

STATE OF NEW JERSEY
DIVISION OF GAMING ENFORCEMENT
PETITION No. 2371401

IN THE MATTER OF THE)
APPLICATION OF TRUMP PLAZA)
ASSOCIATES LLC d/b/a TRUMP)
PLAZA CASINO HOTEL AND)
TRUMP TAJ MAHAL)
ASSOCIATES, LLC, FOR)
DECLARATORY RULINGS)
RELATED TO THE CESSATION)
OF GAMING OPERATIONS AT)
TRUMP PLAZA CASINO HOTEL)

ORDER
PRN 2371401

WHEREAS, Trump Plaza Associates, LLC d/b/a Trump Plaza Casino Hotel (hereinafter "Trump Plaza"), a casino licensee, obtained an Operation Certificate prior to commencing casino operations, which certificate required compliance with all legal and regulatory provisions, pursuant to *N.J.S.A. 5:12-96*; and

WHEREAS, the Division of Gaming Enforcement ("Division") has the authority, pursuant to *N.J.S.A. 5:12-96(d)*, to alter or amend an Operation Certificate; and

WHEREAS, Trump Plaza filed a Petition, PRN 2371401, with the Division on August 25, 2014, seeking declaratory rulings related to the termination of casino operations, including the surrender of its casino license, the amendment and surrender of its operation certificate and its internet gaming permit; and

WHEREAS, on July 14, 2014, Trump Plaza, as required by State and Federal law, served notice on its employees of the expectation that it would close its casino hotel facility on or after September 16, 2014; and

WHEREAS, Trump Plaza is wholly owned by or through Trump Entertainment Resorts Holdings, L.P which is owned, in part, by Trump Entertainment Resorts, Inc. Trump Taj Mahal Associates, LLC, is an affiliate of Trump Plaza; and

WHEREAS, Trump Plaza is the holder of a Casino Hotel Alcoholic Beverage ("CHAB") license, issued pursuant to *N.J.S.A. 5:12-103*. By this Petition seeks approval to retain its CHAB license until the surrender of its Operation Certificate, as amended, and has submitted procedures to terminate its Food and Beverage operations. Specifically, Trump Plaza represents that:

- a) Upon closing on September 16, 2014, all unopened containers of alcohol will be returned to the Beverage Storeroom, an approved CHAB location, where it will be inventoried;
- b) Upon closing on September 16, 2014, all opened containers of alcohol will be delivered to the Beverage Pump Room, an approved CHAB location, where the alcohol will be disposed of;
- c) Following an inventory of unopened container of alcohol, Trump Plaza will petition to transfer the alcohol to Trump Taj Mahal, a CHAB licensee CHAB location, where the alcohol may be used or disposed of;
- d) A final inventory of alcohol will be provided to the Division;
- e) Alcoholic beverages used in the operation of the Beach Bar will continue to be stored in the Trump Plaza Beverage Storeroom until no later than September 29, 2014; and
- f) The Food and Beverage department will be staffed in accordance with the supplemental schedule dated August 15, 2014; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that procedures set forth in the petition related to Trump Plaza's CHAB license, including procedures for the audit and storage of alcoholic products, are approved subject to the following:

- i. All partially used containers of alcohol shall be disposed of;
- ii. All other alcoholic products shall be secured in the Trump Plaza's Beverage Storeroom until distributed;
- iii. The Internal Audit department shall prepare the final inventory of alcohol and shall provide a copy to the Division by September 18, 2014;
- iv. A petition for the distribution of alcoholic beverages to Trump Taj Mahal will be filed with the Division by September 18, 2014;
- v. Trump Plaza shall immediately notify vendor tenants of the pending cessation of gaming operations

and shall require vendor tenants to submit procedures for an orderly closure of their operations, which procedures shall be forwarded by Trump Plaza to the Division;

vi. No alcoholic products shall be transferred to Trump Taj Mahal without prior approval by the Division;

vii. Internal Audit shall submit to the Division a report of any discrepancies regarding the inventory of alcoholic beverages;

viii. Trump Plaza shall maintain staffing to secure all alcohol prior to closing; and

ix. Trump Plaza shall surrender its CHAB license upon transfer, or other disposition, of all alcoholic beverages from its facility; and

WHEREAS, Trump Plaza seeks approval of the procedures it submitted regarding the payment of Gaming Vouchers and the redemption of gaming chips and tokens and has submitted a Notice to its customers and the public regarding same. Specifically, Trump Plaza represents that:

- a) Gaming Vouchers will continue to be paid in the normal course of business until the cessation of gaming operations;
- b) Following cessation of gaming operations Gaming Vouchers may be redeemed at Trump Taj Mahal Casino Hotel;
- c) Following cessation of gaming operations Trump Plaza Gaming chips may be redeemed at Trump Taj Mahal Casino Hotel;
- d) Although Trump Plaza no longer uses slot tokens, following cessation of gaming operations Trump Plaza Gaming slot tokens may be redeemed at Trump Taj Mahal Casino Hotel
- e) Notice will be published in the Atlantic City Press advising the public of the above mentioned procedures;
- f) Notice will be mailed or E-mailed to patrons advising them of the procedures for the payment of Gaming Vouchers and the redemption of gaming chips; and
- g) Notices will be posted at conspicuous locations within the Trump Plaza facility advising the public of the above described procedures; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures regarding the payment of Gaming Vouchers, the redemption of gaming chips and Notice(s) to the public is approved, in part, and procedures set forth in the petition related to the redemption and payment of the above stated gaming obligations, including the mailing of notices to patrons, are approved subject to the following:

- i. Gaming Vouchers may be redeemed at Trump Taj Mahal Casino for a period of 12 months from the date of issuance;
- ii. Gaming chips may be redeemed at Trump Taj Mahal Casino for an unlimited period of time;
- iii. Slot tokens may be redeemed at Trump Taj Mahal Casino for an unlimited period of time
- iv. The Notice(s) shall be posted on all entrances and exits to the Trump Plaza facility, in all elevators, at the Hotel front desk, and at the casino cage;
- v. The Notice(s) shall be published in all local newspapers until the termination of gaming operations;
- vi. The Notice(s) shall be posted to the Trump Plaza website;
- vii. The Notice shall be E-mailed to all patrons of which Trump Plaza has an E-mail address mailed, with a request to confirm receipt, to all known patrons of Trump Plaza;
- viii. The Notice shall be mailed by regular mail to all patrons of which Trump Plaza; and;
- ix. All advertising shall include a statement that Trump Plaza will be terminating its gaming operations on September 16, 2014, at 6:00 a.m.;
- x. Trump Plaza shall account for the ending gaming voucher liability in accordance with the direction of the Division's Revenue Certification Unit; and
- xi. Trump Plaza shall continue casino cage operations until 8:00 a.m. on September 16, 2014, to permit patrons on-site to redeem gaming vouchers, chips, and slot tokens after the cessation of gaming operations; and

WHEREAS, Trump Plaza seeks approval of the procedures it submitted regarding the issuance of credit and the collection of counterchecks. Specifically, Trump Plaza represents that:

- a) On or about July 23, 2014, it temporarily ceased issuing new credit to patrons;
- b) On or about August 15, 2014, it ceased issuing any credit to patrons;
- c) Trump Plaza will deposit counterchecks in accordance with applicable regulations and its internal controls; and
- d) Countercheck collections and returns will be processed by personnel shared by Trump Plaza and Trump Taj Mahal; and the

Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the issuance and collection of counterchecks are approved, provided, Trump Plaza creates and files with the Division an accounting and reconciliation of its credit activity to the Division no later than September 18, 2014; and

WHEREAS, Trump Plaza seeks approval for the procedures related to the return of patron funds, held on deposit or otherwise, and other assets by the casino licensee. Specifically, Trump Plaza represents that:

- a) It will make reasonable efforts to refund money held on deposit to patrons, including mailing correspondence to each patron at the address on file in Trump Plaza's records advising the patron to contact Trump Plaza for return procedures;
- b) Notice has been given to patrons advising of the procedures for requesting a refund of fund held, on deposit or otherwise, by Trump Plaza;
- c) All unredeemed funds remaining in possession of Trump Plaza as of 6:00 a.m. on September 16, 2014, will be transferred to Trump Taj Mahal and will be available for redemption by patrons at that facility; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures for the return of patron funds held, on deposit or otherwise, by Trump Plaza are approved, in part, subject to the following:

