboro cigarettes that had a gold label. At that point UC#1 lowered the price by offering to

1 sell Mr. Singh the remaining merchandise, including the cigarettes, for \$60.00, bringing the
2 total for all items, including the three cartons of cigarettes already purchased, to \$120.00
3 (down from \$150). Mr. Singh picked up the blue labeled Marlboro cigarette carton and stated
4 that no one buys that type of cigarette (menthol) at the QUICK STOP. When asked by UC#1
5 whether he would prefer him or her to bring back only cartons of Marlboro that have the red
6 label, Mr. Singh responded in the affirmative. UC#1 then asked Mr. Singh if he would be
7 interested in Newport cigarettes, to which Mr. Singh responded in the affirmative, but
8 commented that he would only be interested in Newport cigarettes that had a green label, not
9 ones that had a red label.

10 e. At that time UC#1 once again asked Mr. Singh to buy the rest of the merchandise
11 he or she had for sale. In response, Mr. Singh picked up the two cartons of Marlboro
12 cigarettes with the gold label that were in UC#1's van and told UC#1 that he would check on
13 those cartons with Ms. Patel. UC#1 then followed Mr. Singh back inside the QUICK STOP.
14 Once inside, Mr. Singh placed the gold-labeled Marlboro cartons on the check-out counter in
15 front Ms. Patel and said something to Ms. Patel that UC#1 could not hear. Ms. Patel then
16 handed Mr. Singh two \$20.00 bills (\$40.00 total). Mr. Singh then handed the two \$20.00 bills
17 to UC#1. At that point Ms. Patel and Mr. Singh once again told UC#1 that they preferred the
18 Marlboro cigarettes that had a red label.

19 f. As UC#1 started to leave the store he or she turned around and motioned for Mr.
20 Singh to approach him or her. Mr. Singh walked over to UC#1. At that time UC#1 once again
21 asked Mr. Singh if he would purchase the razors. Mr. Singh stated he would not. UC#1 then
22 told Mr. Singh in a low, almost whispering voice that he or she was capable of getting a lot
23 more merchandise because he or she knew someone who was letting items walk out the back
24 door. UC#1 then told Mr. Singh that he or she would be back in a few days with more
25 merchandise. At the conclusion of the conversation, UC#1 exited the store.

26 43. The cigarettes used in this event had been purchased by the supplying grocery store
27 for \$45.47 per carton (wholesale price). The total wholesale price of all five cartons totaled
28 \$227.35. The QUICK STOP was able to purchase each of the five cartons for \$20.00

1 (\$100.00 for all five cartons). This was less than half of the wholesale price that the large
2 grocery store chain had paid for the cartons.

3 44. At the time, the supplying grocery store was selling each carton at retail for \$49.90,
4 which came to a total retail price of \$249.50 for all five cartons. If the QUICK STOP had sold
5 the cigarette cartons at the same retail price as the grocery store, it would have made a profit
6 of \$29.90 per carton, or \$149.50 total for all of the cartons. The grocery store, on the other
7 hand, would have made a profit of only \$4.43 per carton, or \$22.15 total for all of the cartons.
8 The profit that QUICK STOP could have made was over six times that which the large grocery
9 store was set to make.

10 45. At no time during the transaction did Mr. Singh or Ms. Patel inquire as to whether
11 UC#1 held active wholesale dealer's license authorizing him or her to lawfully sell, and thus
12 authorizing them to lawfully purchase, the cigarettes at issue in the transaction.

13 46. No invoice or other record was created to document the transaction. All purchases
14 were made with cash.

15 47. The other merchandise UC#1 offered to sell to the QUICKSTOP was presented to Mr.
16 Singh in the back of a van and was made up of an odd mix of items (*i.e.*, laundry
17 detergent, razors, and cigarettes).

18 48. Based on the totality of the circumstances, including the extremely low price UC#1
19 charged for the cigarettes, a reasonable person would have concluded that UC#1 was not a
20 licensed wholesale dealer and that the cigarettes at issue had been stolen.

