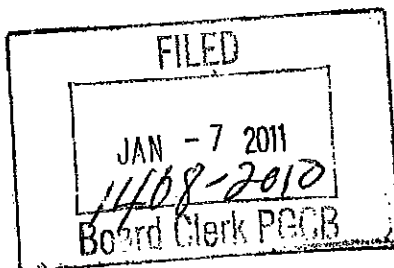


Exhibits 2-1 through 2-A, 3
and 5 have been
redacted in their entirety



"CONFIDENTIAL"

BEFORE THE
PENNSYLVANIA GAMING CONTROL BOARD

RECEIVED

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PA GAMING CONTROL BOARD
OFFICE OF THE CLERK

COMMONWEALTH OF
PENNSYLVANIA GAMING CONTROL
BOARD BUREAU OF
INVESTIGATIONS AND
ENFORCEMENT,

Complainant,

v.

PHILADELPHIA ENTERTAINMENT
AND DEVELOPMENT PARTNERS, L.P.
D/B/A FOXWOODS CASINO
PHILADELPHIA SLOT MACHINE
LICENSE 1367,

Respondent,

Filed By: Philadelphia Entertainment and
Development Partners, L.P.

Docket No. 1367

Office of Hearings and Appeals Docket
Number: 1408-2010

ADMINISTRATIVE HEARING

PETITION FOR RECONSIDERATIONCounsel of Record:

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(PA ID #03492)

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(717) 237-6000

**PETITION FOR EXPEDITED RECONSIDERATION
OF THE BOARD'S DECEMBER 23, 2010 ORDER OF LICENSURE REVOCATION**

Philadelphia Entertainment and Development Partners, L.P., d/b/a Foxwoods Casino Philadelphia ("PEDP"), by and through its undersigned counsel, hereby files this Petition for Expedited Consideration ("Petition") and moves the Pennsylvania Gaming Control Board (the "Board") pursuant to 58 Pa. Code § 494a.8 for expedited reconsideration of the Board's December 23, 2010 Order ("December 23 Order") granting summary judgment in favor of the Office of Enforcement Counsel ("OEC") and Bureau of Investigations and Enforcement ("BIE") and revoking PEDP's Category 2 Slot Machine License ("License"). In support thereof, PEDP avers as follows:

INTRODUCTION

1. PEDP respectfully submits that the Board should grant expedited reconsideration of its December 23 Order, a true and correct copy of which is attached hereto and made a part hereof as Exhibit "1." Since the entry of its December 23 Order, a material¹ change in circumstances has arisen that further evidences PEDP's full satisfaction of all concerns voiced by the Board at the December 16, 2010 hearing, which apparently led the Board to enter its December 23 Order.

2. Specifically, PEDP and Caesars Entertainment Corporation f/k/a Harrah's Entertainment, Inc. ("Harrah's") have continued to work with utmost diligence to address and satisfy the concerns voiced by the Board at the December 16, 2010 hearing, after which it entered its December 23 Order. In short, all documentation has been completed, commitments

¹ Material because the information and documents provided herewith are intended to respond to the concerns expressed by the Board and BIE on December 16th, although PEDP respectfully submits that its previous submissions were consistent with commercial standards and practice regarding such submissions and expressly reserves its right to assert in any future proceedings, appellate or otherwise, the adequacy and propriety of its prior submission(s).

for all required debt and equity financing have been secured, and the parties are ready to pursue development of the project immediately, such that no party could, in good faith, reach the conclusion that any of the apparent reasons for the Board's entry of the December 23 Order continue to exist.

3. As the Board is aware, this licensure revocation proceeding is a case of first impression under the Commonwealth's gaming laws and presents substantial unsettled legal questions. It is also a case involving particularly high stakes, including PEDP's \$50 million License Fee, further investments in excess of \$100 million by PEDP, the Commonwealth's ability to secure gaming tax revenue from the License, the City of Philadelphia's ability to realize the benefits of gaming, and the creation of hundreds of jobs for the City's, region's and Commonwealth's citizens.

4. For these reasons, and as more fully explained below, PEDP respectfully requests that the Board grant reconsideration of its December 23 Order, and vacate the December 23 Order, and deny OEC's motion for summary judgment.

5. Additionally, PEDP respectfully requests that the Board consider this Petition for Reconsideration on an expedited basis, insofar as the Board will be divested of jurisdiction over the matter on January 24, 2011, the date by which PEDP will be required to file an appeal to preserve its legal position if the Board has not vacated the December 23 Order by that time.

AUTHORITY OF THE BOARD

6. The Board has the authority to reconsider its final orders upon timely petition by a party to the proceeding. 58 Pa. Code § 494a.8. A petitioner may request that the Board vacate, reverse or modify its final order "by reason of matters that have arisen since the hearing and

decision or order.” See 58 Pa. Code § 494a.8(c). In such cases, “the matters relied upon by the petitioner must be set forth in the petition.” See *id.*

7. Reconsideration is appropriate to raise facts or law not previously brought to the attention of the tribunal. Pa. Chiropractic Ass’n v. Independence Blue Cross, No. 2705, 2001 Phila. Ct. Com. Pl. LEXIS 111, at *1 (Pa. C.P. Sept. 14, 2001). Reconsideration may be justified where the moving party offers evidence that was not available and could not have been discovered or presented previously. See Koch, Charles H., Jr., Administrative Law and Practice, § 5:71. Reconsideration or reopening, 2 Admin. L. & Prac. § 5:71 (3d ed.) (2010). The Third Circuit has noted that a party must introduce “previously unavailable and material new evidence” in its motion for reconsideration, as a failure to do so justifies denial of the reconsideration motion. See *id.* (citing Katsis v. I.N.S., 997 F.2d 1067, 1070 (3d Cir. 1993) cert. denied, 510 U.S. 1081, (1994)). Pennsylvania cases evidence a similar approach to reconsideration. See, e.g., Baumgardner v. Dept of Environmental Resources, 1989 WL 75364 (Pa. Env. Hrg. Bd., 1989). In addition, reconsideration is appropriate “to correct a clear error of law or to prevent a manifest injustice.” Gen. Instrument Corp. v. Nu-Tek Elecs. & Mfg., Inc., 3 F. Supp. 2d 602, 606 (E.D. Pa. 1998), aff’d, 197 F.3d 83 (3d Cir. 1999); see also R&J Holding Co. v. Redevelopment Auth., No. 02-9530, 2004 U.S. Dist. LEXIS 2120, at *2 (E.D. Pa. Feb. 11, 2004).²

RELEVANT FACTUAL AND PROCEDURAL BACKGROUND

8. On December 20, 2006, the Board awarded PEDP its License, pursuant to which PEDP has undertaken to develop and operate a slot machine facility in the City of Philadelphia (the “Project”).

² PEDP further reserves its argument that the Board committed clear errors of law in reaching its decision on December 16, 2010 and entering its December 23 Order.

9. On April 29, 2010, OEC commenced the instant proceedings by filing its Complaint seeking the revocation of PEDP's License.

10. By Order dated September 9, 2010, the Board, through the Director of Hearings and Appeals (the "Director"), deemed the matter ripe for determination and set a pre-hearing motion deadline of October 5, 2010.

11. OEC and PEDP filed cross-motions for summary judgment on October 5, 2010, and on October 15, 2010 they filed responses to each other's respective summary judgment motions. The Director then scheduled oral argument on the motions to be conducted before the full Board on October 27, 2010.

12. Several days before the scheduled October 27, 2010 oral argument, and after several months of intensive, confidential negotiations, PEDP concluded the negotiation of a Term Sheet setting forth the terms for an agreement with Harrah's and RBS Citizens National Association ("Citizens"), pursuant to which Harrah's would serve as a source of financing, investment, and management for the Project (the "Harrah's Transaction"). The Term Sheet was executed on October 22, 2010, and it was submitted to OEC on October 25, 2010.

13. On October 27, 2010, the Board heard oral argument on both summary judgment motions. Following argument, and specifically referencing PEDP's Term Sheet with Harrah's and Citizens, the Board took both motions for summary judgment under advisement and placed them on the agenda for consideration at the Board's scheduled November 18, 2010 meeting.

