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PA GAMING CONTROL BOARD
OFFICE OF THE CLERK

BEFORE THE
THE PENNSYLVANIA GAMING CONTROL BOARD

COMMONWEALTH OF PENNSYLVANIA	:PGCB DOCKET NO.
GAMING CONTROL BOARD	:
BUREAU OF INVESTIGATIONS	:
AND ENFORCEMENT	:ADMINISTRATIVE
Complainant	:
v.	:HEARING
PHILADELPHIA ENTERTAINMENT AND	:
DEVELOPMENT PARTNERS, L.P., D/B/A	:COMPLAINT, ORDER AND
FOXWOODS CASINO PHILADELPHIA	:
SLOT MACHINE LICENSE 1367	:RULE TO SHOW CAUSE
Respondent	:

FILED

APR 29 2010

1408-2010

Board Clerk PGCB

COMPLAINT FOR REVOCATION OF SLOT MACHINE LICENSE

By and through the Office of Enforcement Counsel, Commonwealth of Pennsylvania, Gaming Control Board, Bureau of Investigations and Enforcement does hereby file this Complaint for Revocation of Slot Machine License upon Philadelphia Entertainment and Development Partners, L.P., d/b/a Foxwoods Casino Philadelphia, and states the following:

COUNT I

FAILURE TO COMPLY WITH BOARD ORDER(S) OF SEPTEMBER 1, 2009 AND/OR MARCH 3, 2010

1. Complainant is the Bureau of Investigations and Enforcement (hereinafter "BIE") of the Pennsylvania Gaming Control Board represented by the Office of Enforcement Counsel (hereinafter "OEC") pursuant to 4 Pa. C.S. §1517 of the Pennsylvania Race Horse Development and Gaming Act.

2. Respondent is Philadelphia Entertainment and Development Partners, L.P., d/b/a Foxwoods Casino Philadelphia (hereinafter "PEDP"), the holder of Category 2 slot machine license No 1367 approved by the Pennsylvania Gaming Control Board (hereinafter "Board") on December 20, 2006, and issued by the Board on May 29, 2008 pursuant to the Pennsylvania Race Horse Development and Gaming Act.

3. Prior to January 7, 2010, the Pennsylvania Race Horse Development and Gaming Act (hereinafter "Act") provided at 4 Pa C.S. § 1210 (a), that all slot machine licensees "shall be required to operate and make available to play a minimum of 1,500 machines at any one licensed facility within one year of the issuance by the board of a slot machine license unless otherwise extended by the board, upon application and for good cause shown, for an additional period not to exceed 24 months."

4. On May 22, 2009, Respondent filed a Petition To Extend The Time To Make Slot Machines Available in accordance with the requirements of the Act.

5. On August 28, 2009 the Board conducted a public hearing regarding Respondent's Petition to Extend The Time To Make Slot Machines Available.

6. On September 1, 2009, the Board issued its written Adjudication and Order which granted Respondent's Petition to Extend Time to Make Slot Machines Available until May 29, 2011, subject to the nine conditions below:

- (1) Within 45 days of the date of this Order, Foxwoods shall provide the Board with a written plan to make a minimum of 1500 slot machines available for play, on or before May 29, 2011, at the Columbus Boulevard site;
- (2) Foxwoods shall Provide the Bureau of Investigations and Enforcement ("BIE") written monthly updates, beginning October 1, 2009, regarding its efforts to develop a facility with a minimum of 1,500 slot machines available for play, on or before May 29, 2011 at the Columbus Boulevard site;