21 49. The above described actions of Paramjit Singh and/or Gita Patel, both of whom were
22 agents and/or employees of the QUICK STOP:

23 a. Constituted a failure by the QUICK STOP to continue to meet the standards and
24 qualifications required of a person to be granted and to hold a restricted gaming license
25 issued by the Commission in violation of NRS 463.170(8);

26 b. Constituted activities that are inimical to the public health, safety, morals, good
27 order and general welfare of the people of the State of Nevada, and/or reflects, or tends to

28

1 reflect discredit upon the State of Nevada or the gaming industry and is therefore an
2 unsuitable method of operation in violation of NGC Regulation 5.011;

3 c. Constituted a failure to exercise discretion and sound judgment to prevent incidents
4 which might reflect on the repute of the State of Nevada and which act as a detriment to the
5 development of the gaming industry in violation of NGC Regulation 5.011(1);

6 d. Constituted a failure to comply with all local laws and regulations pertaining to the
7 operation of a licensed establishment in violation of NGC Regulation 5.011(8);

8 e. Constituted a failure to conduct gaming operations in accordance with proper
9 standards of custom, decorum and decency in violation of NGC Regulation 5.011(10); and/or

10 f. Constituted the permission of conduct in the gaming establishment which reflects or
11 tends to reflect on the repute of the State of Nevada and act as a detriment to the gaming
12 industry in violation of NGC Regulation 5.011(10).

13 50. The failure of the QUICK STOP to comply with NRS 463.170(8), and/or NGC
14 Regulations 5.011, 5.011(1), 5.011(8), and/or 5.011(10) constitutes an unsuitable method of
15 operation and provides grounds for disciplinary action against the QUICK STOP. See
16 NRS 463.170(8) and Nev. Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

17 **COUNT II**
18 **VIOLATION OF NRS 463.170(8) AND/OR**
19 **NGC REGULATIONS 5.011, 5.011(1), 5.011(8) AND/OR 5.011(10)**
20 **PURCHASE OF PURPORTEDLY STOLEN CIGARETTES AND/OR PURCHASE OF**
21 **CIGARETTES FROM PERSON NOT LICENSED AS A WHOLESALE DEALER**

22 51. Complainant BOARD realleges and incorporates by reference as though set forth in
23 full herein paragraphs 1 through 50 above.

24 52. On 1/14/2013 (LVMPD event # 130114-1832), the following events occurred:

25 a. UC#1 returned to the QUICK STOP. Upon entering the store, UC#1 observed Gita
26 Patel standing behind the counter with another person, who UC#1 identified as BHARAT
27 VASANT PATEL. Mr. PATEL is one of the two shareholders of GITA INCORPORATED,
28 which is the entity that owns the QUICK STOP. Mr. PATEL has been licensed by the
Commission in his capacity as an officer, director and shareholder and appears on the QUICK
STOP's restricted gaming license as such. Upon seeing Ms. Patel, UC#1 approached the

1 glass-partitioned counter area while holding a black duffel bag containing eight cartons of
2 Marlboro cigarettes with a red label and seven cartons of Newport cigarettes with a green
3 label. As UC#1 approached the counter, Ms. Patel smiled at him or her while she was helping
4 customers and speaking on the telephone. When she was done helping customers, Ms. Patel
5 motioned with her finger for UC#1 to place the duffel bag on the ground in the corner where
6 he or she was standing. While still on the telephone, Ms. Patel stood up on a chair and
7 looked out a window into the parking lot. She then stepped down from the chair and turned to
8 UC#1 and asked him or her how many cigarettes he or she had. UC#1 informed Ms. Patel
9 that he or she had 14 (while UC#1 had represented that he or she had 14 cartons, he or she
10 actually had 15). Ms. Patel then continued speaking on the telephone and began helping
11 customers at the check-out counter while UC#1 waited. Periodically Ms. Patel would make
12 eye contact with UC#1, look at an unidentified male that was in the store and who appeared to
13 be an employee, and then look back at UC#1 and shake her head in the negative and smile at
14 UC#1 as if to indicate that she did not want to purchase the cigarettes from UC#1 in the
15 presence of that person. After a few minutes, Ms. Patel put down the phone and said
16 something to Mr. PATEL. Ms. Patel then looked at UC#1 and motioned for him or her to go
17 outside. UC#1 then picked up the duffel bag and went outside and waited.