14. The parties appeared before the Board as directed at its November 18, 2010 meeting. At that time, PEDP and Harrah's reported that they were very close to having definitive documents to consummate the Harrah's Transaction for submission to the Board, as

well as related petitions for change in control of PEDP, to modify the proposed facility, to extend its opening date, and for approval of a new management agreement. (N.T. 11/18/10 at 8-9.)

15. The Board unanimously voted to deny PEDP's motion for summary judgment. (N.T. 11/18/10 at 25.)

16. Before voting on a motion to grant OEC's motion for summary judgment, Commissioner McCabe moved the Board to table the pending motion to grant OEC's motion summary judgment and then submitted a motion to require PEDP to submit definitive documents by December 10, 2010 and to report to the Board at the next scheduled meeting on December 16, 2010. (N.T. 11/18/10 at 53.)

17. In the course of further discussions during the November 18 hearing, the Board indicated that PEDP would need to submit definitive documents demonstrating PEDP's ability to finance and build a casino. (See N.T. 11/18/10 at 56, N.T. 11/18/10 at 63-64, and N.T. 11/18/10 at 64-65.)

18. With the Chief Enforcement Counsel's reiterated caution that the anticipated filings were but a preliminary step in the approval process, the Board voted unanimously to table the pending motion to grant OEC's motion for summary judgment.

PEDP's December 10, 2010 Submissions

19. On December 10, 2010, as directed by the Board, PEDP submitted an executed Partnership Interest Purchase Agreement and the other definitive documents necessary to consummate the Harrah's Transaction (collectively the "December 10 Transaction Documents"), together with a Joint Application for Change of Control, an Application for an Extension of Time to commence operations, and an Application to Modify the design of the facility.

20. As part of these filings, PEDP submitted documents showing that it had commitments for \$46 million out of the \$75 million in new equity needed to complete the first phase of the Casino as contemplated in the Harrah's Transaction. Further, Harrah's committed to provide a bridge loan to temporarily finance the last \$10 million in new equity, if necessary, once \$65 million in new equity was committed.

21. The filings also included two letters presented by large commercial banks each of which stated that the subject bank was highly confident that it would commit to providing \$200 million in construction financing for the Project.

PEDP's December 16, 2010 Hearing

22. During the December 16, 2010 hearing, Harrah's representatives also testified that construction of the facility would create approximately 650 construction jobs, and that when opened for business, the facility would create 950 permanent full-time jobs and an additional 250 permanent part-time jobs. The facility contemplated by the Harrah's Transaction was estimated to generate \$66 million in gaming tax revenue in the first year of operations, increasing to \$75 million in gaming tax revenue by the fifth year of operations. (N.T. 12/16/10 at 13.)

23. In response to the testimony offered and the materials submitted, Chief Enforcement Counsel and members of the Board expressed varying degrees of concern on the following subjects:

- (a) The conditionality of the documents submitted, including conditions relating to the continuing conduct of due diligence and Board approval of the Harrah's Transaction;
- (b) The status of equity financing;
- (c) The status of debt financing;

- (d) The commitment of PEDP to construct both proposed phases of construction (in particular, the commitment to construct those elements designated by PEDP as "Phase 1B"); and
- (e) The nature and direction of the charitable commitments made by PEDP and its partners.

24. The Board voted to grant BIE's motion and to revoke PEDP's License. (N.T. 12/16/10 (later session) at 25-30.)

25. On December 23, 2010, the Board entered its Order granting OEC's motion for summary judgment and declaring the revocation of PEDP's License. The Board has not to date issued an Adjudication in support of the December 23 Order.

26. PEDP now timely files this expedited Motion for Reconsideration of the December 23 Order.

NEW CIRCUMSTANCES WARRANTING RECONSIDERATION

27. Notwithstanding the Board's entry of the December 23 Order, from and after the December 16, 2010 hearing, PEDP and Harrah's continued the work necessary to address the Board's concerns as expressed at the December 16, 2010 hearing. Without admitting or otherwise acknowledging any shortcoming in the December 10 Transaction Documents, or any other actual or alleged basis for the Board's entry of the December 23 Order, the result of these continued efforts, categorized by reference to the general subject of the Board's expressed concerns, are described below.

Deal Documents

28. On or about January 7, 2011, the parties to the Partnership Interest Purchase Agreement dated December 10, 2010 entered into that certain Amended and Restated Partnership Interest Purchase Agreement (the "Amended and Restated PIPA"), a copy of which

is attached hereto as Exhibit 2 and incorporated herein by this reference. A redlined version of the Amended and Restated PIPA compared to the Partnership Interest Purchase Agreement dated December 10, 2010 is attached hereto and made a part hereof as Exhibit 2A.

29. The Amended and Restated PIPA reflects the continued definitive agreement of the parties to the Harrah's Transaction, and in response to the Board's voiced concerns, provides, among other things, for a significant reduction in the conditions particular to the Harrah's Transaction, including elimination of conditions relating to the conduct of due diligence. The contingencies that remain are only those normally attendant to a transaction of the size and type of the Harrah's Transaction, and largely relate to matters outside of the control of the parties to the Amended and Restated PIPA.

Equity Financing

30. The Amended and Restated PIPA provides that Harrah's shall fund, on a loan basis only, any shortfall in the equity raise proposed in connection with the Harrah's Transaction up to See Section 1.3 of the Amended and Restated PIPA. Such "backstop," together with equity commitments already presented to the Board, will ensure full funding of PEDP's anticipated equity requirements.

Debt Financing

31. Attached hereto as Exhibit 3 and incorporated herein by this reference, is a fully executed Commitment Letter dated January 7, 2011 (the "Commitment Letter") issued to PEDP by _____ pursuant to which the Banks commit to provide to PEDP senior secured financing for the development of the Project

While consistent with the "highly confident letters" previously submitted to the Board as described above, the Commitment Letter represents

the product of the ongoing efforts of PEDP and Harrah's, and provides a greater level of certainty that financing sufficient for development of the Project will be available to PEDP, and has been approved by the investment committees of both Banks.

Construction Timing

32. PEDP and Harrah's continuing work has extended to consideration of the feasibility of proposed Phase 1B of the Project (as each of these terms is defined in the Amended and Restated PIPA). Assuming Board authorization and consummation of the Harrah's Transaction, by this Petition, PEDP commits to the commencement of Phase 1B of the Project as soon as reasonably practicable after opening of Phase 1A (as defined in the Amended and Restated PIPA) of the Project, but in no event later than thirty (30) months after opening of Phase 1A of the Project.

Charitable Contributions

33. At the December 10, 2010 hearing, Commissioners Sojka and Trujillo expressed concerns regarding the charitable distributions to be made by PEDP after consummation of the proposed Harrahs' Transaction, compared with the program currently provided under Paragraph 57 of the Statement of Conditions ("Paragraph 57"). Paragraph 57 provides as follow:

Washington Partners Community Charities, LP's ("WPCC") owners have irrevocably committed to allocate all of their net profits to charities and non-profit organizations, as selected by such owners, and on an biannual basis, they shall provide the Board with written notice of all charitable contributions made during the six month period then ended. In the event that Philadelphia Entertainment and Development Partners, LP obtains additional equity owners which causes WPCC's ownership interest held therein to fall or be diluted below 42%, WPCC will nevertheless continue to contribute all funds, income, dividends or other distributions of either cash, partnership interests or other assets received as a result its ownership of partnership interests in Philadelphia Entertainment and Development Partners, LP to charities and other non-profit organizations pursuant to the terms of the limited partnership agreement of WPCC. In addition, in the event of a sale or transfer of any of the partnership interests of Philadelphia

Entertainment and Development Partners, LP, the proceeds of such sale or transfer received by WPCC will be contributed by WPCC to charities and non-profit organizations in the same manner as outlined above. There shall be no amendment to the limited partnership agreement of WPCC which effects, in any way, the above-described obligations of WPCC without the approval of the Board.

