

COMMONWEALTH OF PENNSYLVANIA
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EXECUTIVE DEPUTY GENERAL COUNSEL

June 12, 2006

Mr. David Kwait
Director
Bureau of Investigation and Enforcement
Pennsylvania Gaming Control Board
PO Box 69060
Harrisburg PA 17106

Lt. Colonel Ralph M. Periandi
Deputy Commissioner of Operations
Pennsylvania State Police
1800 Elmerton Avenue, 3rd Floor
Harrisburg PA 17110

Gentlemen:

In furtherance of the Interagency Agreement (IAA) entered into in December, 2005 by the Pennsylvania Gaming Control Board (Board) and the Pennsylvania State Police (PSP), this letter will represent the mutual understanding of the parties regarding procedures to be followed with respect to background investigation work referred to the Gaming Enforcement Office (GEO) of the PSP by the Board through its Bureau of Investigation and Enforcement (BIE).

1. All referrals will continue to be made using the Background Investigation Referral form attached to the IAA (Referral Form).

2. Reports of investigation prepared by the GEO and provided to BIE will contain, in addition to the summary, the following to the extent the same was requested by BIE with respect to the referral:

(a) Copies of all credit reports received on the subject of the investigation.

(b) Copies of all materials, including raw data, that are obtained by the GEO as a part of the 3-way or the 6-way database check (as defined on the Referral Form), as applicable, performed on the subject.

(c) Copies of reports of interviews prepared by the GEO investigator with respect to all interviews conducted during the investigation of the subject. To the extent that a person interviewed has requested confidentiality or revealing the person's identity would compromise an ongoing investigation or place the person in jeopardy, the GEO investigator will redact from the interview and the report all direct or contextually identifying information.

(d) All criminal history record information obtained by the GEO from PA CLEAN and NCIC III (state and federal "rap sheets").

(e) A list of all agency sources queried as part of the investigation and responses, including responses in the negative. In the case of responses that contain federally protected information, the report will include the maximum amount of information legally permitted so that BIE will be in a position to follow up on its own with the source or seek another avenue to obtain the relevant information.

3. In the event the GEO obtains Pennsylvania-source information that is considered protected only under the Criminal History Records Information Act (CHRIA), the information will be comprehensively summarized and included in the report. In the event the GEO obtains information from other jurisdictions that is prohibited from being disclosed to non-criminal justice agencies pursuant to an inter-state or multi-jurisdiction agreement, the GEO will include that fact in the report and identify the state or states from which the information was obtained. If possible under the terms of any such agreement, the GEO will provide BIE with a general description of the type of information received, the agency from which it was obtained and the contact information at the agency so that BIE may follow up with the agency on its own.

4. BIE will provide appropriate and sufficient identifiers to the GEO when the referral requests a state or federal "rap sheet." Fingerprints will be included for federal "rap sheets." Where a PA state rap sheet is requested by BIE, the GEO will obtain the PA rap sheet through CLEAN as based upon the identifiers provided to the GEO by BIE without fingerprints.

5. The PSP and the Board agree to jointly, and not unilaterally, contact the United States Department of Justice and the Pennsylvania Attorney General to request a written opinion from the Department of Justice regarding the sharing with BIE of federally protected information and from the Pennsylvania Attorney General regarding the sharing with BIE of Pennsylvania protected information as defined in the Criminal History Records Information Act. The Board will draft the requests and submit them to the PSP for review and comment. Within a reasonable time after the execution of this agreement, the Board and PSP will jointly send the requests to the Department of Justice and the Pennsylvania Attorney General. Upon receipt of such written opinions, the PSP

and BIE will proceed accordingly. Neither the submission of the requests nor the receipt of the opinions referred to in this paragraph shall be a condition precedent to the compliance by PSP or BIE with any of the other provisions of this letter.

Please acknowledge your understanding of and agreement to proceed in accordance with the foregoing by counter-signing this letter where indicated below.

Very truly yours,



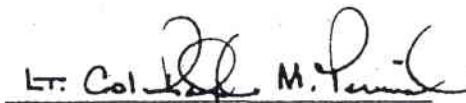
Nora Winkelman
Executive Deputy General Counsel

For the Bureau of Investigations
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David J. Kwait
Director of Investigations and
Enforcement

For the Gaming Enforcement Office:



Lt. Colonel Ralph M. Periandi
Deputy Commissioner of Operations



PENNSYLVANIA GAMING CONTROL BOARD
HARRISBURG PENNSYLVANIA
17106-9060

December 18, 2006

Colonel Jeffrey B. Miller, Commissioner
Commonwealth of Pennsylvania
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110

Dear Colonel Miller:

I am writing to express our appreciation for the tremendous work and efforts by the team led by Captain Tim Allue in helping the Pennsylvania Gaming Control Board complete the necessary background work to open the licensed facilities in Pocono Downs and Philadelphia Park. Along these lines, I was also informed that Lt. Mike Ruda came to the office last Friday night to process the background investigation for a key employee of Philadelphia Park.

As a totally separate matter, it is also my understanding that your office may be in the possession of some important background information which may affect the suitability decision of the Pennsylvania Gaming Control Board with respect to an applicant for a Category 2 license. If you are in possession of any such information which has not already been disclosed to our Bureau of Investigation and Enforcement and the Board, it is absolutely imperative that we receive it prior to our meeting on Wednesday, December 20, 2006. Although the suitability hearing records for each applicant have been closed, the Board is always able to reopen the record for the introduction of new evidence which would affect an applicant's suitability. As you are aware, we intend to consider and vote on the approval of applicants for Category 1 and 2 licenses at this meeting.

If you believe any such this information is so confidential that it cannot be disclosed to our Bureau of Investigation and Enforcement, the Board is prepared to meet with you and your associates in an Executive session to receive and review any such information. If we do not hear from you prior to the decision, we will assume that you are not in possession of any information which has not been disclosed to us or the information is simply not relevant to our suitability investigations.

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We have greatly appreciated the cooperation and work of the Pennsylvania State Police during these very hectic past few months. We know that we can continue to count on your support as we both finish the application process and enter the phase of regulating the licensed facilities.

Sincerely,

Thomas A. Decker,
Chairman

TAD/rms