18 b. Shortly after exiting the store, Ms. Patel walked outside and instructed UC#1 to go
19 to the East side of the QUICK STOP, away from the main entrance. Ms. Patel then went to
20 her vehicle that was parked in front of the main entrance to the QUICK STOP and drove it a
21 few yards to the East side of the QUICK STOP where UC#1 was standing. Ms. Patel then
22 motioned to UC#1 to come over to her, which UC#1 did, opening the passenger side door. At
23 that point, Ms. Patel instructed UC#1 to leave and return to the QUICK STOP in ten minutes
24 to give her time to check out the cigarettes that UC#1 had for sale. UC#1 agreed and placed
25 the duffel bag containing the cigarettes on the floor of Ms. Patel's car and shut the door.
26 Ms. Patel then drove her car back to its original location and then re-entered the QUICK
27 STOP with the duffel bag in her possession.

28

1 c. After waiting approximately nine minutes outside, UC#1 re-entered the QUICK
2 STOP. While waiting for Ms. Patel to finish helping customers, UC#1 observed Mr. PATEL
3 emerge from a back room into the area behind the cash registers carrying UC#1's black duffel
4 bag, which appeared to be empty. Mr. PATEL then set the duffel bag on the ground behind
5 the cash registers and returned to the back room. When Ms. Patel had finished helping
6 customers, she asked UC#1 how much he or she wanted for the cigarettes. UC#1 stated that
7 he or she wanted \$220, which was approximately \$14.67 per carton. Ms. Patel then picked
8 up the black duffel bag and took it to the back room where Mr. PATEL was located. While
9 standing in the doorway to the back room, Ms. Patel conversed with Mr. PATEL. After her
10 conversation with Mr. PATEL, Ms. Patel went to the cash register near UC#1 and retrieved
11 \$220 from it and slid it under the glass partition for UC#1 to take. Ms. Patel then walked
12 around to the entrance of the rear counter and handed the empty duffel bag to UC#1. At that
13 point, UC#1 left the business.

14 53. The Marlboro cigarettes used in this event had been purchased by the supplying
15 grocery store for \$48.44 per carton (wholesale price). The total wholesale price for the eight
16 cartons of Marlboro cigarettes was \$387.52.

17 54. At the time, the supplying grocery store was selling each carton of Marlboro cigarettes
18 at retail for \$51.79 per carton. The retail price for all eight of the Marlboro cartons totaled
19 \$414.32.

20 55. The Newport cigarettes used in this event had been purchased by the grocery store
21 for \$51.24 per carton (wholesale price). The total wholesale price for the seven cartons of
22 Newport cigarettes was \$358.68.

23 56. At the time, the supplying grocery was selling each carton of the Newport cigarettes at
24 retail for \$57.99 per carton. The retail price for all seven of the Newport cartons was \$405.93.

25 57. The QUICK STOP was able to purchase each of the 15 cartons for approximately
26 \$14.67 (\$220.00 for all fifteen cartons). This was less than one-third of the total wholesale
27 price the large grocery store chain had paid for the cartons.

28

1 58. If the QUICK STOP had sold the Marlboro cigarette cartons at the same retail price as
2 the grocery store, it would have made a profit of approximately \$33.77 per carton (\$270.16 in
3 total). The grocery store, on the other hand, would have only made a profit of \$3.35 per
4 carton (\$26.80 in total).

5 59. If the QUICK STOP had sold the Newport cigarette cartons at the same retail price as
6 the grocery store, it would have made a profit of approximately \$37.12 per carton (\$259.84 in
7 total). The grocery store, on the other hand, would have only made a profit of \$6.75 per
8 carton (\$47.25 in total).

9 60. Combined, the QUICK STOP stood to make a total profit of approximately \$530.00,
10 whereas the grocery store would have only made a profit of \$74.05. That is a profit of over
11 seven times that which the large grocery store would have made.

12 61. At no time during this event did Ms. Patel or Mr. PATEL inquire as to whether UC#1
13 held an active wholesale dealer's license authorizing him or her to lawfully sell, and thus
14 authorizing the QUICK STOP to lawfully purchase, the cigarettes at issue in the transaction.