34. The Commissioners' concerns were apparently focused on whether PEDP's commitment to make charitable contributions to the Mashantucket Pequot Museum & Research Center ("Museum") under the definitive documents submitted by PEDP to BIE on December 10, 2010, marks an abandonment of the charitable commitment made by WPCC during the suitability hearing before the Gaming Board on November 16, 2006.

35. PEDP acknowledges that contributions to the Museum were not contemplated at the time of the suitability hearing in 2006. However, such an undertaking was negotiated in good faith as part of the Harrah's Transaction, as consideration for FDC's agreements to (a) relinquish the right to manage the Project, and (b) allow the reduction of its interest in PEDP from 30% to 1.25%, in each case despite. In light of the fact that FDC and its affiliates had invested more than \$34 million in PEDP, PEDP believes that its agreement to undertake such a charitable commitment in favor of the Museum was material, if not the primary consideration, in FDC's agreement to reduce its equity position and abandon its existing contractual rights to the extent necessary to accommodate the Harrah's Transaction.

36. PEDP also believes that the Museum is a legitimate and important charitable institution. The Museum was established in 1998 by the Mashantucket Pequot Tribal Nation ("MPTN") and is one of the largest Native American tribal museums in the United States. It is committed to a culturally responsive and responsible education designed to share the proud heritage and legacy of the MPTN people.

37. Attached hereto and made a part hereof as Exhibit 4 is a brochure that describes some of the educational programs conducted by the Museum for school-age children. The 28,610 children that attended these programs in 2010 translates into about 135 children served for each day that the Museum was open (open 4 days per week). The Museum mainly serves the demographic region of southern New England, with additional groups coming from New Hampshire and New York. From January 1 through December 31, 2010 the Museum hosted 1,948 groups consisting mostly of school children, and other family oriented groups and special events (i.e.: hikes, archaeological digs, workshops, Boy & Girl Scouts).

38. PEDP acknowledges that, given changed realities in the economy generally and the gaming industry specifically, the magnitude of overall amount of casino revenues, and therefore the amount of distributions to WPI and resulting charitable contributions, may not be as great as those predicted in 2006. This is a new reality for all licensees. However, considering the revenues projected to be realized over the entire period of PEDP's proposed ownership -- even under the economic realities of 2011 -- PEDP and its partners do not consider the negotiated charitable commitment in favor of the Museum to constitute a material diversion of funds away from charities contemplated as beneficiaries in 2006.

39. Moreover, viewing as a whole the new charitable distribution program contemplated by the Harrah's Transaction, which importantly is in addition to the existing Paragraph 57 charitable contributions, it is clear that the vast majority of the additional charitable contributions will be directed locally:

- (a) At or about the time of the opening of the proposed casino, there will be an initial \$5 million charitable contribution by PEDP, distributed as follows: \$2.5 million to the Mashantucket Pequot Museum & Research Center ("Museum"); and \$2.5 million to those charities designated by WPI LP.

(b) PEDP will donate 2% of its annual net revenue (defined as gross revenue less promotional expenses and complimentaries) per fiscal year to those charities designated by WPI LP; subject to certain specified reductions. For each of the first 7 years of operation, the Museum is to receive \$500,000 of the annual charitable distribution for that year. The balance of the year's distributions will be paid to charitable and non-profit entities designated by WPI LP. Once the Museum has received a total of \$6,000,000 in charitable distributions (inclusive of its ½ share of the initial contribution), which would be over a period of at least 7 years based upon the above annual payments, the Museum is not entitled to receive any further distributions.

40. Not only have the participants in WPCC continued their commitment to charitable purposes as envisioned and required by Paragraph 57, but when confronted with circumstances beyond their control and the Hobson's Choice of a substantial dilution of the very interests that they had committed for charitable purposes, PEDP and Harrah's agreed to provide for an additional charitable distribution program beyond that contemplated by Paragraph 57. In addition, any investment by the Silver Trust in the Class A Interests will also be donated for the benefit of charities.

41. At the same time, although substantially reduced in amount, the WPCC participants made no change in the current dispositive provisions of their respective interests in WPCC, and in turn WPI, and continue to provide for their net proceeds to be distributed as provided in Paragraph 57. Under the circumstances, the WPCC participants should not be faulted for doing what they had to do to make this Project work while at the same time ensuring that significant charitable contributions remain.

REQUEST FOR RELIEF

42. Petitioner respectfully submits that the Board should grant reconsideration of the December 23 Order in the instant matter.

43. A principal basis of the Board's December 23 Order declaring the revocation of PEDP's License was that PEDP had failed to maintain the requisite financial fitness and suitability for continued licensure and that a licensee's "financial wherewithal" to develop and operate its facility did not establish its financial fitness and suitability, notwithstanding the Board's previous acceptance of the Financial Suitability Report to the contrary. (*See, e.g.*, N.T. 10/27/10 at 54-64; *see also id.* at 20-22, 25-26, 36, 38-40, 47-48; Financial Suitability Report at 9 ("The financial suitability of the applicant encompasses an assessment of an applicant's historical financial stability and financial wherewithal to develop the proposed project.") & 14 ("The financial wherewithal of an applicant is measured by its ability to develop the proposed project and also includes the ability of an applicant to secure debt or obtain financing.").)

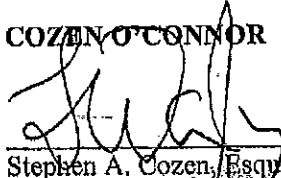
44. Without conceding any such conclusions, PEDP has submitted under cover of this Petition materials which more than adequately demonstrate its satisfaction of each of the conditions imposed upon it by the Board, including its requisite financial fitness and suitability for continued licensure and that its financial wherewithal to develop and operate the Project. Specifically, the materials presented herewith, including without limitation, the Amended and Restated PIPA and the Commitment Letter, demonstrate beyond any reasonable argument that no inadequacy alleged by OEC in its Complaint (and presumably adopted by the Board through its December 23, 2010 Order) exists today.

CONCLUSION

WHEREFORE, for all of the reasons set forth above, PEDP respectfully requests that the Board grant expedited reconsideration of its December 23 Order; and upon reconsideration, vacate that Order and deny OEC's motion for summary judgment.

Respectfully submitted,

COZEN O'CONNOR



Stephen A. Cozen, Esquire (PA ID #03492)
F. Warren Jacoby, Esquire (PA ID #10012)
John V. Donnelly III, Esquire (PA ID #93846)
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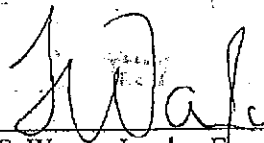
Dated: January 7, 2011

*Attorneys for Philadelphia Entertainment and
Development Partners, L.P., d/b/a Foxwoods
Casino Philadelphia*

VERIFICATION

I, F. Warren Jacoby, Esquire, hereby state that I am authorized to make this Verification, and state that the facts above set forth in the foregoing Motion for Reconsideration of the Board's December 23, 2010 Order of Licensure Revocation are true and correct to the best of my knowledge, information, and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C. S. § 4904 (relating to unsworn falsification to authorities).

Date: January 7, 2011


F. Warren Jacoby, Esquire

**BEFORE THE
PENNSYLVANIA GAMING CONTROL BOARD**

IN RE	:
PHILADELPHIA ENTERTAINMENT AND	:
DEVELOPMENT PARTNERS, L.P., d/b/a	:
FOXWOODS CASINO PHILADELPHIA	:
	: Docket No. 1367
	: Office of Hearings and Appeals Docket
	: Number: 1408-2010

ORDER

AND NOW, on this ____ day of _____, 2011, upon consideration of Respondent, Philadelphia Entertainment and Development Partners, L.P., d/b/a Foxwoods Casino Philadelphia's Motion for Reconsideration of the Board's December 23, 2010 Order of Licensure Revocation, and any response thereto, it is hereby ORDERED that said Motion is GRANTED, the Board's Order of December 23, 2010 is VACATED, and the Board hereby DENIES the Motion for Summary Judgment filed by the Office of Enforcement Counsel on behalf of the Bureau of Investigations and Enforcement.

