

**STATE OF ILLINOIS  
ILLINOIS GAMING BOARD**

**IN RE THE DISCIPLINARY ACTION OF:**

**Firebird Enterprises, Inc.  
d/b/a Steak N Egger - Racine**

**DC-V-23-214**

**Licensed Establishment  
(License No. 180702278)**

**COMPLAINT FOR DISCIPLINARY ACTION**

The Illinois Gaming Board, for its Complaint against Firebird Enterprises, Inc. d/b/a Steak N Egger - Racine states as follows:

**NATURE OF ACTION**

1. The Illinois Gaming Board (the “Board” or “IGB”) brings this action against licensed establishment Firebird Enterprises, Inc. d/b/a Steak N Egger - Racine (“Steak N Egger”) for misrepresenting and falsely stating material information to the IGB during the license application process in violation of the Video Gaming Act (the “VGA”) and the Board’s Adopted Rules for Video Gaming (the “Rules”).

2. Steak N Egger’s conduct violates provisions of the VGA and the Rules that prohibit licensees from engaging in any conduct that would discredit, or tend to discredit, or reflect adversely on the integrity of the Illinois gaming industry, including but not limited to misrepresenting and falsely stating information to the Board.

3. The Board brings this action pursuant to VGA Sections 78(a)(2), 78(a)(3) and 80; and Rule 310. 230 ILCS 40/78; 230 ILCS 40/80; 11 Ill. Adm. Code 1800.310.

4. Through this action, the Board seeks to revoke Steak N Egger’s video gaming establishment license.

## **PARTIES AND RELEVANT ENTITIES AND INDIVIDUALS**

5. The Board is the Illinois regulatory charged with the responsibility of administering, regulating, and enforcing video gaming in Illinois. The Board's jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois video gaming operations.

6. Steak N Egger is a licensed establishment (License No. 180702278) in Cicero, Illinois. It has been licensed since January 30, 2019.

7. Jeffrey J. Bertucci ("Bertucci") is the 100% owner of Steak N Egger.

8. As a licensed establishment, Steak N Egger, Bertucci, as its owner, as well as its employees, and its agents are required to comply with the VGA and the Rules at all times.

## **RELEVANT FACTUAL BACKGROUND**

9. On June 28, 2018, Bertucci submitted Steak N Egger's application to the IGB for a video gaming establishment license.

10. Applicants for a video gaming license, like Steak N Egger, are required to provide information to the IGB to allow it to review and determine the applicant's suitability for licensure under the VGA and Rules. Accordingly, the information that applicants provide to the IGB must be true, correct and complete.

11. Among other questions, the IGB's video gaming application asked whether an applicant or its owners had any prior involvement or connection with illegal gambling machines, commonly known as "coin-operated amusement devices," for gambling purposes.

12. Specifically, Question E ("Question E") under the "Legal, Tax, Licensing Information" section of the application requests the following information:

Has the Applicant, any of its owners listed herein, or Video Gaming Manager ever facilitated, enabled, or participated in the use of coin-operated amusement devices for gambling purposes? If yes, explain.

13. In the Steak N Egger application, Bertucci responded “No” to Question E.

14. Bertucci completed the Verification Form for the Steak N Egger application, in which he swore and certified “under penalty of law that all answers and information provided in this Application and associated documents are true, correct and complete” to the best of his knowledge. Bertucci further “acknowledge[d] that any misrepresentation, failure to reveal information or omission is grounds for denial of a license and/or revocation of any license for which this Application is submitted.”

15. Bertucci updated Steak N Egger’s application on October 29, 2018 and again on November 16, 2018. In each amendment, Bertucci never changed his “No” answer to Question E or otherwise supplemented the application to provide additional information about past his past involvement with illegal gambling machines.

16. Contrary to the information Bertucci submitted to the IGB in the Steak-N-Egger license application, Bertucci had a connection and involvement with illegal gambling machines that included using coin-operated amusement devices for gambling purposes at establishments he operated at various times over the course of at least twenty years before Steak N Egger applied for IGB licensure.

17. In connection with the review process for the Steak N Egger license application, IGB Gaming Agents interviewed Bertucci in or around late 2018 (the “2018 Interview”) about his arrest history and any prior potential involvement with illegal gambling.

18. In the 2018 Interview, Gaming Agents asked Bertucci about an arrest in 2000 for keeping a gambling place. Bertucci explained that he owned an establishment in Stickney,

Illinois (the “Stickney Location”) where he and one of the waitresses were arrested after the waitress paid out a customer for play on a coin-operated amusement device.

19. In the 2018 Interview, Bertucci also stated that he began using coin-operated amusement devices for gambling purposes in the Stickney Location when he was younger because he wanted to make some extra money. Bertucci further represented that his use of and involvement with these illegal gambling machines in his business occurred for five or six years during the 2000’s before passage of the Video Gaming Act in 2009.

20. Based in part on Bertucci’s apparent candor to the IGB during the 2018 Interview, the Board licensed Steak-N-Egger on January 30, 2019.

21. However, and unbeknownst to the Board when it licensed Steak N Egger on January 30, 2019, Bertucci was not candid during the 2018 Interview and had failed to truthfully disclose the full extent and duration of his past involvement with illegal gambling.

