



1 NGC 20-01

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6 STATE OF NEVADA

7 BEFORE THE NEVADA GAMING COMMISSION

8 NEVADA GAMING CONTROL BOARD,

9 Complainant,

10 vs.

11 SAM-WILL, INC., dba  
12 FREMONT HOTEL AND CASINO;

13 Respondent.

**STIPULATION FOR SETTLEMENT  
AND ORDER**

14 The State of Nevada, on relation of its NEVADA GAMING CONTROL BOARD  
15 (BOARD), filed and served a Complaint in NGC Case No. 20-01 against SAM-WILL, INC.,  
16 dba FREMONT HOTEL AND CASINO (FREMONT), RESPONDENT herein, alleging  
17 certain violations of the Nevada Gaming Control Act and Regulations of the Nevada  
18 Gaming Commission (Commission or NGC).

19 IT IS HEREBY STIPULATED AND AGREED to by the BOARD and RESPONDENT  
20 that the Complaint, NGC Case No. 20-01, filed against RESPONDENT in the above-  
21 entitled case, shall be settled on the following terms and conditions:

22 1. RESPONDENT does not admit the allegations or characterizations set forth in  
23 the Complaint, NGC Case No. 20-01. However, RESPONDENT admits and acknowledges  
24 that the Commission could determine from the allegations set forth in the Complaint, NGC  
25 Case No. 20-01, that violations of the Nevada Gaming Control Act or NGC Regulations  
26 occurred.

27 2. RESPONDENT fully understands and voluntarily waives the right to a public  
28 hearing on the charges and allegations set forth in the Complaint, the right to present and

1 cross-examine witnesses, the right to a written decision on the merits of the Complaint,  
2 and the right to obtain judicial review of the Commission's decision.

3 3. RESPONDENT agrees to pay a fine in the amount of THREE HUNDRED  
4 THOUSAND AND 00/100 DOLLARS (\$300,000.00) electronically transferred to the *State*  
5 *of Nevada-Nevada Gaming Commission* on or before the date this Stipulation for  
6 Settlement and Order (Stipulation for Settlement) is accepted by the Commission. Said  
7 payment shall be made by a method of electronic payment approved by the Tax and License  
8 Division of the BOARD pursuant to NRS 353.1467. Interest on the fine shall accrue  
9 pursuant to NRS 17.130 on any unpaid balance computed from the date the payment is  
10 due until payment of the fine, and any accrued interest, is made in full.

11 4. In consideration for the execution of this Stipulation for Settlement,  
12 RESPONDENT for itself, its heirs, executors, administrators, successors, and assigns,  
13 hereby releases and forever discharges the State of Nevada, the Commission, the BOARD,  
14 the Nevada Attorney General, and each of their members, agents, and employees, in their  
15 individual and representative capacities, from any and all manner of actions, causes of  
16 action, suits, debts, judgments, execution, claims, and demands whatsoever, known or  
17 unknown, in law and equity, that RESPONDENT ever had, now has, may have, or claims  
18 to have against any and all of the persons or entities named in this paragraph arising out  
19 of, or by reason of, the investigation of the allegations of the Complaint filed in this  
20 disciplinary action, NGC Case No. 20-01, or any matter relating thereto.

21 5. In further consideration for the execution of this Stipulation for Settlement,  
22 RESPONDENT hereby indemnifies and holds harmless the State of Nevada, the  
23 Commission, the BOARD, the Nevada Attorney General, and each of their members,  
24 agents, and employees, in their individual and representative capacities, from any and all  
25 claims, suits, and actions brought against the persons named in this paragraph by reason  
26 of the investigation of the allegations in the Complaint filed in this disciplinary action,  
27 NGC Case No. 20-01, and all other matters relating thereto, and against any and all  
28 expenses, damages, charges, and costs, including court costs and attorney fees, which have

1 been or may be sustained by the persons and entities named in this paragraph as a result  
2 of said claims, suits, and actions.

3 6. RESPONDENT enters into this Stipulation for Settlement freely and  
4 voluntarily and acknowledges that this Stipulation for Settlement is not the product of  
5 force, threats, or any other form of coercion or duress, but is the product of discussions  
6 between RESPONDENT and the attorney for the BOARD.

7 7. RESPONDENT and the BOARD acknowledge that this Stipulation for  
8 Settlement is made to avoid litigation and economize resources.

9 8. RESPONDENT and the BOARD recognize and agree that the Commission has  
10 the sole and absolute discretion to determine whether to accept this Stipulation for  
11 Settlement.

12 9. RESPONDENT and the BOARD hereby waive any right they may have to  
13 challenge the impartiality of the Commission to hear the above-entitled case on the matters  
14 embraced in the Complaint, NGC Case No. 20-01, if the Commission determines not to  
15 accept this Stipulation for Settlement.

