

**STATE OF ILLINOIS
ILLINOIS GAMING BOARD**

IN RE THE DISCIPLINARY ACTION OF:

Michael Edward Gorbett

**Licensed Terminal Handler
License No. 130503497**

DC-V-23-215

COMPLAINT FOR DISCIPLINARY ACTION

The Illinois Gaming Board, for its Complaint against Michael Edward Gorbett, states as follows:

NATURE OF ACTION

1. The Illinois Gaming Board (the “Board” or “IGB”) brings this action against licensed terminal handler Michael Edward Gorbett (“Gorbett”) for facilitating, enabling or participating in the use of coin-operated amusement devices for gambling purposes on or after December 16, 2009 in violation of the Video Gaming Act (the “VGA”) and the Board’s Adopted Rules for Video Gaming (the “Rules”).
2. Gorbett’s conduct violates, among other things, provisions of the VGA and the Rules that prohibit Board 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 failure to comply with Illinois law.
3. The Board brings this action pursuant to VGA Sections 78(a)(2), 78(a)(3) and 80; IGA Sections 5(b)(2), 5(b)(13), 5(c)(5), 5(c)(11), and 5(c)(15); and Rules 210 and 310. 230 ILCS 40/78; 230 ILCS 40/80; 230 ILCS 10/5; 230 ILCS 10/17; 11 Ill. Adm. Code 1800.210; 11 Ill. Adm. Code 1800.310.
4. Through this action, the Board seeks to revoke Gorbett’s license.

PARTIES

5. The Board is the State regulatory agency responsible for administering, regulating, and enforcing the system of video gaming in Illinois. The Board's jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois video gaming operations.

6. Gorbett is a licensed terminal handler (License No. 130503497). Gorbett operates a vending and amusement company, AVS Gaming LLC d/b/a Get-A-Grip Vending Company. The company was incorporated on June 1, 2010 and is currently active. As a Board licensee, Gorbett is obligated to comply with the VGA and Rules at all times.

RELEVANT FACTUAL BACKGROUND

7. On or around January 5, 2021, Board Agents initiated an investigation into coin-operated devices found at two IGB licensed locations. The devices in question provided a patron, upon inserting currency, a gumball and an opportunity to win additional currency.

8. On January 6, 2021, IGB Agents personally observed the coin-operated device, an illegal coin pusher, at one IGB licensed location.

9. Coin pusher machines are illegal gambling devices, which the Board does not license or allow for patron play. A coin pusher typically consists of two trays filled with currency, an upper tray that slides forward and backward and a bottom tray that is immobile. A player inserts a coin, and the machine drops the coin onto one of the trays. Through successive plays, the coins eventually stack up and the movement of the upper tray will push currency in the machine off the lower tray to spill over the edge. During each play, the player has a chance that the coin pusher returns some portion of the currency to the patron.

10. On January 6, 2021, the licensed location's manager told IGB Agents that Gorbett placed the illegal coin pusher machine at the IGB licensed locations.

11. In addition to placing the illegal coin pusher machines at IGB licensed locations, Gorbett equally split the profits with the IGB licensed locations.

12. On January 13, 2021, IGB Agents interviewed Gorbett about his involvement with illegal coin pusher machines in Illinois.

13. During the January 13, 2021 interview, Gorbett admitted that the illegal coin pusher machines allow a patron to win additional currency upon placing a coin in the device.

14. During the January 13, 2021 interview, Gorbett also admitted that he placed the illegal coin pusher machines and that he shares the profits with location owners equally.

COUNT I

Use of Coin Operated Device in Violation of Section 1800.310(a)(20)

15. The Board re-alleges and incorporates Paragraphs 1 through 14 above as if fully alleged herein.

16. Rule 1800.310(a)(20) subjects licensees to Board discipline for “facilitating, enabling and/or participating in the use of coin-operated amusement devices for gambling purposes on or after December 16, 2009.”

17. Rule 310 subjects a holder of any license issued under the Act to discipline for failing to comply with the Rules.

18. Because Gorbett facilitated, enabled and/or participated in the use of coin-operated amusement devices for gambling purposes on or after December 16, 2009, Gorbett violated 310(a)(20) and discredited the Illinois gaming industry.

19. By engaging in the conduct described above, Gorbett is subject to discipline under Rule 310(a)(20).

WHEREFORE, based on the foregoing, Gorbett’s license should be REVOKED.

COUNT II
Illegal Gambling in Violation of Rules 210(e) and 210(f)

20. The Board re-alleges and incorporates Paragraphs 1 through 14 above as if fully alleged herein.

21. Rule 210 imposes a duty on all licensees to conduct video gaming operations in a manner that does not reflect adversely on the security and integrity of the Illinois video gaming industry, or discredit or tend to discredit the Illinois gaming industry or the State of Illinois.

22. Rule 310 subjects licensees to Board discipline for failing to comply with the Rules.

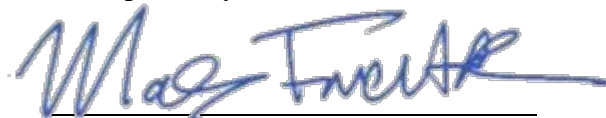
23. Gorbett's placement and operation of illegal gambling devices within IGB licensed locations reflects adversely on the security and integrity of the Illinois video gaming industry and discredits the Illinois gaming industry in violation of Rule 210.

24. By engaging in the conduct described above, Gorbett is subject to discipline under Rule 310.

WHEREFORE, based on the foregoing, Gorbett's license should be REVOKED.

Dated: September 8, 2023

Respectfully submitted,



Marcus 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 Michael Gorbett and to propose Gorbett's license be REVOKED.

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. The Answer should be mailed to:

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

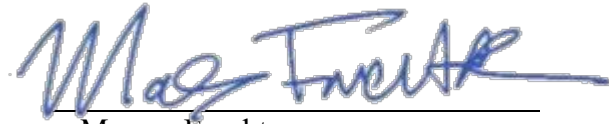
OR

IGB.LEGAL@illinois.gov

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

Dated: September 8, 2023

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Marcus Fruchter", written over a horizontal line.

Marcus Fruchter
Administrator
Illinois Gaming Board