- (3) Foxwoods shall provide BIE written monthly updates, beginning October 1, 2009, regarding its efforts and progress to obtain financing for developing a facility with a minimum of 1,500 slot machines available for play, on or before May 29, 2011;
- (4) Within 6 months of the date of this Order, Foxwoods shall submit to BIE all financing documents and commitments for financing regarding development of its facility with a minimum of 1500 slot machines available for play, on or before May 29, 2011;
- (5) Within 3 months of the date of this Order, Foxwoods shall submit to BIE architectural renderings, artist renderings, conceptual proposals, engineering opinions, any and all other documents relating to construction of a facility, substantially similar to that approved by the Board on December 20, 2006. The submissions must provide for a minimum of 1500 slot machines available for play, on or before May 29, 2011, at the Columbus Boulevard site;
- (6) Within 3 months of the date of this Order, Foxwoods shall submit to BIE a timeline for commencement and completion of all phases of development regarding its facility with a minimum of 1500 slot machines available for play, on or before May 29, 2011;
- (7) Foxwoods shall provide BIE with monthly updates, beginning October 1, 2009, regarding the status of all outstanding licenses, certifications and permits required by all federal, state, county, local or other agency as prerequisites for construction and development of its facility with a minimum of 1500 slot machines available for play, on or before May 29, 2011, at the Columbus Boulevard site;
- (8) Foxwoods shall notify the Board prior to or immediately upon becoming aware of any impending change of ownership or change in control, material change in financial status, including debt position, restructuring, receivership, merger, dissolution, bankruptcy or transfer of assets to any third party; and
- (9) Foxwoods will be required to periodically provide updates as to the status of its project, including, but not limited to, financing, zoning, permits and certifications, at public meetings, as scheduled by the Board.

7. On November 30, 2009, PEDP filed a Motion to Extend Time to Comply with Conditions 5 and 6 of the Board's Order of September 1, 2009.

8. On December 15, 2009, the OEC filed an Answer, Objection and Motion for Sanctions in response to PEDP's Motion to Extend Time to Comply with Conditions 5 and 6 of the Board's Order of September 1, 2009.
9. On January 27, 2010, the Board conducted a public hearing on PEDP's Motion to Extend Time to Comply with Conditions 5 and 6 of the Board's September 1, 2009 Order.
10. On February 10, 2010, the Board issued its Order and Adjudication which denied PEDP's Motion, imposed Sanctions against PEDP of \$2,000 per day for failure to comply with the Board's Order of September 1, 2009, and imposed a Rule to Show Cause upon PEDP, at a hearing on March 3, 2010, why the Board should not levy further sanctions, including revocation of its license, for failure to comply with the Board's order of September 1, 2009.
11. On March 3, 2010, the Board issued an Order, after a hearing to show cause why further sanctions should not be imposed against PEDP. In that Order, the Board held that PEDP failed to meet its burden, by clear and convincing evidence, that it had achieved substantial compliance with Conditions 5 and 6 of the Board's September 1, 2009 Order, or otherwise provided sufficient excuse for failing to do so.
12. As part of the Board's Order of March 3, 2010, the Board ordered and directed PEDP to submit definitive financial documents to the Board and OEC no later than March 31, 2010, and further ordered PEDP to submit documents required by Conditions 5 and 6 of the Board's September 1, 2009 Order by April 26, 2010.

13. On March 31, 2010, PEDP submitted to the Board and OEC an executed cover letter, an unexecuted Partnership Interest Purchase Agreement, and an unexecuted Termination Agreement.

14. The Termination Agreement is by and among PEDP, Foxwoods Management, LLC, and Foxwoods Development Company, LLC, and is referenced in the Partnership Interest Purchase Agreement.

15. The Partnership Interest Purchase Agreement is by and among PEDP, FDC/PEDP GP, LLC, Washington Philadelphia Investors, LP, FDC Philadelphia, LP, and Wynn/PEPD LP, LLC, and contains as its Exhibit 6, a Development and Architectural Services Agreement between Wynn Design & Development, LLC and PEDP.

16. The aforementioned unexecuted documents were executed by the parties on or about April 2, 2010. Subsequently, executed versions of the Partnership Interest Purchase Agreement and the Termination Agreement were submitted to the Board and OEC.