- i. In addition to other means of notice, including regular mailing, Trump Plaza shall notify patrons by E-mail, at the address on file in Trump Plaza's records, regarding refund procedures;
- ii. Trump Plaza shall submit to the Division an accounting of the funds it is holding, on deposit or otherwise, as of 6:00 a.m. on September 16, 2014;
- iii. Trump Plaza shall transfer patron funds held, on deposit or otherwise, to Trump Taj Mahal casino, to permit patrons to redeem their funds, and
- iv. Trump Plaza shall cause Trump Taj Mahal to provide to the Division an accounting, including the patron name and amount, of any and all patron funds, held on deposit or otherwise, as of October 14, 2014; and

WHEREAS, Trump Plaza seeks approval of the procedures related to the termination of progressive jackpots, including approval of certain public notices required by *N.J.A.C. 13:69D-1.39(o)*. Specifically, Trump Plaza represents that:

- a) On July 30, 2014, notices were posted on all Wide Area Progressive jackpot games of Trump Plaza's intent to terminate the progressive award on September 2, 2014; and
- b) On July 30, 2014 notices were posted on all in-house Progressive jackpot games of Trump Plaza's intent to terminate the progressive award on September 15, 2014; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the termination of progressive jackpots, including the adequacy of the public notices required by *N.J.A.C. 13:69D-1.39(o)*, are approved; and

WHEREAS, Trump Plaza seeks approval of the procedures to be used related to the termination of casino table game operations. Specifically, Trump Plaza has represented that:

- a) Table game staffing will continue in accordance with existing internal controls;
- b) Chip inventories, both gaming and non-value chips, will be credited to the Casino Cage in accordance with internal controls;
- c) Cards, dice, tiles and tokens will be secured and ultimately destroyed;
- d) Player ratings will cease on September 16, 2014;
- e) Certain Gaming Pits be closed prior to September 16, 2014;
- f) Certain Automatic shuffling devices will be transferred to Trump Taj Mahal prior to September 16, 2014;
- g) Table game drop boxes will be collected and the contents counted according to the existing schedule submitted to the Division;
- h) Controlled keys will be secured at the Security Podium and reconciled; and the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the termination of table game operations, are approved, in part, subject to the following:

- i. Trump Plaza will provide a schedule for the proposed closure of gaming tables to the Division no later than September 6, 2014;
- ii. Trump Plaza' Internal Audit Department will provide documentation to the Division regarding the destruction of its gaming chips, tokens and non-value chips;

- iii. Trump Plaza shall maintain staffing of its table games department, required pursuant to *N.J.A.C. 13:69D-1.11(b)4*, in accordance with the schedule submitted to the Division;
- iv. Automated Teller Machines will be disabled and removed from the casino floor according to the schedule provided to the Division no later than September 6, 2014;
- v. Table game drop boxes will be collected and the contents counted according to the existing schedule unless a revised schedule is submitted in advance to the Division; and
- vi. Internal Audit shall submit to the Division a report of any discrepancies regarding the destruction of gaming equipment, including gaming chips; and

WHEREAS, Trump Plaza seeks approval of the procedures related to the termination of its slot machine gaming operations. Specifically, Trump Plaza has represented that:

- a) Trump Plaza will submit a slot machine inventory to the Division no later than September 6, 2014;
- b) The slot cash storage containers will be collected and the contents counted according to the existing schedule submitted to the Division;
- c) Progressive meters will be read in conjunction with the termination of the progressive jackpot awards;
- d) Certain slot machines will be transferred to affiliated casinos, both within Atlantic City and elsewhere;
- e) All keys and locks for use with slot cash storage boxes will be removed and reconciled in the lock inventory;
- f) All slot machines not transferred to an affiliated entity will be sold; and
- g) The slot data system, together with supporting operating systems will be transferred to affiliated entities in New Jersey and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the termination of slot machine operations, are approved, in part, subject to the following:

- i. Trump Plaza will remove all funds from slot machines prior to any movement of the gaming equipment;
- ii. Trump Plaza shall provide adequate security and/or surveillance, as approved by the Division, for all slot

machines located within the facility following cessation of gaming operations;

- iii. Trump Plaza will provide, in advance, documentation regarding slot machine transfers and/or sales to the Division's Technical Services Bureau in accordance with applicable statutes and regulations;
- iv. Slot cash storage boxes will be collected and the contents counted according to the existing schedule unless a revised schedule is submitted in advance to the Division;
- v. Trump Plaza shall maintain staffing of its slot department, required pursuant to *N.J.A.C. 13:69D-1.11(b)4v*, in accordance with the schedule submitted to the Division, and
- vi. Internal Audit shall submit to the Division a report of any discrepancies regarding the disabling, movement and inventory of slot machines; and