15 62. Further, no invoice or other record was created to document the transaction. All
16 purchases were made with cash.

17 63. Lastly, two of the eight Marlboro cartons had a sticker affixed prominently to their
18 exterior which read:

19 SECURITY LABEL
20 THIS ITEM IS INTENDED FOR SALE AT
21 [NAME OF THE SUPPLYING GROCERY STORE]
22 IF FOUND AT OTHER OUTLETS CALL
23 [PHONE NUMBER OF THE SUPPLYING GROCERY STORE]

24 64. Based on the totality of the circumstances, including the extremely low price UC#1
25 charged for the cigarettes, a reasonable person would have concluded that UC#1 was not a
26 licensed wholesale dealer and that the cigarettes at issue had been stolen.

27 65. The above described actions of Gita Patel, an agent and/or employee of the QUICK
28 STOP, and/or BHARAT VASANT PATEL, a licensed owner of the QUICK STOP:

.....

.....

1 a. Constituted a failure by the QUICK STOP and/or BHARAT VASANT PATEL to
2 continue to meet the standards and qualifications required of a person to be granted and to
3 hold a restricted gaming license issued by the Commission in violation of NRS 463.170(8);

4 b. Constituted activities that are inimical to the public health, safety, morals, good
5 order and general welfare of the people of the State of Nevada, and/or reflects, or tends to
6 reflect discredit upon the State of Nevada or the gaming industry and is therefore an
7 unsuitable method of operation in violation of NGC Regulation 5.011;

8 c. Constituted a failure to exercise discretion and sound judgment to prevent incidents
9 which might reflect on the repute of the State of Nevada and which act as a detriment to the
10 development of the gaming industry in violation of NGC Regulation 5.011(1);

11 d. Constituted a failure to comply with all local laws and regulations pertaining to the
12 operation of a licensed establishment in violation of NGC Regulation 5.011(8);

13 e. Constituted a failure to conduct gaming operations in accordance with proper
14 standards of custom, decorum and decency in violation of NGC Regulation 5.011(10); and/or

15 f. Constituted the permission of conduct in the gaming establishment which reflects or
16 tends to reflect on the repute of the State of Nevada and act as a detriment to the gaming
17 industry in violation of NGC Regulation 5.011(10).

18 66. The failure of the QUICK STOP and/or BHARAT VASANT PATEL to comply with
19 NRS 463.170(8), and/or NGC Regulations 5.011, 5.011(1), 5.011(8), and/or 5.011(10)
20 constitutes an unsuitable method of operation and provides grounds for disciplinary action
21 against the QUICK STOP and BHARAT VASANT PATEL. See NRS 463.170(8) and Nev.
22 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

23 **COUNT III**
24 **VIOLATION OF NRS 463.170(8) AND/OR**
25 **NGC REGULATIONS 5.011, 5.011(1), 5.011(8) AND/OR 5.011(10)**
26 **PURCHASE OF PURPORTEDLY STOLEN CIGARETTES AND/OR PURCHASE OF**
27 **CIGARETTES FROM PERSON NOT LICENSED AS A WHOLESALE DEALER**

28 67. Complainant BOARD realleges and incorporates by reference as though set forth in
full herein paragraphs 1 through 66 above.

.....

1 68. On 1/15/2013 (LVMPD event # 130115-2212), the following events occurred:

2 a. UC#1 returned to the QUICK STOP with a black duffel bag containing 17 cartons of
3 cigarettes. Upon entering the business, UC#1 observed one of the owners of the QUICK
4 STOP, BHARAT VASANT PATEL, standing behind the check-out counter. UC#1 waited for
5 Mr. PATEL to finish assisting a customer and then asked him whether Ms. Patel was there.
6 Mr. PATEL stated that she was not there and then asked UC#1 how many cartons of
7 cigarettes UC#1 had. UC#1 informed Mr. PATEL that he or she had 17. In response, Mr.
8 PATEL inquired as to the types of cigarettes UC#1 had. UC#1 informed Mr. PATEL that he or
9 she had Marlboro cigarettes with a red label and Newport cigarettes with a green label. Mr.
10 PATEL then asked how much UC#1 wanted for the cigarettes. UC#1 replied that he or she
11 wanted \$200 for all 17 cartons. Mr. PATEL then removed money out of one of the pockets in
12 his pants and placed in on the counter in front of him. Mr. PATEL then directed UC#1 to stand
13 off to the side of the counter.