17. The Termination Agreement essentially terminated the Management Agreement and the License Agreement between the aforementioned appropriate parties that were in place at the time.

18. The Partnership Interest Purchase Agreement provided for an investment by Wynn/PEPD LP, LLC in the PEDP project to develop a licensed facility on Columbus Boulevard in Philadelphia pursuant to Category 2 Slot Machine License 1367 issued by the Board.

19. On April 8, 2010, a press release was issued by Wynn Resorts Limited stating that it was terminating all agreements and negotiations with “respect to a potential investment in the Foxwoods Casino Project in Philadelphia PA”.

20. By letter dated April 8, 2010, Wynn Pennsylvania, Inc. as the sole member of Wynn/PEDP LP, LLC, terminated the Partnership Interest Purchase Agreement dated as of April 2, 2010, among Philadelphia Entertainment and Development Partners, L.P., FDC/PEDP GP, LLC, Washington Philadelphia Investors, L.P., FDC Philadelphia, LP and Wynn/PEDP LP, LLC pursuant to section 12.5 of the Partnership Interest Purchase Agreement.

21. Complainant believes and therefore avers that Wynn Resorts Limited is the parent company of Wynn/PEDP LP, LLC and Wynn Pennsylvania, Inc.

22. With the withdrawal of Wynn Resorts Limited and Wynn/PEDP LP, LLC from the Partnership Interest Purchase Agreement above, PEDP no longer has any financial documents, arrangements, or partnerships relating to financing in place which would enable it to build the licensed facility at the Columbus Boulevard site.

23. On April 6, 2010, PEDP submitted to BIE/OEC conceptual renderings of a facility proposed to be constructed at the Columbus Boulevard site, and a proposed timeline for construction of that facility. The timeline indicated that the facility, as depicted, would be open to the public on or about July 2, 2012.

24. By letter dated April 8, 2010, the Development and Architectural Services Agreement dated April 2, 2010 between Wynn Design & Development, LLC and Philadelphia Entertainment and Development Partners, L.P. was terminated by Wynn Design & Development, LLC, as a result of the termination of the aforementioned Partnership Interest Purchase Agreement pursuant to section 4.1(a)(ii) of the Development and Architectural Services Agreement.

25. Complainant believes and therefore avers that Wynn Resorts Limited is the parent company of Wynn Design & Development, LLC.

26. Complainant believes and therefore avers that the above renderings were prepared and submitted by Wynn Resorts Limited, and/or Wynn/PEDP LP, LLC, and/or Wynn Design & Development, LLC.

27. As a direct result of the April 8, 2010 terminations submitted by Wynn Resorts Limited, and/or Wynn/PEDP LP, LLC and/or Wynn Design & Development, LLC (hereinafter collectively referred to as "Wynn") from all agreements and negotiations with PEDP, those renderings cannot be said to have been submitted by PEDP, and PEDP has not, as of this date, submitted any architectural renderings, artist renderings, conceptual proposals, engineering opinions, or any and all other documents relating to construction of a facility, substantially similar to that approved by the Board on December 20, 2006.

28. On April 26, 2010, PEDP, through its counsel, submitted a correspondence to BIE and the Board which stated among other things that: *"Given that Wynn unilaterally terminated its agreements with PEDP on April 8, 2010, PEDP has now been compelled to identify and negotiate with other investors and sources of financing in place of Wynn. Thus, although that process is moving ahead aggressively, PEDP does not, at this time, have for submission to BIE and the Board definitive financial documents, renderings or a timeline for making available 1,500 slot machines at the Columbus Boulevard site by May 29, 2011,"* (emphasis added).

29. With the withdrawal of Wynn from all agreements with PEDP, it is abundantly clear that the financial documents submitted by PEDP on March 31, 2010, and April 2,

2010, and the conceptual renderings of a facility submitted on April 6, 2010 no longer exist and PEDP has failed to comply with the Board Orders of September 1, 2009, and/or March 3, 2010.