BEFORE THE PENNSYLVANIA GAMING CONTROL BOARD

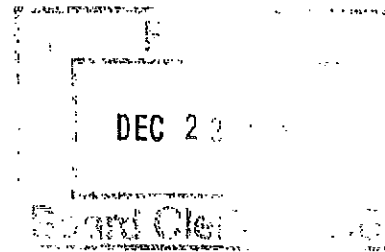
COMMONWEALTH OF PENNSYLVANIA
 PENNSYLVANIA GAMING CONTROL
 BOARD BUREAU OF INVESTIGATIONS
 AND ENFORCEMENT

Complainant

PHILADELPHIA ENTERTAINMENT AND
 DEVELOPMENT PARTNERS, L.P., D/B/A
 FOXWOODS CASINO PHILADELPHIA
 SLOTS LICENSE 1367,

Respondent

OHA DOCKET NO. 1408-2010



ORDER

AND NOW, this 23rd day of December, 2010, upon consideration of the Office of Enforcement Counsel's ("OEC") Motion for Summary Judgment; Philadelphia Entertainment and Development Partners, L.P.'s ("PEDP") response thereto; and the record before the Board in these proceedings; OEC's Motion is **GRANTED** and it is **ORDERED** that PEDP's Category 2 Slot Machine License is **REVOKED** for the following reasons:

- 1) PEDP failed to comply with the Board's Order of September 1, 2009 by failing to submit to the Bureau of Investigations and Enforcement ("BIE"), by December 1, 2009, architectural renderings, artist renderings, conceptual proposals, engineering opinions and other documents relating to construction of a facility substantially similar to that approved by the Board on December 20, 2006; as well as a timeline for commencement and completion of all phases of the facility with a minimum of 1,500 slot machines available for play, on or before May 29, 2011;

- 2) PEDP failed to comply with the Board's Order of March 3, 2010 by failing to submit definitive financial documents for its casino project by March 31, 2010;
- 3) PEDP failed to comply with the Statement of Conditions placed upon the Category 2 Slot Machine License granted to PEDP, including, *inter alia*, Condition 5 of the Statement of Conditions, by failing to maintain financial fitness;
- 4) PEDP is unable to have 1,500 slot machines available for play by the Board imposed deadline of March 29, 2011; and
- 5) PEDP has failed to maintain financial suitability to hold a Category 2 Slot Machine License.

An Adjudication setting forth Findings of Fact and Conclusions of Law and the Boards' rational for entering this Order shall be forthcoming.

By the Board:

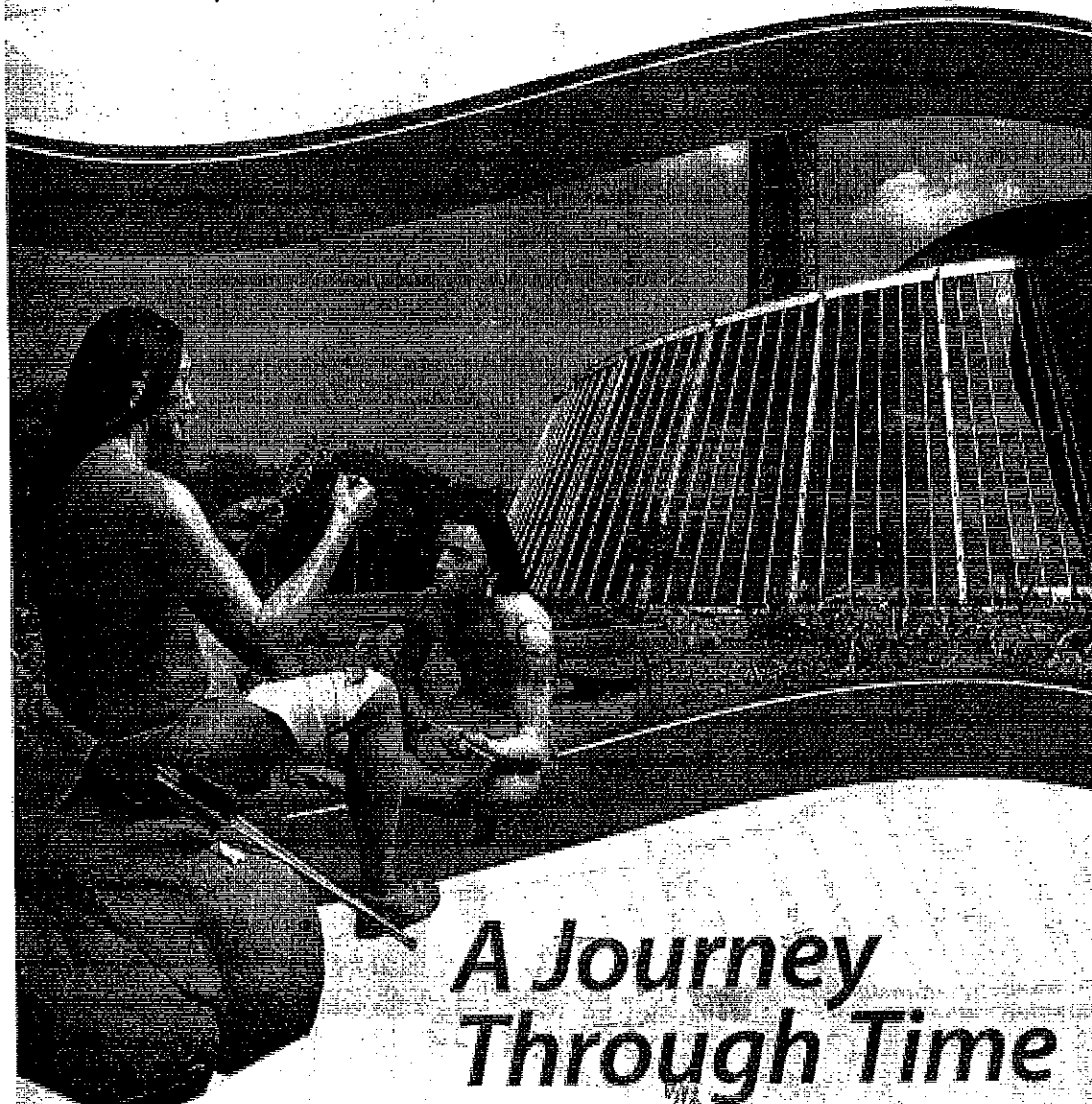


Gregory C. Fajt, Chairman
Pennsylvania Gaming Control Board¹

¹ Pennsylvania Gaming Control Board Member Ginty voted to deny OEC's Motion for Summary Judgment.

Exhibit 4

A Standards-Based, Research
Field Study Guide for Group Tours



A Journey Through Time

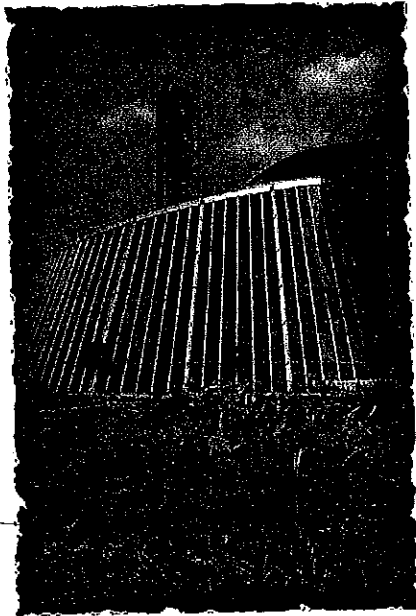
AN 18,000 YEAR ADVENTURE

MASHANTUCKET
PEQUOT



MUSEUM
& RESEARCH CENTER

Welcome



Dear Colleague:

On behalf of the Mashantucket Pequot Tribal Nation, we invite you to visit one of the largest tribal museums in the country: the Mashantucket Pequot Museum & Research Center. MPMRC is designed to share the proud heritage and legacy of the Pequot people. We are very proud of our state-of-the-art facility. The Museum provides a multi-sensory immersion experience complete with interactive exhibits and 85,000 square feet of permanent exhibits covering 18,000 years of Pequot history.

