



STATE OF WASHINGTON
GAMBLING COMMISSION

"Protect the Public by Ensuring that Gambling is Legal and Honest"

June 12, 2020

IOANE KALATI
14613 MILITARY RD S
TUKWILA, WA 98168

RE: ADMINISTRATIVE ACTION; CR 2020-00317

Dear Ioane Kalati:

Enclosed is an Order of Default entered by the Commission on May 14, 2020, revoking your certification to conduct gambling activities. This action occurred because you did not timely respond by requesting a hearing to the administrative charges mailed on February 24, 2020.

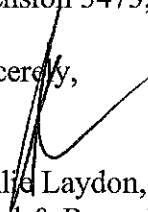
You have the right to move to vacate this Order. If you do so, we must receive your request by the 10th day after the Order was mailed. Your motion must include the specific grounds upon which relief is requested and must be submitted to:

Washington State Gambling Commission
Attention: Legal & Records Division
P.O. Box 42400
Olympia, WA 98504-2400

You also have the right to submit a Petition for Judicial Review. If you do this, you must submit it within 30 days of the date the Order was mailed. RCW 34.05.514 explains where you must file this petition and RCW 34.05.546 explains what information your Petition must include.

This is not meant to be a full explanation of all the statutes and regulations you would need to understand to move to vacate or Petition for Judicial Review. Please call me at (800) 345-2529, extension 3473, with any questions.

Sincerely,


Ashlie Laydon, Rules Coordinator
Legal & Records Division

Enclosure

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**STATE OF WASHINGTON
GAMBLING COMMISSION**

7 In the Matter of:

NO. CR 2020-00317

8
9 IOANE KALATI,
License No. 68-34780

FINAL ORDER OF THE
GAMBLING COMMISSION

10
11 Licensee.

12 This matter having come before the Washington State Gambling Commission
13 (Commission) on May 14, 2020, the Commission makes the following Findings of Fact,
14 Conclusions of Law, and issues its Final Order:

15
I. FINDINGS OF FACT

16 1. The Washington State Gambling Commission issued Ioane Kalati License No.:
17 68-34780, authorizing Public Card Room Employee activity at Macau Casino in Lakewood,
18 Washington.

19 2. This license, which expired on April 20, 2020, was issued subject to Kalati's
20 compliance with state gambling laws and Commission rules.

21 3. Kalati has been licensed since 2018.

22 4. On February 1, 2020, a WSGC Special Agent received an email from Keith
23 Frayne, the Assistant General Manager from Macau Casino in Tukwila, WA. Frayne's emailed
24 explained that he had just terminated a security guard, Ioane Kalati, for stealing a \$300 gaming
25 chip from Macau.
26

1 5. On February 3, 2020, on a follow up phone call, Frayne further elaborated on
2 Kalati's termination. Frayne explained that Kalati had taken the chip while conducting a "fill",
3 delivering gaming chips from the cashier cage to gaming tables that need to be replenished.
4 When Kalati was interviewed by Macau staff, he said that he had "blacked out" when the incident
5 occurred.

6 6. The Special Agent received the surveillance footage provided by the Macau staff,
7 and was able to confirm the following:

- 8 a. At 12:53 p.m., Kalati receives the "fill" from the cashier cage. The "fill"
9 was for two separate mini-baccarat tables, MB-7 (mini-baccarat) and MB-
10 8, each placed in separate racks, and eventually placed in a "bird cage" (a
11 case used for carrying chips). The chips intended for MB-8 comprised of
12 two separate rows (20 chips) of \$300 chips. Surveillance footage
13 confirmed that both of MB-8's rows of chips were entirely full.
- 14 b. At 12:57 p.m., Kalati arrives at MB-7, opens the bird cage, and places the
15 chip racks on the table. The Dealer at MB-7 and the Floor Supervisor
16 together count the chips being delivered.
- 17 c. While the Dealer and Floor Supervisor were distracted, Kalati takes the
18 fill slip (paper outlining the chips to be delivered) with his left hand and
19 covers the rack still located in the bird cage. Kalati then uses the fingers
20 from his left hand to remove one of the \$300 chips from the rack.
- 21 d. Kalati then picks up the bird cage and heads towards MB-8. While
22 walking, Kalati moves the fill slip to his right hand, he then places the
23 stolen chip from his left hand into his left front pocket.
- 24 e. At 12:58 p.m., Kalati arrives at MB-8, and places the bird cage on the
25 gaming table. When MB-8's Dealer and the Floor Supervisor notice the
26 missing chip, the Floor Supervisor sends Kalati back to the cage. The

1 cage cashier placed a replacement \$300 chip into the rack. Kalati then
2 returns to MB-8 with the chips.