30. With the termination by Wynn of all agreements with PEDP, and by its own admission, PEDP has not complied with the April 26, 2010 requirement to comply with Conditions 5 and 6 of the Board's Orders of September 1, 2009 and/or March 3, 2010, and has not complied with Condition 4 of the Board's Order of September 1, 2009 and/or March 3, 2010.

WHEREFORE, Complainant prays that the Board find and issue an Order that PEDP has failed to comply with the Board's Order(s) of September 1, 2009 and/or March 3, 2010, and further Order that Category 2 Slot Machine License 1367 held by PEDP be REVOKED.

COUNT II
FAILURE TO COMPLY WITH STATEMENT OF CONDITIONS

31. Paragraphs 1-30 are hereby incorporated as if set forth fully herein.

32. On July 11, 2007, representatives authorized to legally bind PEDP and Foxwoods Management, LLC signed a Statement of Conditions (SOCs) to Slot Machine License 1367.

33. Condition 5 (five) of the SOCs requires PEDP "To exercise due diligence to ensure that at all times, Philadelphia Entertainment and Development Partners, LP, its affiliates, intermediaries, subsidiaries, holding companies, management companies,

principals, and key employees meet and maintain the suitability requirements of the Act, including but not limited to, those relating to good character, honesty, integrity and financial fitness.”

34. Complainant believes, and therefore avers, that PEDP has no funds, financing, prospects of obtaining financing, or prospects of entering a partnership with others who could obtain financing to begin or complete the construction of a facility with a minimum of 1,500 slot machines, much less the construction of the facility for which the Board approved and licensed PEDP to construct, and have such a licensed facility open to receive the public on or before May 29, 2011.

35. On August 28, 2009, at a hearing on its Petition to extend time to make slot machines available, Brian Ford, Chief Executive Officer of Washington Partners Incorporated, a major investor of PEDP, testified, *“If the Board grants the extension, Foxwoods will obtain---will work to obtain the necessary financial resources for its project...While it is difficult to go to the financial markets until the present issue of our license is determined, from observing the reaction of the financial markets to the fundraising efforts of HSP and other Pennsylvania operations, we believe that there is and will be a great deal of appetite for the investment and/or lending of funds for the development of our casino”*. See Pennsylvania Gaming Control Board Public Hearing transcript, August 28, 2009, page 29 (emphasis added).

36. At the same hearing, Brian Ford further testified that *“Once we’ve had all of the plans and approvals in place, we are very confident that we could obtain the necessary funds to move forward with construction”*. See Pennsylvania Gaming Control Board Public Hearing transcript, August 28, 2009, page 35 (emphasis added).

37. Complainant believes, and therefore avers that based on the testimony above PEDP was still working to obtain necessary funding for their licensed facility project on August 28, 2009, and that on August 28, 2009, PEDP had no funds, loans, or other financial means with which to construct its licensed facility at the Columbus Boulevard site.

38. Because it had no funds, loans, or other financial means with which to build its licensed facility at the Columbus Boulevard site, PEDP entered into negotiations with Wynn, who, pursuant to the now terminated agreements, was to have provided such funding.

39. These negotiations resulted in the Partnership Interest Purchase Agreement of April 2, 2010, in which Wynn agreed to provide financing and design and operational expertise for the project in exchange for a certain percentage of control and ownership.

40. At a hearing before the Board on March 3, 2010, PEDP made representations that a collapse of the Wynn transaction would result in a temporary or interim facility as PEDP's only option and PEDP would have to seek other sources of financing.

41. Since the Partnership Interest Purchase Agreement has been terminated, Complainant avers that PEDP is in the same or worse position that it was on August 28, 2009, i.e., it has no financing which would enable it to build a licensed facility at the Columbus Boulevard site, and no substantial progress has been made in this regard.