Committed to culturally responsive education, we offer a wide selection of exhibit tours and hands-on enrichment programs. Teacher services include professional development workshops covering a variety of topics. As a CEU provider we hold several educational workshops each year which often include an accomplished Native artist, scholar or performer. We offer an exciting way to learn history, science, archaeology and language arts. Don't wait—start planning your journey today!

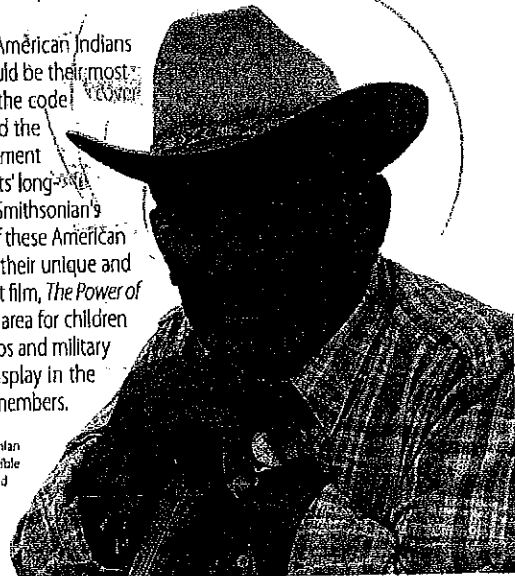


NATIVE WORDS NATIVE WARRIORS

Oct. 23–Dec. 31, 2010

When the United States issued the call to arms in WWI and WWII, American Indians answered. Some discovered that words in their Native languages would be their most valued weapons. Crackling over the airwaves and telephone lines, the code talkers' messages proved indecipherable to the enemy and helped the United States achieve victory in combat. Decades later, the U.S. government declassified the code talker programs, paving the way for the participants' long-overdue recognition. *Native Words, Native Warriors*, developed by the Smithsonian's National Museum of the American Indian, tells the remarkable story of these American heroes and highlights the cultural backgrounds that made possible their unique and valuable contribution to the war effort. The exhibition includes a short film, *The Power of Words: Native Languages as Weapons of War*, and a hands-on activity area for children to explore the fun and mystery of ciphering and making codes. Photos and military memorabilia collected from living Pequot veterans are also on display in the Mashantucket Gallery. Free with Museum admission, free to Museum members.

Native Words, Native Warriors was produced by the National Museum of the American Indian, Smithsonian Institution, and the Smithsonian Institution Traveling Exhibition Service. The exhibit was made possible thanks to the generous support of Elizabeth Hunter Solomon. Additional funding has been provided by the Smithsonian Women's Committee and the AMB Foundation. Smithsonian Institution Traveling Exhibition Service



Teacher Services & Resources

The Children's & Research Libraries



The Children's Library contains current and historical materials for children by and about Native peoples. Educators also find many useful materials in the Education Collection including books on educational theory and curriculum development relating to Native American studies.

The Research Library contains current and historical information on the histories and cultures of indigenous peoples in the United States and Canada. The collection includes books, serials, maps, pamphlets, brochures, micromedia, and visual and audio recordings, and covers Native American history, anthropology, art and literature, as well as conservation studies and museum studies.

We encourage educators and group leaders to use the Research and Children's libraries. Our librarians are happy to assist you in learning about and utilizing these important resources. Please call the Research Library at (860) 396-6897 or the Children's Library at (860) 396-6899 for more information.

Professional Development Workshops

Working on curriculum development and lesson planning on Native culture and history? The museum is an excellent teaching resource. These workshops are designed specifically for elementary and secondary grade teachers and include a resource packet and a visit to the research libraries. We are willing to design a workshop around just about any topic. \$45/40 for Museum members, includes admission to the exhibits.

Examples of past workshops:

- Unlearning Stereotypes: A look at Diversity and Multicultural Education
- The Role of Storytelling in Native Cultures: Native Literature and the Oral Tradition
- Sharing Native Values Through Art: A Look at Eastern Woodland Cultures; the meaning of images, symbols and designs in Native cultures
- The Role of Native Women: Today and Yesterday
- Federal Recognition and Tribal Sovereignty
- Evaluating Materials for Children about American Indians: Children's Library



Teacher Previews

Teachers: Before bringing your class(es) for the first time, we invite you to schedule an exhibit site visit. Meet with an educator to explore the appropriate tours and enrichment programs that are available for your class. Learn about upcoming teacher workshops. Receive a resource information packet. The reduced teacher preview price is \$8 each. **Advance reservations are required. Call (860) 396-6839.**

Rates & Reservations

How to Make a Reservation

Group Sales Office Hours

Wednesday through Saturday, 10 am–4 pm. Group Sales Coordinator: (860) 396-6839 or (800) 411-9671, Ext. 66839 or e-mail kdavis@mpin-nsn.gov

Rates

A minimum of ten people is required for all group rates. Students: High School and below. Seniors: 55 and older. Payment is due upon arrival and may be made with cash, check, purchase order or credit card. Checks are made payable to MPMRC.

Self-Guided Tours

\$13 per adult
\$11 per senior
\$ 8 per student

Enrichment Programs*

\$ 5 per student (one-hour program)
\$10 per student (two-hour programs)
\$10 per student (90-minute program)

Craft Workshops*

\$ 6 per student

Guided Tours.

\$17 per adult
\$15 per senior
\$ 8 per student
\$ 8 per chaperone—Ratio of 1 chaperone for every 5 students in Grades Pre-K–3. Ratio of 1 chaperone for every 10 students in Grades 4–12. \$11 per each additional chaperone.

*Does not include admission to the museum exhibits.

Special Package Rates

Combine a tour & program—\$11 per student • Combine two (2) tours—\$11 per student • Prices are subject to change.

Chaperone Policy

Students visiting the Mashantucket Pequot Museum & Research Center (MPMRC) must be accompanied by an adult at all times. The MPMRC requires one supervising adult with every five students for Grades Pre-K–3 and one chaperone per every ten students for Grades 4–12. If your group is participating in an enrichment program, a limited number of adults are permitted in the classroom at no additional charge.

Lunch Options

Express Lunches—Save time and money by ordering affordable hot & cold lunches at least one week in advance: (860) 396-7007.

Student Lunchroom—Bring lunch with you and use our facilities.

Museum Restaurant—Buy your cafeteria-style lunch 11 am–3:45 pm.



Pre-Packaged Souvenir Gift Bags

The Museum's gift shop prepares special souvenir packages for your students to take home. Items are individually packaged and available to pick up and pay for on the day of your visit. Choose from \$4, \$6 or \$10 packages. To order, call the gift shop at least one week in advance: (860) 396-6871 or fax (860) 396-7012.

Tours

Guided tours are one hour in length. A confirmation letter and pre-orientation packet with suggested readings and activities are mailed shortly after your reservation is confirmed. Groups are free to explore the exhibits on their own before or after their guided tours.

Self-Guided Tours

Teachers may elect to conduct their own tours for students, using a favorite space for an in-depth exploration, like the Caribou Hunt or the Pequot Village.

Social Studies Tours

Social Studies Tours strengthen historical thinking and language arts skills.

Exhibit Highlights

Recommended for Grades 5 to Adult

This tour provides an overview of the Pequot experience, highlighting exhibit areas from 20,000 years ago up to present day, pointing out the important connection of the land, the people, community, and family.

Through the Eyes of a Pequot Child

Recommended for Grades K-Adult

Imaginations soar with the sights, sounds, and smells in the 16th century Pequot Village. This tour promotes understanding of Pequot life before contact and demonstrates the importance of family and community.

Gifts of the Land & Waters

Recommended for Grades K-12

Discover why Native people have great respect for the natural world and why resources are valued as "gifts." Stone, bone, shell, and wood were appreciated because they could be transformed into useful objects. Students explore the seasonal dioramas and learn how each season brings different gifts—obtained from both the land and water. The tour for **Grades K-3** focuses on Ice Age mammals including dire wolves, giant beaver and mastodon.