22. Among the information that Bertucci failed to disclose and that the Board did know when it licensed Steak N Egger is that Bertucci previously testified about his past use of illegal gambling devices in a 2009 federal criminal trial of reputed organized crime figures.

23. Bertucci’s trial testimony conflicted with his statements and disclosures to the IGB in the Steak N Egger application and 2018 Interview.

24. Bertucci testified at trial that he facilitated and enabled illegal gambling using coin-operated amusement devices in businesses he owned in Chicago and Cicero, Illinois.

25. Bertucci testified at trial that he maintained coin-operated amusement devices for gambling purposes at his Chicago location “22 years ago.”

26. Bertucci testified at trial that he operated illegal gambling machines at his Cicero business in 2004 and removed them after receiving a grand jury subpoena in July of that year.

27. Bertucci testified at trial that he reinstalled the coin-operated devices at his Cicero location after the conclusion of a separate 2006 trial in which he had been a witness about illegal gambling. Bertucci further testified at the 2009 trial that he kept the illegal gambling machines at his Cicero location until he received a subpoena about them in 2009.

28. Bertucci acknowledged at the 2009 trial that his behavior was illegal.

29. In May 2023, the IGB learned about the inconsistencies between Bertucci's 2009 trial testimony and his prior statements and disclosures to IGB Gaming Agents in the 2018 Interview.

30. IGB Gaming Agents interviewed Bertucci on May 19, 2023 (the "May 19 Interview").

31. During the May 19 Interview, Bertucci acknowledged that his prior statements and disclosures to the IGB were incomplete and inaccurate.

32. Bertucci admitted in the May 19 Interview that he maintained coin-operated amusements devices for gambling purposes at his Chicago location between 1990 and 1995 and at his Cicero location between 2004 and 2009. He further explained that he removed the devices because they were not legal.

**COUNT I**  
**Intentionally Making a False Statement**  
**In Violation of 11 Ill. Adm. Code 1800.310(a)(9)**

33. The Board re-alleges and incorporates Paragraphs 1 through 32 above as if fully alleged herein.

34. In his 2018 interview, Bertucci falsely told IGB Gaming Agents that he used coin-operated amusement devices for gambling purposes for five or six years at a single location in Stickney, Illinois.

35. In fact, Bertucci operated illegal gambling machines over the course of nearly 25 years at three Illinois business in Stickney, Cicero and Chicago.

36. Bertucci intentionally made the false statements and disclosures to IGB Gaming Agents in the 2018 Interview in connection with the video gaming license application for his Steak N Egger business.

37. Board Rule 310(a)(9) subjects a licensee to discipline for intentionally making or causing to be made any false statement or disclosure to the Board.

38. By engaging in the conduct described above, Steak N Egger is subject to discipline pursuant to 11 Ill. Adm. Code 1800.310(a)(9).

WHEREFORE, based on the foregoing, Steak N Egger's video gaming license should be revoked.

**COUNT II**  
**Misrepresenting Information**  
**In Violation of 11 Ill. Adm. Code 1800.310(a)(8)**

39. The Board re-alleges and incorporates Paragraphs 1 through 32 above as if fully alleged herein.

40. In both the Steak N Egger license application and the 2018 Interview with IGB Gaming Agents, Bertucci misrepresented the extent and duration of his involvement with and use of coin-operated amusement devices for illegal gambling purposes.

41. Board Rule 310(a)(8) subjects a licensee to discipline for misrepresenting any information to the Board.

42. By engaging in the conduct described above, Steak N Egger is subject to discipline pursuant to 11 Ill. Adm. Code 1800.310(a)(8).

WHEREFORE, based on the foregoing, Steak N Egger's video gaming license should be revoked.

Dated: July 25, 2023

Respectfully submitted,



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Marcus D. Fruchter  
Administrator  
Illinois Gaming Board

**NOTIFICATION OF PROPOSED DISCIPLINARY ACTION**

Pursuant to Rule 715 [11 Ill. Adm. Code 1800.715] the Administrator finds facts sufficient to authorize the issuance of a Disciplinary Complaint against Firebird Enterprises, Incorporated d/b/a Steak N Egger – Racine and to propose the following discipline:

The establishment license of Firebird Enterprises, Incorporated d/b/a Steak N Egger – Racine (License No. 180702278) shall be REVOKED for violations of the Video Gaming Act and the Adopted Rules, as set forth in Disciplinary Complaint No. DC-V-23-163 unless it files an answer to the Disciplinary Complaint within 21 days from the date of service of the complaint.

If you choose to file an Answer, it will not be accepted unless it complies with every requirement listed in Section 720 of the Rules [11 Ill. Adm. Code 1800.720]. If you file an Answer that complies with all requirements under Rule 720, a hearing officer will be appointed to conduct a hearing.

**Failure to file an Answer within 21 days of receiving this Complaint will result in the proposed disciplinary action becoming effective and final.** The Answer shall be submitted to:

IGB.LEGAL@illinois.gov

OR

Illinois Gaming Board  
Attn: Legal Department  
160 N. LaSalle St., Suite 300  
Chicago, Illinois 60601

Dated: July 25, 2023



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Marcus D. Fruchter  
Administrator  
Illinois Gaming Board