

FILED	
FLORIDA GAMING CONTROL COMMISSION	
Date:	<u>9/12/2025</u>
File Number:	<u>2025-00131</u>
BY: MELBA L. APELLANIZ	
CLERK OF THE COMMISSION	

STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION

FLORIDA GAMING CONTROL COMMISSION,
DIVISION OF PARI-MUTUEL WAGERING,

Petitioner,

v.

FGCC Case No.: 2024-045435

ROBERTO ALVAREZ,

Respondent.

FINAL ORDER APPROVING STIPULATION AND CONSENT ORDER

This matter appeared before the Florida Gaming Control Commission at a duly-noticed public meeting, pursuant to section 120.57(4), Florida Statutes, on September 11, 2025, for consideration of a Stipulation and Consent Order (attached hereto as Exhibit A) entered into between the parties in the above-styled cause. After a complete review of the record in this matter, the Commission approves and adopts the Stipulation and Consent Order.

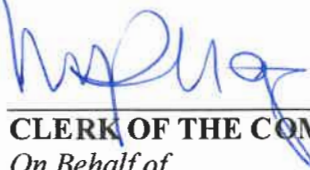
Wherefore it is Ordered and **Adjudged**:

1. The parties shall abide by the agreement attached hereto as Exhibit A.

This Final Order shall take effect upon being filed with the Clerk of the Commission.

DONE AND ORDERED this 12th day of SEPTEMBER, 2025.

FLORIDA GAMING CONTROL COMMISSION



CLERK OF THE COMMISSION

On Behalf of

Julie Brown, Vice-Chair

John D'Aquila, Commissioner

Charles Drago, Commissioner

Tina Repp, Commissioner

NOTICE OF RIGHT TO APPEAL

Any party to this proceeding has the right to seek its judicial review under section 120.68, Florida Statutes, by the filing of an original notice of appeal pursuant to rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the Clerk of the Commission, 4070 Esplanade Way, Tallahassee, Florida 32399 (Email: clerk@flgaming.gov), and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate Florida district court of appeal. The notice of appeal must be filed (received) by the Clerk of the Commission within thirty (30) days after the date this Order is filed with the Clerk of the Commission.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12th day of SEPTEMBER, 2025, a true and correct copy of this Final Order has been sent via email to:

Roberto Alvarez
c/o Alferdo A. Izaguirre, P.A.
alferdo@izaguirrelaw.com



CLERK OF THE COMMISSION
Florida Gaming Control Commission

CC: Ebonie Lanier



STATE OF FLORIDA
FLORIDA GAMING CONTROL COMMISSION
DIVISION OF PARI-MUTUEL WAGERING

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_____ /

STIPULATION AND CONSENT ORDER

The Florida Gaming Control Commission, Division of Pari-Mutuel Wagering (hereinafter the "Commission") and Roberto Alvarez (hereinafter "Respondent"), each individually, a "party," and collectively as "parties," hereby agree and stipulate as follows:

WHEREAS, the Commission has jurisdiction over this matter and Respondent; and

WHEREAS, on January 6, 2025, the Commission filed an administrative complaint against Respondent, alleging Respondent is subject to exclusion from all licensed pari-mutuel wagering facilities and any facility of a slot machine licensee in the state of Florida under sections 550.0251(6) and 551.112, Florida Statutes, based on his ejection and permanent exclusion from Casino Miami, LLC (the "Administrative Complaint"); and

WHEREAS, the parties have negotiated and agreed that the best interest of all the parties will be served by a settlement of these proceedings in lieu of further litigation.

STIPULATION

NOW THEREFORE, in consideration of the mutual promises and recitals herein, the parties hereby agree and stipulate to the following:

1. All recitals herein are true and correct and are incorporated herein.
2. All parties agree that the above "whereas" clauses incorporated herein are binding findings of the parties.
3. The Commission is authorized by section 120.57, Florida Statutes, to resolve administrative proceedings by consent orders.
4. Each party has entered into the terms of this Stipulation and Consent Order voluntarily. Respondent is aware that it is entitled to the advice of counsel and has either sought the advice of counsel or, by execution of this Stipulation and Consent Order, is knowingly waiving the right to have the advice of counsel. Respondent acknowledges that the Commission has not made any promise, nor has it in any other way encouraged Respondent to enter into this Stipulation and Consent Order without the advice of counsel.
5. The parties acknowledge and agree that this Stipulation and Consent Order, if adopted by the Commission, constitutes the final order in this case, and that this Stipulation and Consent Order is enforceable under section 120.69 and chapter 550, Florida Statutes, as final agency action.
6. Respondent, for itself and its related or resulting organizations, successors, transferees, attorneys, heirs, and executors or administrators, discharges the Commission and its agents, representatives, and attorneys, of and from all claims, demands, actions, causes of action, suits, damages, losses and expenses of any and every nature whatsoever, arising out of or in any way related to this matter and the Commission's actions, including, but not limited to, any claims that were or may be asserted in any federal or state court or administrative forum, including any claims arising out of this agreement, by or on behalf of Respondent or its related or resulting organizations.