Life on the Reservation

Recommended for Grades 4-12

Upper-level students (Grades 7-12) learn about the harsh impact of reservation life and how the conflicting elements of social, political and economic changes reshaped the Pequot world. Contemporary issues of federal recognition and sovereignty conclude the tour. **Elementary students** (Grades 4-6) learn about Pequot ancestors who lived at Mashantucket and the difficult decisions they had to make to survive. Hear the stories of Sachem Robin Cassacinamon and Hannah Ocuish who became a servant at the age of six.



Exhuming the First American Mastodon, Charles Willson Peale, oil on canvas

Enrichment Programs

Our Enrichment Programs, led by Museum Educators, are designed to stimulate critical thinking skills and offer innovative hands-on opportunities and group interaction.

Social Studies Programs

Social Studies Programs strengthen historical thinking and language arts.

Witness to a Genocide: A Social Justice Approach

Recommended for Grades 9–12

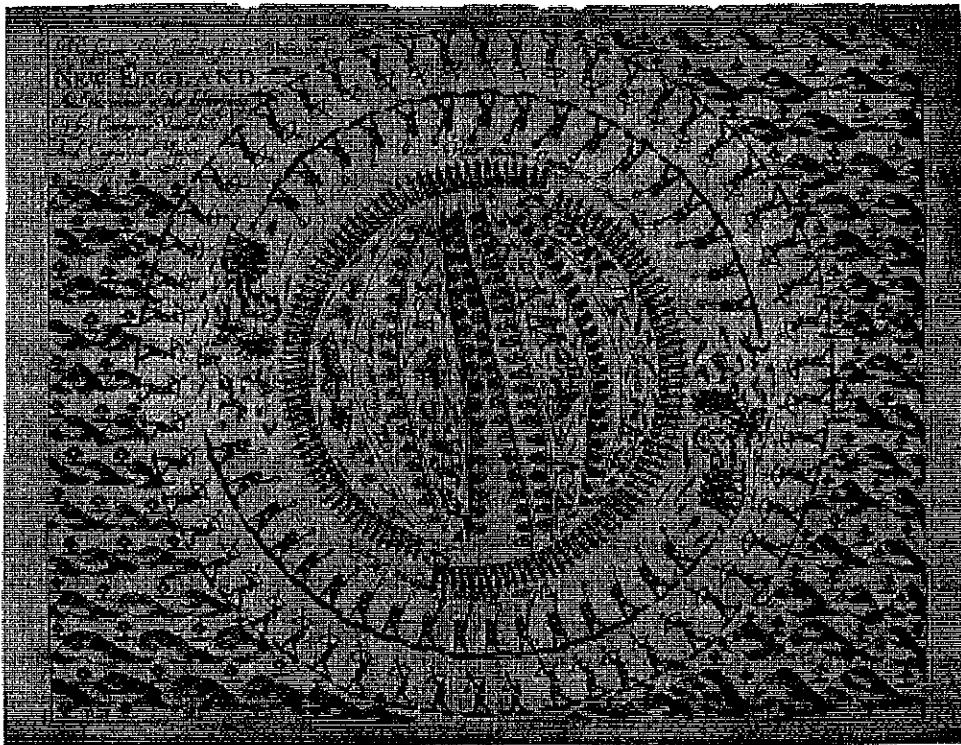
By taking a detailed look at the 1637 massacre of a Pequot Village and the ensuing centuries of oppression faced by the Pequot people, students examine how our personal actions can carry serious consequences. The film, *The Witness*, is part of the program content. Two-hour program.

Life Without a Supermarket:

A 16th-Century Native Coastal Community

Recommended for Grades 3–6

In this one-hour enrichment program in the Pequot Daily Life gallery, students discover how Pequots lived without malls and shopping centers. They learn how Native people constructed dug-out canoes, built housing, enhanced personal appearance, and prepared food. This hands-on experience gives students a better understanding of how Native people transformed the natural resources into useful common items.



Enrichment Programs cont.

Science Programs

Science Programs strengthen informal science skills; focus on environment and ecology.

Coastal Connections: Fishing Without Poles

Recommended for Grades 4–8

The Pequot people are known as “the people of shallow waters.” Students learn about the Pequot relationship with the estuaries of Long Island Sound and why knowledge of the tides, currents, moon cycles, and the changing seasons would have been important to Pequot fishermen. Dynamic small-group activities engage students in discovering Native relationships with marine ecosystems and stimulate critical thinking.

Archaeology’s Window to the Past: Interpreting Refuse Pits, Can You Dig It?

Recommended for Grades 4–8

Do you know why archaeology is sometimes called “our window to the past?” Students discover the answer to this question in a hands-on enrichment program. Students are divided into small groups to work with simulated refuse heaps from three different time periods in Pequot history. Their task is to identify and interpret artifacts from each time period, understand why cultures change over time, and the reasons for change.

Inside The Fort: The Archaeology of A 17th-Century Pequot Site

Recommended for Grades 5–8

What does an archaeological site look like and how do archaeologists figure out what happened there? Join us for this hands-on exploration of a 1670s’ Pequot settlement. It begins in one of our classrooms where you learn to make and read site maps, study artifacts, and try to reconstruct the everyday lives of Pequot people. Then you’ll tour one of our exhibits and visit the actual site, weather permitting. 90-minute program. Site tours are not available December–March.

See Page 4 for rates.



The Witness

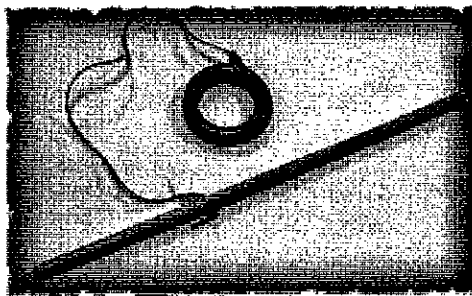
Experience the tragedy of the Pequot War through the eyes of Wampishe, a Pequot elder who survived the burning of the Mystic Fort as a young boy. Wampishe recounts the tragic events of war to his grandson and urges him to keep the story alive by telling it to his own children and grandchildren.

(Parental guidance is suggested for children under 13)

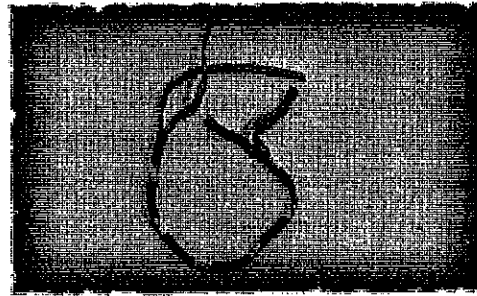
Please check our website periodically to get a list of future exhibits in the Mashantucket Gallery: www.pequotmuseum.org

Craft Workshops

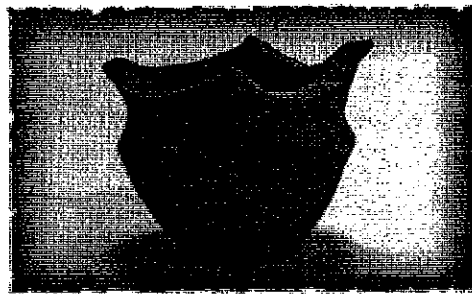
These workshops are one-hour long and recommended for ages 6 and older.



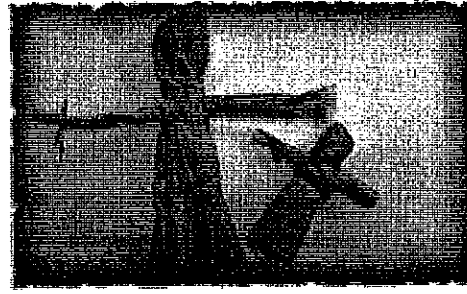
Native Games shares some of the early pastimes enjoyed by Pequot children. Students complete and play a traditional game.



Wampum Bracelets teaches how wampum beads were made from quahog shells. Students make their own replicated wampum bracelet.



Pinch Pottery enables students to make and shape a small traditional-style Northeastern pinch pot.



Corn Husk Creations offers students an opportunity to take home a simple game or figure made from corn husks.

See Page 4 for rates.