WHEREAS, Trump Plaza seeks approval of its cage and count room functions. Specifically, Trump Plaza represents that:

- a) Cage operations will cease at 8:00 a.m. on September 16, 2014;
- b) The removal of certain gaming voucher redemption machines will commence on September 10, 2014 and will be completed by September 16, 2014;
- c) The final count of revenue will commence on September 16, 2014;

IT IS ORDERED that the procedures related to the cage and count functions are approved, provided, however, that Trump Plaza shall provide a schedule for revenue deposits on or before September 8, 2014; and

WHEREAS, Trump Plaza seeks approval for the record retention plan including both digital and hard copy records; and, the Division having considered the law and the submission of Trump Plaza. Specifically, Trump Plaza represents that:

- a) Certain business records, in hard copy form, will be relocated to Trump Taj Mahal;
- b) Electronic or digital records will continue to be maintained at a facility utilized by Trump Entertainment; and
- c) Records will be maintained in accordance with existing internal controls; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the retention of records required by *N.J.A.C. 13:69D-1.8* are approved subject to the following:

- i. Trump Plaza may transfer certain hard copy records to Trump Taj Mahal for continued retention as required by *N.J.A.C. 13:69D-1.8*;
- ii. Trump Plaza may store electronic and digital records at the storage facility utilized by Trump Entertainment;
- iii. Trump Plaza shall insure that the storage retention facility will grant Division employees unfettered access to any and all records;
- iv. Trump Plaza shall designate a records manager to be responsible for the ongoing maintenance of records and for the destruction of records in accordance with the provisions of *N.J.A.C. 13:69D-1.8*;
- v. Trump Plaza shall provide a record, either hard copy or in a digital format acceptable to the Division, of all personnel information as of the cessation of gaming operations; and
- vi. Trump Plaza shall destroy records only upon notice to the Division; and

WHEREAS, Trump Plaza seeks approval for the continuation of its surveillance functions required by *N.J.A.C. 13:69D-1.10 and 1.11(b)1*, and, further, Trump Plaza has submitted a surveillance staffing plan. Specifically, Trump Plaza represents that:

- a) Surveillance staffing will continue in accordance with existing internal controls until all gaming equipment is removed from the casino floor;
- b) Surveillance coverage of the casino cage and count room will be maintained in accordance with existing internal controls; and
- c) Surveillance coverage of the entire casino floor and non-casino areas will be maintained in accordance with existing internal controls; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the surveillance required by *N.J.A.C. 13:69D-1.10 and 1.11(b)1*, are approved, in part, subject to the following:

- i. Trump Plaza shall maintain its surveillance function, including staffing, in accordance with the approved internal controls, as revised;
- ii. Trump Plaza may make application to the Division to reduce its surveillance staff subsequent to the

- removal of all gaming equipment from the casino floor; and
- iii. Trump Plaza shall make any and all adjustments to its surveillance procedures which the Division, in its sole discretion, deems necessary and proper to secure the facility; and

WHEREAS, Trump Plaza seeks approval for the continuation of its security functions required by *N.J.S. A. 5:12-99(a)11* and *N.J.A.C. 13:69D-1.11(b)5*, and, further, Trump Plaza has submitted a security staffing plan. Specifically, Trump Plaza represents that:

- a) Security will insure that patrons are escorted from the casino floor in an orderly fashion following the cessation of gaming operations;
- b) Security Personnel, in conjunction with Internal Audit personnel will secure all keys require pursuant to *N.J.A.C. 13:69D-1.44*;
- c) Security personnel will be assigned to entry/exit points which cannot be secured;
- d) Security personnel will assist with the storage and disposal of gaming chips in accordance with existing internal controls;
- e) Security staffing may be reduced, with Division approval, subsequent to the removal of all gaming equipment from the casino floor and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the security and surveillance required by *N.J.A.C. 13:69D-1.10 and 1.11*, are approved, in part, subject to the following:

- i. Trump Plaza shall maintain the security function, including staffing, in accordance with the approved internal controls, until revised, with Division approval;
- ii. Trump Plaza may make application to the Division to reduce its security staff subsequent to the removal of all gaming equipment from the casino floor;
- iii. All persons who are not Trump Plaza or Division employees shall be required to sign an entry log maintained by the Security Department, which shall include the time(s), the individual's employer, and the purpose for being within the premises;
- iv. All persons who are not Trump Plaza or Division employees shall be required to wear an identification credential issued by the Security Department;
- v. All non-Trump Plaza employees shall be escorted by a Trump Plaza security officer at all times he/she is within the premises;