3 f. At 6:12 p.m., Kalati approaches the Security Manager, Ryan Wood, at the
4 security podium. Kalati then gives Wood the \$300 chip that he stole.

5 7. On February 12, 2020, Kalati met with WSGC Agents at WSGC's Federal Way
6 office. Kalati agreed to a voluntary interview that was being recorded. Kalati explained that he
7 had been terminated from Macau for a "mistake" he made.

8 8. When asked to expand on his termination, Kalati said that he had blacked out
9 while conducting a fill. Kalati eventually admitted that he had taken the chip, and that he did so
10 because he was behind on his car payments.

11 9. Director David Trujillo issued administrative charges on February 24, 2020
12 alleging that Kalati's actions constituted a violation of RCW 9.46.075 and WAC 230-03-085.
13 Further, that he could not show by clear and convincing evidence that he was qualified for
14 certification as required by RCW 9.46.153(1), and that his actions warranted revocation of his
15 certification pursuant to RCW 9.46.075(1), (8), and (10), and WAC 230-03-085(1), (3), and
16 (9)(a),(c) and (d).

17 10. Kalati was sent the charges by regular and certified mail on February 24, 2020 to
18 the last address the Gambling Commission had on file.

19 11. Pursuant to WAC 230-17-010, a response was required to be received by the
20 Commission by March 18, 2020. To date, the Commission has received no communication from
21 Kalati.

22 II. CONCLUSIONS OF LAW

23 1. Ioane Kalati received proper notice within three days of February 24, 2020
24 charges via regular and certified mail pursuant to RCW 34.05.413 RCW 34.05.434, WAC 230-
25 17-005, WAC 230-17-010, and WAC 10-08-130.

1 **NOTICE**

2 Reconsideration: RCW 34.05.470 and WAC 230-17-140 provide that a party may file a
3 petition for reconsideration of a final order. A petition for reconsideration must be received no
4 later than thirteen (13) days after the date this final order is mailed. Any motion for
5 reconsideration must state the specific grounds supporting the party's request for
6 reconsideration.

7 Stay of Final Order: Filing for reconsideration does not stay the effectiveness of this
8 Order. WAC 230-17-145 provides that a party may petition the Commission for a stay of a final
9 order. Any petition for a stay should be received by the Commission within thirteen (13) days
10 after the date this final order is mailed.

11 Judicial Review: RCW 34.05.542 provides that a party may appeal this final order by
12 filing a petition for judicial review within thirty (30) days after service of this order. A petition
13 for judicial review must be filed with the appropriate superior court and served upon both the
14 Commission and the Office of the Attorney General.

15 Service: This Order was served on you three days after it was deposited in the United
16 States Postal Service regular mail, excluding the date of mailing. WAC 230-17-035.

17 Any motions or petitions for judicial review should be served on or mailed to:

18 Washington State Gambling Commission
19 Legal and Records Division
20 4565 7th Avenue S.E., Lacey, WA
21 P.O. Box 42400
Olympia, WA 98504-2400

Doug Van de Brake
Attorney General's Office
1135 Washington St. SE
P.O. Box 40100
Olympia, WA 98504-0100

CERTIFICATE OF SERVICE

I certify that on the date below I served a copy of the foregoing document on all parties and/or their counsel by United States Postal Service regular mail to the following:

IOANE KALATI
14613 MILITARY RD S
TUKWILA, WA 98168

EXECUTED this 12 day of ^{June} May, 2020, at Lacey, Washington.

Ashlie Laydon
Rules Coordinator