Discover Our Discovery Carts

Look for our learning-centers-on-wheels for a hands-on experience. Stop by with your students to touch real furs; learn about Native games; discover the kinds of containers Pequot ancestors created out of natural resources to hold and carry their objects. Discovery carts are generally set up on weekends and holidays, and on weekdays when available.

Outreach For schools, libraries, adult groups

The Mashantucket Pequot Museum's Outreach programs make history come to life!

The Pequot Story: Celebrating Heritage

Our traveling programs bring a museum educator with a variety of hands-on objects, photographs, and materials to illustrate Pequot peoples' lives and activities as they changed over time beginning with a look at a 16th-century coastal village. Participants learn how the arrival of Europeans brought dramatic changes and explore the similarities and differences of Pequot people today. The program includes a Native perspective which did not change over time—the importance of respecting Mother Earth—because the way we care for the environment today impacts upon our children for generations to come. Presentations are 45 minutes. Our museum educators will tailor their presentations to the age group that you specify.

\$225 for 1 classroom program	\$400 for 3 classroom programs
\$325 for 2 classroom programs	\$450 for an Auditorium program, 4th Grade & up (slide presentation)
Mileage: \$.50/mile	

To schedule an Outreach Program, contact Group Sales at (860) 396-6839. The Museum requests you use the following procedure:

- Call to schedule your program three to six weeks in advance.
- Payment due two weeks in advance.
- Require a teacher (or other adult from your organization) to remain in the room during the presentation.
- Schedule your first program to begin at or after 9:30 am.
- Try to set aside one room for all your Outreach Programs to minimize set-up time for Museum staff.
- Allow the Museum Educator 15 minutes between programs and 30 minutes for lunch.

MPMRC charges a fee of \$50 for cancellations with less than a one-week notice. Cancellations due to inclement weather can be re-scheduled at no charge.



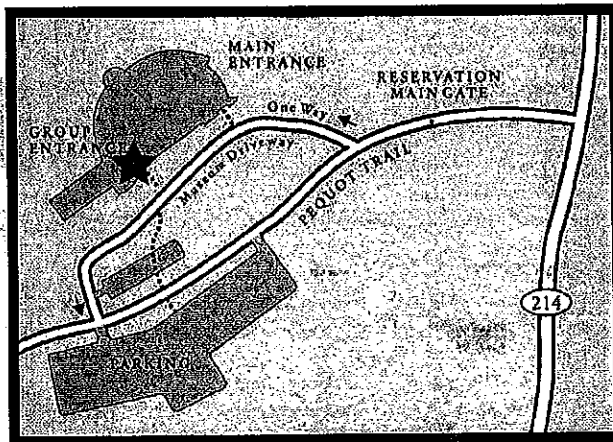
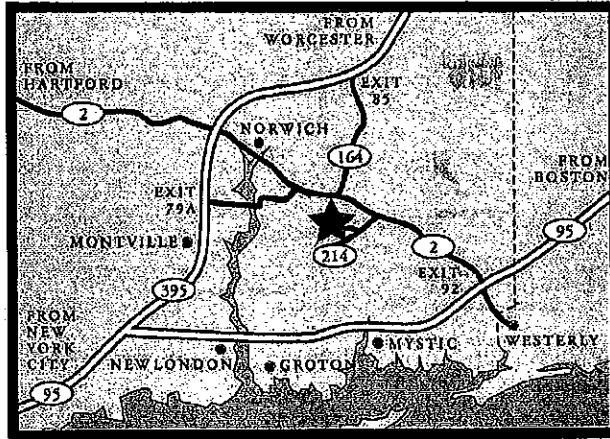
CT Curriculum Frameworks

for Pequot Museum Educational Programs & Tours

The MPMRC and Public Programs have a commitment to excellence in the development of our tours and enrichment programs. We have set and strive to meet high expectations in order to provide meaningful learning experiences. Our educational programming is based on the Connecticut Curriculum Frameworks.

		ENRICHMENT PROGRAMS						GUIDED TOURS						
Curriculum Frameworks Teaching Objectives		Archaeology's Window to the Past	Inside The Fort	Hands-On Archeological Research	Witness to a Genocide	Life Without A Supermarket	Coastal Connections: Fishing Without Poles	Exhibit Highlights	Through the Eyes of a Pequot Child	Gifts of the Land and Waters, Grades 4-12	Gifts of the Land and Waters, Grades K-3	Life on the Reservation, Grades 7-12	Life on the Reservation, Grades 4-6	Outreach
SOCIAL STUDIES	Historical Thinking	•	•	•	•	•	•	•	•	•	•	•	•	•
	Local, United States, & World History	•	•	•	•	•	•	•	•	•	•	•	•	•
	Historical Themes	•	•			•	•	•	•	•	•	•	•	•
	Applying History	•	•			•	•	•	•	•	•	•	•	•
	Citizen's Rights & Responsibilities				•		•	•	•	•	•	•	•	•
	Political Systems				•			•	•	•	•	•	•	•
	Place & Regions	•	•		•	•	•	•	•	•	•	•	•	•
	Physical Systems	•	•					•	•	•	•	•	•	•
	Human Systems	•	•	•	•	•	•	•	•	•	•	•	•	•
	Human-Environmental Interaction	•	•	•		•	•	•	•	•	•	•	•	•
SCIENCE	Limited Resources	•	•		•	•	•	•	•	•	•	•	•	•
	Economic Systems				•	•		•	•	•	•	•	•	•
	Living Things & Their Environments	•	•			•	•	•	•	•	•	•	•	•
	Understanding Technologies	•	•	•		•	•	•	•	•	•	•	•	•
	Scientific / Social Decisions	•	•	•		•	•	•	•	•	•	•	•	•
LANGUAGE ARTS	The Earth	•	•	•		•	•	•	•	•	•	•	•	•
	Water	•	•			•	•	•	•	•	•	•	•	•
	Reading Strategies	•	•				•	•	•	•	•	•	•	•
	Applying English Language Conventions	•	•		•		•	•	•	•	•	•	•	•

Map & Directions



From Hartford

Follow RT 2 East, take Exit 28 South to RT 395 South. From RT 395 South, take Exit 79A to RT 2A East, crossing the Mohegan-Pequot Bridge. Turn left on RT 12. Take the first right onto RT 2A East. Follow RT 2A to RT 2. Turn right onto RT 2 East. Stay on RT 2 and take the RT 214 exit.*

From Worcester

Take I-395 South to Exit 85 in Connecticut. Go straight to the second traffic light and turn left onto RT 164 South. Follow RT 164 to the end, approximately 7 miles. Turn left onto RT 2 East. Stay on RT 2 and take the RT 214 exit.*

From R.I. & Points North

Follow RT 95 South to Exit 92. At the exit, go to the second stop sign and turn right onto RT 2 West. Stay on RT 2 West for 8 miles. Take the Foxwoods BLVD exit; then move to the left-hand lane for RT 214 West.*

From NYC/New Haven

Follow RT 95 North, take Exit 92. Turn left onto RT 2 West. Stay on RT 2 West for 8 miles. Take the Foxwoods BLVD exit; then move to the left-hand lane for RT 214 West.*

*Drive 3/10 mile to third light, turn right onto Pequot Trail. The Public Safety Building is on the left. Continue until you reach the museum. All groups arrive and check in at the Group Entrance.

Visit us on the web at

www.pequotmuseum.org

Call (860) 396-6839

to make your reservations today!

This information is accurate at the time of printing. It is subject to change without notice. Please check our web site for the most recent information: pequotmuseum.org. Printed July 2010. GPS directions to the Museum are not always reliable.

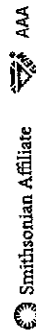


110 Pequot Trail, Mashantucket, CT 06338

(800) 411-9671 • www.pequotmuseum.org

Educators'
Open House & Family Day
Sept. 25, 2010, 10 am–4 pm
Visit
www.pequotmuseum.org

Reserve
Your Field Trip Early! Space fills up fast.
Call (860) 396-6839
to make your reservations today!