14 b. After a few minutes Mr. PATEL stood up on a chair and looked out the front window
15 of the store into the parking lot. Shortly thereafter, UC#1 observed Ms. Patel drive a vehicle
16 into the parking lot of the QUICK STOP and honk the horn. At that time, Mr. PATEL took the
17 money off of the counter and walked outside. UC#1 then observed Mr. PATEL approach the
18 passenger side of the vehicle that Ms. Patel was driving. It appeared to UC#1 that Mr. PATEL
19 had passed the money he had removed from the counter into the vehicle Ms. Patel was
20 driving through the passenger side window, which was partially rolled down. Mr. PATEL then
21 re-entered the QUICK STOP and returned to the area behind the check-out counter.
22 Meanwhile, Ms. Patel parked the vehicle she was driving in a marked parking stall in the
23 parking lot.

24 c. Shortly after parking the vehicle, Ms. Patel entered the QUICK STOP and stood in
25 the doorway. She waved at UC#1 signaling him or her to come over to where she was
26 standing. When UC#1 walked over to her, Ms. Patel handed UC#1 folded-up U.S. currency
27 totaling \$200. After giving UC#1 the cash, Ms. Patel took the black duffel bag containing the
28 cigarettes from UC#1 and walked to the area behind the check-out counter. A few minutes

1 later, Ms. Patel returned to the area where UC#1 was standing and handed him or her the
2 black duffel bag, which had been emptied of its contents. UC#1 took the black duffel bag and
3 informed Ms. Patel that he or she would be back in a month or so. UC#1 further informed Ms.
4 Patel that it had taken him or her five stores to get the 17 cartons (inferring that he or she had
5 to steal from five different stores in order to gather that many cartons of cigarettes). Ms. Patel
6 responded that she did not need any more cigarettes at that time. UC#1 asked Ms. Patel if
7 she wanted him or her to return in about a month, to which Ms. Patel responded in the
8 affirmative. UC#1 then stated that he or she needed to hit up more stores (inferring once
9 again that he or she had to go to more stores to steal more cigarettes). At the conclusion of
10 the conversation UC#1 left the store.

11 69. The Marlboro cigarettes used in this event had been purchased by the supplying
12 grocery store for \$48.44 per carton (wholesale price). The total wholesale price for the nine
13 cartons of Marlboro cigarettes was \$435.96.

14 70. At that time, the supplying grocery store was selling the Marlboro cigarettes at retail for
15 \$51.79 per carton. The retail price for all nine cartons totaled \$466.11.

16 71. The Newport cigarettes used in this event had been purchased by the supplying
17 grocery store for \$51.24 per carton (wholesale price). The total wholesale price for the eight
18 cartons of Newport cigarettes was \$409.92.

19 72. At that time, the grocery store was selling the Newport cigarettes at retail for \$57.99
20 per carton. The retail price for all eight cartons was \$463.92.

21 73. The QUICK STOP was able to purchase each of the 17 cartons for approximately
22 \$11.76 each (\$200.00 for all seventeen cartons). This was less than one-fourth of the total
23 wholesale price the large grocery store chain had paid for the cartons.

24 74. If the QUICK STOP had sold the Marlboro cigarette cartons at the same retail price as
25 the grocery store, it would have made a profit of approximately \$40.03 per carton (\$360.27 in
26 total). The grocery store, on the other hand, would have only made a profit of \$3.35 per
27 carton (\$30.15 in total).

28

1 75. If the QUICK STOP had sold the Newport cigarette cartons at the same retail price as
2 the grocery store, it would have made a profit of approximately \$46.23 per carton (\$369.84 in
3 total). The grocery store, on the other hand, would have only made a profit of \$6.75 per
4 carton (\$54.00 in total).