42. Since PEDP has no funds, no prospects of funding, and no viable alternative plan to construct and open the facility for which it was licensed by the Board, PEDP is not financially fit to hold a Category 2 slot machine license, and is in violation of Condition 5 of its Statement of Conditions.

WHEREFORE, Complainant prays that this Board find and issue an Order that PEDP has failed to comply with Condition 5 of its Statement of Conditions signed on July 11, 2007, and Order that Category 2 Slot Machine License 1367 held by PEDP be REVOKED for failure to comply with its Statement of Conditions.

COUNT III
INABILITY TO HAVE A MINIMUM OF 1,500 SLOT MACHINES
AVAILABLE FOR PLAY BY MAY 29, 2011

43. Paragraphs 1-42 are hereby incorporated as if set forth fully herein.

44. At the time that PEDP's extension was granted on September 1, 2009, the Gaming Act, 4 Pa C.S. § 1210 (a), provided that Category 2 slot machine licensees "shall be required to operate and make available to play a minimum of 1,500 machines at any one licensed facility within one year of the issuance by the board of a slot machine license unless otherwise extended by the board, upon application and for good cause shown, for an additional period not to exceed 24 months." 4 Pa C.S. § 1210 (a)

45. PEDP's slots machine license, number 1367, was issued on May 29, 2008, and therefore, PEDP was required to open its licensed facility with a minimum of 1,500 slot machines by May 29, 2009.

46. On September 1, 2009, PEDP's time to make 1,500 slot machines available for play was extended by the Board until May 29, 2011 subject to the conditions referenced in the aforementioned paragraph 6.

47. PEDP has failed to submit a facility design or a construction timeline that would enable it to make 1,500 slot machines available for play by May 29, 2011.

48. PEDP has made no request to the Board to modify its Board approved facility, or to further extend the time for building its Board approved facility or a modified version of its Board approved facility.

49. The Board Order of September 1, 2009 requires PEDP to develop a facility “at the location contained at the Columbus Boulevard site, and to develop a facility substantially similar to that which was presented in Foxwoods’ application materials and as approved by the Board in its February 1, 2007 Adjudication and Order.”

50. PEDP’s project, as approved by the Board in its February 1, 2007 Adjudication and Order was a three phased construction plan. Phase I was to begin in February 2007, with an opening date scheduled for November 2008. The Phase I facility was to include 3,000 slot machines, a 2,000-seat showroom, entertainment lounge, retail shops, a 600 seat buffet, a 250 seat five-outlet food court and 250 seat sports bar, as well as a 4,200 space parking garage with an additional 300 surface parking spaces.

51. In accordance with the construction time frame provided by PEDP and approved by the Board, Phase I of its approved facility would take approximately 21 months to complete.

52. Complainant believes, and therefore avers, that a facility “substantially similar” to the PEDP facility approved by the Board on February 7, 2007 will take approximately 21 months to complete after financing is obtained by PEDP.

53. Complainant believes, and therefore avers, that on August 28, 2009, and on September 1, 2009, PEDP did not have sufficient financing to begin or complete construction of a facility “substantially similar” to the PEDP facility approved by the

Board on February 7, 2007, nor does it have sufficient financing as of the date of this Complaint to accomplish the construction of such a facility.

54. Between September 1, 2009 and April 2, 2010, a period of approximately seven months, PEDP sought and negotiated an agreement for financing with Wynn, after which an agreement was reached with Wynn for financing and/or funding, culminating in the executed agreement dated April 2, 2010, which was subsequently terminated on April 8, 2010.

55. Complainant believes, and therefore avers, that if PEDP began its search today, it would require a similar period of time to find a lender, negotiate with the lender, and reach an agreement with a lender for financing which would enable it to build a facility “substantially similar” to the PEDP facility approved by the Board on February 7, 2007.