- vi. Any individual found within the premises without an identification credential and/or without an escort by Trump Plaza security shall be removed from the casino floor, not permitted to re-enter the premises, and the incident shall be reported to the Division; and
- vii. Trump Plaza shall make any and all adjustments to its security procedures which the Division, in its sole discretion, deems necessary and proper to secure the facility; and

WHEREAS, Trump Plaza is required to maintain an Internal Audit Department pursuant to *N.J.A.C. 13:69D-1.11(b)2*. By this Petition, Trump Plaza seeks approval to amend the procedures related to the function of the Internal Audit Department. Specifically, Trump Plaza represents that the Internal Audit Department will:

- a) Inventory and verify the chip inventory, gaming equipment, and controlled forms;
- b) Verify the final count of revenue;
- c) Be present and verify the destruction of gaming chips, controlled forms and certain other gaming equipment, which is scheduled for September 18, 2014; and
- d) Inventory all controlled keys in conjunction with security personnel; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the function of the Internal Audit Department, are approved, subject to the following:

- i. Internal Audit shall monitor the crediting of table game chip inventories to the casino cage upon closure of each game;
- ii. Internal Audit shall Monitor the collection of table game drop boxes and slot cash storage boxes;
- iii. Internal Audit shall be present and verify the destruction of gaming chips, controlled forms and certain other gaming equipment; and
- iv. Internal Audit shall report any discrepancies involving inventory or audit to the Division with supporting documentation; and,

WHEREAS, Trump Plaza seeks approval for procedures related to the closure and securing of the Hotel and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the closure and securing of the Hotel are approved; and

WHEREAS, Trump Plaza seeks approval for procedures related to the payment of fees and taxes. Specifically, Trump Plaza represents that all fees, interest, penalties and taxes will be paid in accordance with applicable statutes and regulations and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the procedures related to the payment of fees and taxes are approved; and

WHEREAS, Trump Plaza seeks relief from the requirements of *N.J.A.C. 13:69D-1.7(a)* pertaining to its annual financial statements, specifically that it be exempt from the submission of audited financial statements for the year ending December 31, 2014, and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that the relief requested by Trump Plaza that it be allowed to forego the submission of annual audited financial statements for 2014 is approved, subject to the filing of all financial filings in accordance with the requirements of the Office of Financial Investigations.

WHEREAS, Trump Plaza, as the holder of a valid Operation Certificate, holds an internet gaming permit, issued pursuant to N.J.S.A. 5:12-95.21a. Trump Plaza represents that it is exploring the economic, legal and practical feasibility of continuing its relationship with its internet gaming provider; and, the Division having considered the law and the submission of Trump Plaza;

IT IS ORDERED that Trump Plaza's Internet gaming provider is permitted to continue Internet gaming operations until the Division directs the surrender of Trump Plaza's Internet gaming permit and Operation Certificate provided the following conditions are satisfied:

- i. Trump Plaza, in cooperation with its Internet gaming provider, shall provide to the Division's Revenue Certification Unit an audit of its revenue on September 8, 2014, and weekly thereafter;
- ii. Trump Plaza, in cooperation with its Internet gaming provider, shall provide to the Division a daily attestation that the bank account required by *N.J.A.C. 13:69O-1.3(j)* sufficiently exceeds the balance of patron Internet gaming accounts to ensure the safekeeping of all patron funds; and

- iii. Trump Plaza, in cooperation with its Internet gaming provider, shall provide the Division with a list of safeguards and procedures employed to ensure the security and integrity of the Internet gaming system and associated patron data located within that system subsequent to the cessation of gaming operations on or before September 8, 2014; and

I **HEREBY ORDER** that the **OPERATION CERTIFICATE** issued to Trump Plaza Atlantic City Operating Company, LLC d/b/a Trump Plaza Casino Hotel be Amended as set forth above and subject to the following additional conditions:

- 1) Trump Plaza shall satisfy all conditions set forth in the several appendices attached to the Petition, and as supplemented thereafter; and
- 2) Trump Plaza shall comply with all State, County and Municipal laws, regulations, ordinances and rulings.

Dated: August 29, 2014

A handwritten signature in blue ink, appearing to read "David L. Rebeck", written over a horizontal line.

DAVID L. REBUCK
DIRECTOR