16 10. RESPONDENT and the BOARD agree and understand that if the Commission  
17 does not accept this Stipulation for Settlement, it shall be withdrawn as null and void and  
18 RESPONDENT'S admissions, if any, that certain violations of the Nevada Gaming Control  
19 Act or the regulations adopted thereunder had occurred shall be withdrawn.

20 11. RESPONDENT and the BOARD agree and understand that this Stipulation for  
21 Settlement is intended to operate as full and final settlement of the Complaint filed against  
22 RESPONDENT in the above-entitled disciplinary case, NGC Case No. 20-01.

23 12. RESPONDENT and the BOARD agree and understand that any oral  
24 representations are superseded by this Stipulation for Settlement and that only those  
25 terms memorialized in writing herein shall be effective.

26 13. RESPONDENT agrees and understands that, although this Stipulation for  
27 Settlement, if approved by the Commission, will settle the Complaint filed in the above-  
28 entitled disciplinary case, NGC Case No. 20-01, the allegations contained in the Complaint

1 and the terms of this Stipulation for Settlement may be considered by the BOARD or  
2 Commission with regards to any and all applications filed by RESPONDENT with the  
3 BOARD in the future, or that are currently pending before the BOARD or Commission, and  
4 with regard to any future disciplinary action that may be brought against the  
5 RESPONDENT.

6 14. RESPONDENT and the BOARD shall each bear their own costs incurred in this  
7 disciplinary action, NGC Case No. 20-01, including, but not limited to, attorney costs, if  
8 any.

9 15. RESPONDENT, by executing this Stipulation for Settlement, affirmatively  
10 waives all notice required by law for this matter including, but not limited to, notice  
11 concerning consideration of the character or misconduct of a person (Nevada Revised  
12 Statute (NRS) 241.033), notice concerning consideration of administrative action against a  
13 person (NRS 241.034), and notice concerning hearings before the Commission (NRS  
14 463.312). Regardless of this waiver of the applicable legal notice requirements, the BOARD  
15 or Commission will attempt to provide reasonable notice of the time and place of any  
16 hearing relating to this disciplinary action, NGC Case No. 20-01.

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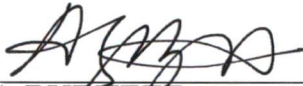
1 16. This Stipulation for Settlement shall become effective immediately upon  
2 approval by the Commission.

3 Dated this 15th day of September 2020.

4 SAM-WILL, INC., dba  
5 FREMONT HOTEL AND CASINO

6 By: \_\_\_\_\_  
7 ANDRE FILOSI  
8 Vice President and General Manager

9 McDONALD CARANO

10 By:  \_\_\_\_\_  
11 A.G. BURNETT  
12 Attorneys for Respondent

Dated this 16th day of September 2020.

NEVADA GAMING CONTROL BOARD


  
SANDRA DOUGLASS MORGAN, Chair

  
TERRY JOHNSON, Member

  
PHILIP KATSAROS, Member

Submitted by:

13 AARON D. FORD  
14 Attorney General

15 By:  \_\_\_\_\_  
16 EDWARD L. MAGAW  
17 Senior Deputy Attorney General  
18 Office of the Nevada Attorney General  
19 Gaming Division  
20 Attorneys for the Nevada Gaming Control Board  
21 Telephone: (702) 486-3420

22 **ORDER**

23 IT IS SO ORDERED in NGC Case No. 20-01.

24 Dated this 24<sup>th</sup> day of September 2020.

NEVADA GAMING COMMISSION

  
JOHN T. MORAN, JR., Chairman

1 16. This Stipulation for Settlement shall become effective immediately upon  
2 approval by the Commission.

3 Dated this 15th day of September 2020.

Dated this 16th day of September 2020.

4 SAM-WILL, INC., dba  
5 FREMONT HOTEL AND CASINO

NEVADA GAMING CONTROL BOARD

6 By:   
7 ANDRE FILOSI  
8 Vice President and General Manager

SANDRA DOUGLASS MORGAN, Chair

9 McDONALD CARANO

TERRY JOHNSON, Member

10 By: A.G. BURNETT  
11 Attorneys for Respondent

PHILIP KATSAROS, Member

12 Submitted by:

13 AARON D. FORD  
14 Attorney General

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16 Senior Deputy Attorney General  
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18 Gaming Division  
19 Attorneys for the Nevada Gaming Control Board  
20 Telephone: (702) 486-3420

21 **ORDER**

22 IT IS SO ORDERED in NGC Case No. 20-01.

23 Dated this \_\_\_ day of \_\_\_\_\_ 2020.

24 NEVADA GAMING COMMISSION

25 JOHN T. MORAN, JR., Chairman  
26  
27  
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