FILED

1408-2010
JAN - 7 2011

Board Clerk PGCB

COMMONWEALTH OF PENNSYLVANIA
BEFORE THE PENNSYLVANIA GAMING CONTROL BOARD

RECEIVED

JAN - 7 PM 3:18
PA GAMING CONTROL BOARD
OFFICE OF THE CLERK

In re: Application of Philadelphia
Entertainment and Development Partners,
L.P.

Docket No. 1367

MOTION OF PHILADELPHIA ENTERTAINMENT AND DEVELOPMENT PARTNERS, L.P.,
TO PROTECT CONFIDENTIAL INFORMATION PURSUANT TO
58 Pa. Code § 493a.10(a), 4 Pa.C.S. § 1206(f)(1), and 58 Pa. Code § 407a.3

NOW COMES, Philadelphia Entertainment and Development Partners, L.P. ("PEDP"),
by and through its attorney, F. Warren Jacoby, Esquire of Cozen O'Connor, by Motion to the
Pennsylvania Gaming Control Board (the "Board"), and states:

1. On December 20, 2006, the Board approved the issuance to PEDP of a
Category 2 slot machine license, License No. F-1367 (the "Slot Machine License"), pursuant to
Section 1304 of the Pennsylvania Race Horse Development and Gaming Act, 4 Pa.C.S. §
1101 et seq. (the "Act"). See 4 Pa.C.S. § 1304. The Slot Machine License authorized PEDP
to develop, construct and operate a gaming facility with related amenities, as proposed by
PEDP (the "Facility"), to be located at approximately 1499 S. Christopher Columbus Boulevard
in Philadelphia (the "Property").

2. On December 23, 2010, the Board issued its Order granting the Motion for
Summary Judgment ("Motion for Summary Judgment") filed by the Office of Enforcement
Counsel ("OEC") and Bureau of Investigations and Enforcement ("BIE"), entering judgment
thereon against PEDP and revoking the Slot Machine License ("Revocation Order").

3. On even date herewith, PEDP has filed with the Board its Petition for Reconsideration ("Petition") of the Revocation Order, together with various attachments thereto, requesting that the Board grant reconsideration of the Revocation Order, and upon reconsideration, vacate that Order and deny the Motion for Summary Judgment.

4. As stated above, in support of its Petition, PEDP also affixed thereto and concurrently filed with the Board various documents in support of the Petition as described therein (the "Attachments").

5. Section 1206(f) of the Act mandates that certain "information submitted by an applicant, permittee or licensee pursuant to Section 1310(a) (relating to slot machine license application character requirements) ... or obtained by the [B]oard ... as part of a background or other investigation from any source shall be confidential and withheld from public disclosure."

4 Pa.C.S. § 1206(f)(1). Such information includes:

(i) All information relating to character, honesty and integrity, including family, habits, reputation, history of criminal activity, business activities, financial affairs and business, professional and personal associations submitted under section 1310(a) or 1308(a.1) or otherwise obtained by the board or the bureau, [4 Pa.C.S. § 1206(f)(1)(i)]; and

(iii) Information relating to proprietary information, trade secrets, patents or exclusive licenses, architectural and engineering plans and information relating to competitive marketing materials and strategies, which may include customer-identifying information or customer prospects for services subject to competition. [4 Pa.C.S. § 1206(f)(1)(iii)].

Any documents, such as these, submitted to the Board in connection with an application under Section 1310(a) of the Act are confidential.

4 Pa.C.S. § 1206(f)(1).

6. Moreover, the Board's Regulations track the Act with respect to the types of information that shall remain confidential and allow the Board discretion to deem other information confidential. In particular, Section 493a.10a of the Regulations provides that a party may designate information as confidential under Section 407a.3 (relating to confidential information) in any papers filed with the Clerk by filing a Motion to Protect Confidential Information. Section 407a.3. of the Regulations provides that "confidential information" may include documents pertaining to the applicant or licensee's "financial condition", and/or "[r]ecords or information that is designated confidential by statute or the Board." See 58 Pa. Code §§ 407a.3(a)(1), (5).

7. Section 407a.3. of the Regulations further provides that "confidential information" may include information "relating to proprietary information, trade secrets, patents or exclusive licenses, architectural and engineering plans and information relating to competitive marketing materials and strategies." 58 Pa. Code § 407a.3(a)(2); See also 58 Pa. Code § 407a.3(a)(4), (7) and (8) which relate to non-public information under securities laws and other information required to be filed in connection with the formal application process.

8. PEDP respectfully submits that the Petition and Attachments contain confidential and proprietary information and trade secrets related to the business activities and financial affairs of PEDP and the proposed development, financing, and operation of the Facility on the Property. The Petition and Attachments contain information including, but not limited to, a term sheet, a purchase agreement, a form of agreement of limited partnership, a form of management agreement, proprietary financial information, organizational structure charts and other commercial and financial information which, if disclosed, would cause substantial harm to the competitive position of PEDP.

9. Further, the Petition and Attachments are not subject to disclosure under the Pennsylvania Right To Know Law (the "RTKL"), 65 Pa. C.S. § 67.101 et seq. Section 3101.1 of the RTKL specifically provides that, if the confidentiality of a document is affected by another Federal or state law, the provisions of that other Federal or state law apply. Even if the Petition and Attachments were not subject to the RTKL, the RTKL contains similar protections for trade secrets and other confidential, proprietary information that would protect the Petition and Attachments from disclosure. 65 Pa. C.S. §708(b)(11). Hence, the Petition and Attachments are protected from access, disclosure, or release to third parties under the RTKL, the Act, and the Board Regulations promulgated pursuant to the Act.

10. In consideration of the foregoing, PEDP requests that the Board exercise its authority under 58 Pa. Code § 493a.10a, and issue its Order to Protect Confidential Information protecting as proprietary and confidential the Petition and Attachments until such time as appropriate redactions from such documents are completed, at which time such redacted documents may be included in the non-confidential file maintained by the Board. See 58 Pa. Code § 493a.10a. Consistent with Board policy and practice, PEDP further requests that the Board maintain as confidential and protected from public disclosure the Petition and Attachments until such time as the Board's Office of Hearings and Appeals has had the opportunity to consider such redacted documents. See 58 Pa. Code § 493a.10a(c).

WHEREFORE, PEDP respectfully requests that the Board:

- a. Enter a Protective Order, pursuant to 58 Pa. Code § 493a.10a, and under 4 Pa.C.S. § 1206(f)(1), , and 58 Pa. Code § 407a.3, declaring the Petition and Attachments, and the information contained therein, to be confidential, proprietary and protected from public disclosure; and
- b. Grant such other relief as it may deem appropriate.

Respectfully submitted,

COZEN O'CONNOR

BY: 

F. Warren Jacoby (PA ID No. 10012)
Attorneys for Petitioner, PEDP

Dated: January 7, 2011

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Cre.

CERTIFICATE OF SERVICE

I hereby certify that on January 7, 2011, I caused a copy of the attached Motion to Deem Certain Information as Confidential upon the following persons or entities in the manner indicated:

By Electronic Filing:


Pennsylvania Gaming Control Board
Bureau of Hearings and Appeals
Office of the Clerk
One Penn Center, Suite 502
2601 N. 3rd Street
Harrisburg, PA 17110
boardclerk@state.pa.us
adrayton-b@state.pa.us
lilloyd@state.pa.us

By E-mail:

R. Douglas Sherman, Esquire
Chief Counsel
Pennsylvania Gaming Control Board
Fifth Floor – Verizon Tower
303 Walnut Street/Strawberry Square
Harrisburg, PA 17101
rsherman@state.pa.us

Cyrus Pitre, Esquire
Chief Enforcement Counsel
Pennsylvania Gaming Control Board
Office of Enforcement Counsel
Tenth Floor – Verizon Tower
303 Walnut Street/Strawberry Square
Harrisburg, PA 17101
cpitre@state.pa.us

Date: January 7, 2011



F. Warren Jacoby, Esquire (PA ID No. 10012)
COZEN O'CONNOR, PC
1900 Market Street
Philadelphia, PA 19103
(215) 665-2154