56. Complainant estimates that the total time to obtain financing and construct a facility “substantially similar” to the PEDP facility approved by the Board on February 7, 2007 would be at a minimum 28 months, which period of time would be well beyond May 29, 2011, and in violation of the Board’s September 1, 2009 Order.

57. At a hearing before the Board on March 3, 2010, PEDP provided testimony that there was no capability at this time and that there were no plans in place to be able to develop a facility by May 29, 2011 and that its only contingency plan was to work with Wynn.

58. Based on its own testimony, PEDP has no present plan to build a facility at the Columbus Boulevard site, other than some vague possibility of a temporary or interim facility for which it has yet to seek Board approval and for which there is no present construction plan or funding.

59. Based on its own testimony before the Board, PEDP has no plan and no capability to build a facility with a minimum of 1,500 slot machines available for play by May 29, 2011, other than the now defunct arrangement with Wynn.

60. Based on its own testimony before the Board, PEDP admitted that it had no "Plan B" if the Wynn proposal and agreement collapsed and that the Wynn proposal and agreement was fundamental to PEDP's license.

61. Based on the above, Complainant believes, and therefore avers, that it is highly unlikely that PEDP is able to comply with the Board's Order of September 1, 2009 and construct, by May 29, 2011, a facility substantially similar to that which was approved by the Board when PEDP was awarded and subsequently issued a slot machine license.

62. PEDP's only contingency plan, if such a plan exists, is to construct a temporary or interim facility, which has not been approved, much less contemplated by the Board, and which would not be in compliance with the Board's Order of September 1, 2009.

WHEREFORE, Complainant prays that the Board find and issue an Order that PEDP is not in compliance with the Board Order of September 1, 2009, because of its inability to open a licensed slot machine facility, substantially similar to that which was approved by the Board, by May 29, 2011, and further Order that Category 2 Slot Machine License 1367 held by PEDP be REVOKED for failure to comply with the Board Order and, in turn, the Act.

COUNT IV
FAILURE TO MAINTAIN SUITABILITY

63. Paragraphs 1-62 are hereby incorporated as if set forth fully herein.

64. Pursuant to 4 Pa. C.S. § 1202 (a)(1) “the board shall have general and sole regulatory authority over the conduct of gaming or related activities....The board shall ensure the integrity of the acquisition and operation of slot machines, table games, table game devices, and associated equipment and shall have sole regulatory authority over every aspect of the authorization, operation, and play of slot machines and table games.” 4 Pa. C.S. § 1202 (a)(1).

65. Pursuant to 4 Pa. C.S. § 1202 (b)(12), the board has the specific power and duty “(A)t its discretion, to issue, approve, renew, revoke, suspend, condition or deny issuance or renewal of slot machine licenses.” 4 Pa. C.S. § 1202 (b)(12)

66. Pursuant to 4 Pa. C.S. § 1313 (a), “the board shall require each applicant for a slot machine license to produce the information, documentation and assurances concerning financial background and resources as the board deems necessary to establish by clear and convincing evidence the financial stability, integrity and responsibility of the applicant, its affiliate, intermediary, subsidiary or holding company...” 4 Pa. C.S. §1313(a).


67. Complainant believes, and therefore avers, that PEDP can no longer produce information, documentation and assurances concerning financial background and resources necessary to establish by clear and convincing evidence of its financial stability, integrity and responsibility.

68. Complainant believes, and therefore avers, that PEDP no longer has the financial or operational ability to plan, design, and construct a facility at the Columbus Boulevard site with a minimum of 1,500 slot machines available for play by May 29, 2011, much less one that is substantially similar to that approved by the Board on December 20, 2006.

69. Complaint believes, and therefore avers, that based upon the facts and averments in paragraphs 1 through 68 that PEDP is no longer suitable for a slot machine license and that the Board has the power and authority to revoke PEDP's Category 2 slot machine license number 1367.