5 76. Combined, the QUICK STOP stood to make a total profit of approximately \$730.11,
6 whereas the grocery store would have only made a profit of \$84.15. That is a profit of over
7 eight-and-one-half times that which the large grocery store would have made.

8 77. At no time during this event did Mr. PATEL or Ms. Patel inquire as to whether UC#1
9 held an active wholesale dealer's license authorizing him or her to lawfully sell, and thus
10 authorizing the QUICK STOP to lawfully purchase, the cigarettes at issue in the transaction.

11 78. Further, no invoice or other record was created to document the transaction. All
12 purchases were made with cash.

13 79. Lastly, one of the nine Marlboro cartons and two of the Newport cartons had a sticker
14 affixed prominently to their exterior which read:

15 SECURITY LABEL
16 THIS ITEM IS INTENDED FOR SALE AT
17 [NAME OF SUPPLYING GROCERY STORE]
IF FOUND AT OTHER OUTLETS CALL
[PHONE NUMBER OF THE SUPPLYING GROCERY STORE]

18 80. Based on the totality of the circumstances, including the extremely low price UC#1
19 charged for the cigarettes, a reasonable person would have concluded that UC#1 was not a
20 licensed wholesale dealer and that the cigarettes at issue had been stolen.

21 81. The above described actions of Gita Patel, an agent and/or employee of the QUICK
22 STOP, and/or BHARAT VASANT PATEL, a licensed owner of the QUICK STOP:

23 a. Constituted a failure by the QUICK STOP and/or BHARAT VASANT PATEL to
24 continue to meet the standards and qualifications required of a person to be granted and to
25 hold a restricted gaming license issued by the Commission in violation of NRS 463.170(8);

26 b. Constituted activities that are inimical to the public health, safety, morals, good
27 order and general welfare of the people of the State of Nevada, and/or reflects, or tends to

28

1 reflect discredit upon the State of Nevada or the gaming industry and is therefore an
2 unsuitable method of operation in violation of NGC Regulation 5.011;

3 c. Constituted a failure to exercise discretion and sound judgment to prevent incidents
4 which might reflect on the repute of the State of Nevada and which act as a detriment to the
5 development of the gaming industry in violation of NGC Regulation 5.011(1);

6 d. Constituted a failure to comply with all local laws and regulations pertaining to the
7 operation of a licensed establishment in violation of NGC Regulation 5.011(8);

8 e. Constituted a failure to conduct gaming operations in accordance with proper
9 standards of custom, decorum and decency in violation of NGC Regulation 5.011(10); and/or

10 f. Constituted the permission of conduct in the gaming establishment which reflects or
11 tends to reflect on the repute of the State of Nevada and act as a detriment to the gaming
12 industry in violation of NGC Regulation 5.011(10).

13 82. The failure of the QUICK STOP and/or BHARAT VASANT PATEL to comply with
14 NRS 463.170(8), and/or NGC Regulations 5.011, 5.011(1), 5.011(8), and/or 5.011(10)
15 constitutes an unsuitable method of operation and provides grounds for disciplinary action
16 against the QUICK STOP and BHARAT VASANT PATEL. See NRS 463.170(8) and Nev.
17 Gaming Comm'n Regs. 5.010(2), 5.011 and 5.030.

18 **COUNT IV**
19 **VIOLATION OF NRS 463.170(8) AND/OR**
20 **NGC REGULATIONS 5.011, 5.011(1), 5.011(8) AND/OR 5.011(10)**
21 **SALE OF PURPORTEDLY STOLEN CIGARETTES AND/OR SALE OF CIGARETTES**
22 **PURCHASED FROM PERSON NOT LICENSED AS A WHOLESALE DEALER**

23 83. Complainant BOARD realleges and incorporates by reference as though set forth in
24 full herein paragraphs 1 through 82 above.

25 84. On 1/29/2013 (LVMPD event # 1301129-094) UC#2 entered the QUICK STOP posing
26 as a customer. Upon entering the store, UC#2 identified Paramjit Singh working behind the
27 check-out counter. UC#2 approached Mr. Singh and asked him for a pack of Marlboros with a
28 red label. Mr. Singh selected a pack of Marlboros with the red label from the cigarette shelf
located above the counter and entered the transaction into the cash register. UC#2 was

.....

