

# GAMING LEGALNEWS

## GOVERNOR APPOINTS NEW DIRECTOR OF ARIZONA DEPARTMENT OF GAMING; AGENCY CONTINUES ENFORCEMENT ACTIONS

by Glenn M. Feldman

On December 11, 2013, Governor Jan Brewer named Daniel Bergin as the new Director of the Arizona Department of Gaming. Bergin had been serving as Acting Director of the Department since September, when former Director Mark Brnovich resigned the position to run for Arizona Attorney General.

Daniel Bergin has been with the Department since 2009. An attorney, Bergin had previously served as the Department's General Counsel, heading its legal staff. Prior to that, Bergin was Deputy Director for Administration and Compliance, overseeing the agency's budgeting, human resources and compliance activities.

Under Arizona's Gaming Compacts with its Indian tribes, the Department licenses some casino employees and vendors and works cooperatively with Tribal Gaming Commissions to regulate Class III gaming activities. In addition, the Department has statewide authority to investigate and enforce Arizona's laws prohibiting illegal and unauthorized gaming. Finally, the Department operates an Office of Problem Gambling.

In announcing his appointment as Director, Governor Brewer lauded Bergin's "extensive legal background" and his "strong understanding of Arizona gaming issues."

Whether coincidental or not, the day after Bergin's appointment, the Department announced a major investigation of illegal gambling activities in the Phoenix area. Working with a number of other state and municipal law enforcement agencies, the Department raided five locations, seizing gaming devices, poker tables, surveillance equipment and cash, in what it described as an ongoing investigation. These aggressive enforcement activities may be related to similar efforts begun in May 2013, when the Department seized 24 illegal gaming devices and other evidence from a dozen locations in the Phoenix and Tucson areas. Those machines, ostensibly being used as lawful "amusement devices," had allegedly been modified and were being used to award substantial merchandise prizes, including televisions, computers and gift cards, in violation of Arizona law.



December 19, 2013 • Volume 6, Number 29

### GAMING LEGAL NEWS EDITORIAL BOARD

**Robert W. Stocker II**, Gaming Law  
517.487.4715 • rstocker@dickinsonwright.com

**Dennis J. Whittlesey**, Gaming Law/Indian Law  
202.659.6928 • dwhittlesey@dickinsonwright.com

**Michael D. Lipton, Q.C.**, Gaming Law  
416.866.2929 • mdliptonqc@dickinsonwright.com

**Peter H. Ellsworth**, Gaming Law/Indian Law  
517.487.4710 • pellsworth@dickinsonwright.com

**Glenn M. Feldman**, Gaming Law/Indian Law  
602.285.5138 • gfeldman@dickinsonwright.com

**Peter J. Kulick**, Gaming Law/Taxation  
517.487.4729 • pkulick@dickinsonwright.com

**Kevin J. Weber**, Gaming Law  
416.367.0899 • kweber@dickinsonwright.com

### GAMING WEB SITES OF INTEREST

www.indianz.com  
www.pechanga.net  
www.indiangaming.org  
www.nigc.gov  
www.michigan.gov/mgcb  
www.gaminglawmasters.com  
www.casinoenterprisemanagement.com  
www.ggbmagazine.com

*Disclaimer: Gaming Legal News is published by Dickinson Wright PLLC to inform our clients and friends of important developments in the fields of gaming law and federal Indian law. The content is informational only and does not constitute legal or professional advice. We encourage you to consult a Dickinson Wright attorney if you have specific questions or concerns relating to any of the topics covered in Gaming Legal News.*