WHEREFORE, Complainant prays that the Board find and an issue Order that PEDP has failed to maintain the standards of slot machine licensees as required by 4 Pa. C.S. 1101, et seq., is no longer suitable and/or financially fit to maintain and possess a Category 2 slot machine license in the Commonwealth of Pennsylvania, and further Order that Category 2 Slot Machine License 1367 held by PEDP be REVOKED.

Respectfully submitted
Office of Enforcement Counsel
Cyrus R. Pitre, Esquire
Chief Enforcement Counsel

By: 

Dale W. Miller, Esquire
Deputy Chief Enforcement Counsel

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of April, 2010 a copy of the Complaint for Revocation of Slot Machine License Order and Rule to Show Cause was served upon attorneys for the Petitioner, Robert A. Graci, Esquire, F. Fred Jacoby, Esquire, who are authorized to accept such service by first class mail to:

F. Fred Jacoby, Esquire
Cozen O'Conner
1900 Market Street
Philadelphia, PA 19103

Robert A. Graci, Esquire
Eckert Seamans Cherin & Mellot, LLC
213 Market Street, 8th Floor
Harrisburg, PA 17101

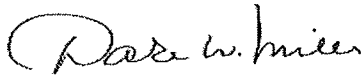


Dale W. Miller, Esquire
Pennsylvania Supreme Court ID # 33520
Deputy Chief Enforcement Counsel
Commonwealth of Pennsylvania
Pennsylvania Gaming Control Board
Office of Enforcement Counsel Eastern Region
1001 Hector Street, Suite 410
Conshohocken, PA 19428-5300
(610) 943-7426

Date: April 29, 2010

VERIFICATION

I, Dale W. Miller, Esquire, hereby state that the facts above set forth 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).



Dale W. Miller, Esquire
Pennsylvania Supreme Court ID # 33520
Deputy Chief Enforcement Counsel
Commonwealth of Pennsylvania
Pennsylvania Gaming Control Board
Office of Enforcement Counsel Eastern Region
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Conshohocken, PA 19428-5300
(610) 943-7426

Date: April 29, 2010

**BEFORE THE
THE PENNSYLVANIA GAMING CONTROL BOARD**

COMMONWEALTH OF PENNSYLVANIA	:	PGCB DOCKET NO.
GAMING CONTROL BOARD	:	
BUREAU OF INVESTIGATIONS	:	
AND ENFORCEMENT	:	ADMINISTRATIVE
Complainant	:	
v.	:	HEARING
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DEVELOPMENT PARTNERS, L.P., D/B/A	:	COMPLAINT, ORDER AND
FOXWOODS CASINO PHILADELPHIA	:	
SLOT MACHINE LICENSE 1367	:	RULE TO SHOW CAUSE
Respondent	:	

ORDER

AND NOW, this day of 2010, it is hereby Ordered that
Slot Machine License 1367 issued to and held by Philadelphia Entertainment and
Development Partners, L.P. is hereby REVOKED.

By the Board,

Gregory C. Fajt, Chairman

**BEFORE THE
THE PENNSYLVANIA GAMING CONTROL BOARD**

COMMONWEALTH OF PENNSYLVANIA	:	PGCB DOCKET NO.
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FOXWOODS CASINO PHILADELPHIA	:	
SLOT MACHINE LICENSE 1367	:	RULE TO SHOW CAUSE
Respondent	:	

**ORDER AND
RULE TO SHOW CAUSE**

AND NOW, this _____ day of _____, 2010, upon consideration of the foregoing Complaint, it is hereby ordered that:

1. A Rule is issued upon the Respondent to show cause, if any it has, why the Complainant is not entitled to the relief requested;
2. The Respondent shall file an answer to the Complaint within _____ days.
3. Notice of the entry of this order shall be provided immediately to all parties by the Complainant.
4. The parties shall appear before the Board on _____, 2010, to present testimony at a hearing to Show Cause why the relief requested by the Complainant should not be granted.

By the Board,

Gregory C. Fajt
Chairman