1 charged \$6.00 for the pack of cigarettes. After paying for the pack of cigarettes, UC#2 left the
2 QUICK STOP.

3 85. Upon subsequent examination of the pack of cigarettes, UC#2 observed the unique
4 and distinguishing feature that LVMPD had placed on the pack, thus confirming that the pack
5 of cigarettes was among those sold to the QUICK STOP by UC#1.

6 86. The sale to UC#2 of a pack of cigarettes that had been purchased by the QUICK
7 STOP, with the knowledge of licensed owner BHARAT VASANT PATEL, from UC#1, which a
8 reasonable person, based on the totality of the circumstances, would have or should have
9 known was not a licensed cigarette wholesale dealer and/or would have believed or should
10 have believed that the cigarettes had been stolen:

11 a. Constituted a failure by the QUICK STOP and/or BHARAT VASANT PATEL to
12 continue to meet the standards and qualifications required of a person to be granted and to
13 hold a restricted gaming license issued by the Commission in violation of NRS 463.170(8);

14 b. Constituted activities that are inimical to the public health, safety, morals, good
15 order and general welfare of the people of the State of Nevada, and/or reflects, or tends to
16 reflect discredit upon the State of Nevada or the gaming industry and is therefore an
17 unsuitable method of operation in violation of NGC Regulation 5.011;

18 c. Constituted a failure to exercise discretion and sound judgment to prevent incidents
19 which might reflect on the repute of the State of Nevada and which act as a detriment to the
20 development of the gaming industry in violation of NGC Regulation 5.011(1);

21 d. Constituted a failure to comply with all local laws and regulations pertaining to the
22 operation of a licensed establishment in violation of NGC Regulation 5.011(8);

23 e. Constituted a failure to conduct gaming operations in accordance with proper
24 standards of custom, decorum and decency in violation of NGC Regulation 5.011(10); and/or

25 f. Constituted the permission of conduct in the gaming establishment which reflects or
26 tends to reflect on the repute of the State of Nevada and act as a detriment to the gaming
27 industry in violation of NGC Regulation 5.011(10).

28

1 87. The failure of the QUICK STOP and/or BHARAT VASANT PATEL to comply with NRS
2 463.170(8), and/or NGC Regulations 5.011, 5.011(1), 5.011(8), and/or 5.011(10) constitutes
3 an unsuitable method of operation and provides grounds for disciplinary action against the
4 QUICK STOP and BHARAT VASANT PATEL. See NRS 463.170(8) and Nev. Gaming
5 Comm'n Regs. 5.010(2), 5.011 and 5.030.

6 **COUNT V**
7 **VIOLATION OF NRS 463.170(8) AND/OR**
8 **NGC REGULATIONS 5.011, 5.011(1), 5.011(8) AND/OR 5.011(10)**
9 **OFFERING TO SELL PURPORTEDLY STOLEN CIGARETTES AND/OR CIGARETTES**
10 **PURCHASED FROM PERSON NOT LICENSED AS A WHOLESALE DEALER**

11 88. Complainant BOARD realleges and incorporates by reference as though set forth in
12 full herein paragraphs 1 through 87 above.

13 89. As stated previously, on or about January 29, 2013, based on the information obtained
14 by LVMPD during its undercover investigation of the QUICK STOP, LVMPD requested and
15 obtained a search warrant for the QUICK STOP.

16 90. LVMPD exercised the above referenced warrant at the QUICK STOP on or about
17 January 31, 2013.

18 91. During LVMPD's search of the premises of the QUICK STOP, the following relevant
19 items were recovered:

20 a. Three packs of Marlboro cigarettes with a gold label that had the unique and
21 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
22 by UC#1.

23 b. Twelve packs of Marlboro cigarettes with a red label that had the unique and
24 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
25 by UC#1.

26 c. Twelve cartons of Marlboro cigarettes with a red label that had the unique and
27 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
28 by UC#1.

.....

.....

1 d. Fifteen cartons of Newport cigarettes with a green label that had the unique and
2 distinguishing feature LVMPD had placed on the packs of cigarettes sold to the QUICK STOP
3 by UC#1.

