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Notice of Hearing

March 26, 2019

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RE: In the Matter of Wynn MA, LLC

The Massachusetts Gaming Commission (hereinafter, "Commission") is in receipt of a request for an adjudicatory hearing submitted by Wynn Resorts, Limited and Wynn MA, LLC relative to the IEB's *Investigative Report Regarding Ongoing Suitability of Wynn MA, LLC* dated March 15, 2019 (hereinafter, "Investigative Report"). Accordingly, the Commission will convene an adjudicatory hearing pursuant to 205 CMR 101.01(b) and (c) at **10 a.m. on Tuesday, April 2, 2019**, at the Boston Convention and Exhibition Center, Boston, MA. The hearing will be conducted in accordance with 205 CMR 101.01, G.L. c. 30A, §§10 and 11, and 801 CMR 1.02: *Informal/Fair Hearing Rules*. The parties should be prepared to address all matters raised in the *Investigative Report* as well as the following issues:

1. Whether the Commission's finding on December 27, 2013, that there was clear and convincing evidence that Wynn Resorts, Limited and Wynn MA, LLC met the suitability standards set forth in G.L. c.23K, §12 should be disturbed;
2. Whether the Commission's finding on December 27, 2013, that there was clear and convincing evidence that Matthew Maddox and Elaine Wynn met the suitability standards set forth in G.L. c. 23K, §12 should be disturbed;



Massachusetts Gaming Commission

3. Whether there exists clear and convincing evidence that Ellen Whittemore, Craig Billings, Phillip Satre, Dee Dee Myers, Betsy Atkins, Wendy Webb, and Richard Byrne meet the suitability standards set forth in G.L. c. 23K, § 12;
4. Whether there exists substantial evidence that Wynn Resorts, Limited, Wynn MA, LLC, or any of its associated qualifiers violated any provision of G.L. c. 23K or 205 CMR, including, but not limited to, 205 CMR 115.01(4) [effective 10/6/17];
5. Whether there exists substantial evidence that Wynn Resorts, Limited, Wynn MA, LLC, or any of its associated qualifiers failed to abide by its own internal policies and/or procedures;
6. Whether Wynn Resorts, Limited, Wynn MA, LLC, or any of its associated qualifiers willfully provided false or misleading information to the Commission during the RFA-1 review process through to the award of the Region A gaming license;
7. Whether Wynn Resorts, Limited, Wynn MA, LLC, or any of its associated qualifiers willfully provided false or misleading information to the Commission after the award of the Region A gaming license;
8. Whether Wynn Resorts, Limited and Wynn MA, LLC possess the financial stability and integrity necessary to maintain a successful gaming establishment in light of the information in the *Investigative Report*;
9. Whether the Wynn Resorts, Limited and Wynn MA, LLC maintain the requisite business practices and business ability to establish and maintain a successful gaming establishment in light of the information in the *Investigative Report*.

Additionally, Wynn Resorts, Limited and Wynn MA, LLC shall ensure that the following individuals are present at the hearing and prepared to address the issues noted above and respond to any other matters raised in the *Investigative Report*:

Matthew Maddox
Ellen Whittemore
Craig Billings
Elaine Wynn
Phillip Satre
Patricia Mulroy
Clark Randt
Jay Johnson
Dee Dee Myers
Betsy Atkins
Wendy Webb
Richard Byrne
Robert DiSalvio
Rose Huddleston
Jacqui Krum



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Brian Gullbrants
James Stern

The IEB shall ensure that the following individuals are present at the hearing and prepared to address the issues noted above and respond to any other matters raised in the Investigative Report:

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Karen Wells
Det. Lt. Brian Connors
Denise Murphy, Esq.- Rubin and Rudman LLP
Drew Chamberlain, HLT Advisory, Inc.

A party may be represented by an attorney and may present written and oral testimony as well as any other evidence relevant to the issues posed above. Further, a party may present witnesses with relevant information in support of its case. Each party will be afforded the opportunity to cross examine any witnesses presented by the other party. All documentary evidence anticipated to be introduced at the hearing, along with a list of all witnesses that may be called to testify at the hearing, shall be submitted to the Commission's clerk by **5 p.m. on Thursday, March 28, 2019**. For ease of reference at the hearing, the clerk will pre-mark all exhibits for identification in advance of the hearing and circulate them, or a list thereof, to the parties.

A prehearing conference will be conducted on Wednesday, March 27, 2019 at 3:00 p.m. at the Commission's offices.

Thank you for your attention to this matter.

Very truly yours,

MASSACHUSETTS GAMING COMMISSION

By:



Shara Bedard
Clerk of the Commission



Massachusetts Gaming Commission