4 92. As stated in previously, based on the totality of the circumstances described in Counts
5 I, II, and III above, a reasonable person would have believed that the cigarettes that were
6 being offered for sale by UC#1 had been stolen and/or that UC#1 was not a licensed
7 wholesale dealer.

8 93. By maintaining cigarettes purchased from UC#1 in its inventory, QUICK STOP was
9 offering for sale cigarettes that it believed, or should have believed, were stolen and/or that
10 were purchased from a person who did not hold a wholesale dealer's license, which was
11 required for UC#1 to lawfully sell, and for QUICK STOP to lawfully purchase, the cigarettes at
12 issue for retail sale.

13 94. Such actions on the part of the QUICK STOP, its employees and/or agents, and/or at
14 least one of its licensed owners, BHARAT VASANT PATEL:

15 a. Constituted a failure by the QUICK STOP and/or BHARAT VASANT PATEL to
16 continue to meet the standards and qualifications required of a person to be granted and to
17 hold a restricted gaming license issued by the Commission in violation of NRS 463.170(8);

18 b. Constituted activities that are inimical to the public health, safety, morals, good
19 order and general welfare of the people of the State of Nevada, and/or reflects, or tends to
20 reflect discredit upon the State of Nevada or the gaming industry and is therefore an
21 unsuitable method of operation in violation of NGC Regulation 5.011;

22 c. Constituted a failure to exercise discretion and sound judgment to prevent incidents
23 which might reflect on the repute of the State of Nevada and which act as a detriment to the
24 development of the gaming industry in violation of NGC Regulation 5.011(1);

25 d. Constituted a failure to comply with all local laws and regulations pertaining to the
26 operation of a licensed establishment in violation of NGC Regulation 5.011(8);

27 e. Constituted a failure to conduct gaming operations in accordance with proper
28 standards of custom, decorum and decency in violation of NGC Regulation 5.011(10); and/or

1 f. Constituted the permission of conduct in the gaming establishment which reflects or
2 tends to reflect on the repute of the State of Nevada and act as a detriment to the gaming
3 industry in violation of NGC Regulation 5.011(10).

4 95. The failure of the QUICK STOP and/or BHARAT VASANT PATEL to comply with NRS
5 463.170(8), and/or NGC Regulations 5.011, 5.011(1), 5.011(8), and/or 5.011(10) constitutes
6 an unsuitable method of operation and provides grounds for disciplinary action against the
7 QUICK STOP and BHARAT VASANT PATEL. See NRS 463.170(8) and Nev. Gaming
8 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 QUICK STOP and BHARAT VASANT
12 PATEL, pursuant to Nevada Revised Statute 463.310, and Nevada Gaming Commission
13 Regulations 5.010, 5.011 and 5.030 the BOARD prays for the relief set forth as follows:

14 1. That the Nevada Gaming Commission serve a copy of this Complaint on QUICK STOP
15 and BHARAT VASANT PATEL pursuant to Nevada Revised Statute 463.312(2);

16 2. That the Nevada Gaming Commission fine QUICK STOP and BHARAT VASANT
17 PATEL a monetary sum pursuant to the parameters defined at Nevada Revised
18 Statute 463.310(4) for each separate violation of the provisions of the Nevada Gaming Control
19 Act or the Regulations of the Nevada Gaming Commission;

20 3. That the Nevada Gaming Commission take action against QUICK STOP's and
21 BHARAT VASANT PATEL's license or licenses pursuant to the parameters defined at Nevada
22 Revised Statute 463.310(4); and

23
24
25
26
27
28

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

3 DATED this 23rd day of July, 2014.

4 STATE GAMING CONTROL BOARD

5 
6 _____
A.G. BURNETT, Chairman

7 
8 _____
SHAWN R. REID, Member

9 
10 _____
TERRY JOHNSON, Member

11 Submitted by:

12 CATHERINE CORTEZ MASTO
13 Attorney General

14 By:

15 
EDWARD L. MAGAW
16 Deputy Attorney General
Gaming Division
(702) 486-3224

Attorney General's Office
Gaming Division
555 E. Washington Ave., Ste. 3900
Las Vegas, Nevada 89101