7. Each party shall bear its own costs and attorney's fees.

8. The parties acknowledge and agree that Respondent will be **PERMANENTLY EXCLUDED** from all pari-mutuel facilities and any facility of a slot machine licensee in the state of Florida.

9. Respondent must mail the executed Stipulation and Consent Order to: the Florida Gaming Control Commission, Division of Pari-Mutuel Wagering, 4070 Esplanade Way, Tallahassee, Florida 32399-1035, Attention: Justin Hundersmarck

10. By executing this Stipulation and Consent Order, the Respondent admits to the facts and legal conclusions raised in the Administrative Complaint, and the Commission continues to assert the validity thereof. Nothing in this Stipulation and Consent Order shall be deemed to preclude the Commission from imposing a penalty against Respondent for any future act(s) or omission(s) constituting either a violation of Florida law or the Florida Administrative Code, and this Consent Order may be considered as aggravation of any future proceedings involving Respondent.

11. The parties acknowledge and agree that this Stipulation and Consent Order is subject to the approval of the Commission. The Stipulation and Consent Order will have no force or effect unless and until the Commission files a Final Order adopting this Stipulation and Consent Order. Should this Stipulation and Consent Order be rejected, no statement made in furtherance thereof by Respondent may be used as direct evidence against Respondent in any proceeding.

12. Upon the Commission's adoption of this Stipulation and Consent Order, Respondent agrees to waive any and all appeals and proceedings relating to these proceedings to which it may be entitled, including, but not limited to, an informal proceeding under section 120.57(2), Florida Statutes; a formal proceeding under section 120.57(1), Florida Statutes; appeals

under section 120.68, Florida Statutes; and declaratory and all writs of relief in any court or quasi-court of competent jurisdiction; and agrees to waive compliance with the form of the Final Order (findings of fact and conclusions of law) to which it may be entitled, provided, however, that this agreement shall not be deemed a waiver by either party of its right to judicial enforcement of the Stipulation and Consent Order.

13. Venue for any action brought to interpret, enforce, or challenge the terms of this Stipulation and Consent Order and its corresponding Final Order shall lie solely in the Second Circuit Court of Florida, in and for Leon County, Florida.

14. This Stipulation and Consent Order is executed by the parties for the purpose of avoiding further administrative action with respect to the matters addressed herein. In this regard, Respondent authorizes the Commission to review and examine all materials concerning Respondent, prior to or in conjunction with consideration of this Stipulation and Consent Order. Should the Commission not accept this Stipulation and Consent Order, it is agreed that presentation to and consideration of this Stipulation and Consent Order and other documents and matters by the Commission shall not unfairly or illegally prejudice the Commission from further participation, consideration, or resolution of these proceedings.

15. This Stipulation and Consent Order may be signed in counterparts, and copies shall be treated as original.

16. This Stipulation and Consent Order is binding upon all parties.

17. The parties agree that this serves as notice that the signed Stipulation and Consent Order will be placed on the next available Commission meeting. If Respondent would like to attend, Respondent is responsible for checking the Florida Gaming Control Commission website

at <https://flgaming.gov> for the meeting materials, agenda, and contact information. Respondent is not required to attend the Commission meeting.

18. Respondent authorizes the Commission to correct any typographical errors or make any non-material changes to this Stipulation and Consent Order after it is signed.

[Signature pages to follow]

Respondent, ROBERTO ALVAREZ, requests that the Commission enter a Final Order approving and incorporating this Stipulation and Consent Order in resolution of this matter.

Signed this 27 day of August, 2025.



ROBERTO ALVAREZ, Respondent

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

The foregoing instrument was acknowledged before me, by means of ☒ physical presence or ☐ online notarization, this 27 day of August, 2025, by a duly authorized representative of Roberto Alvarez, who is personally known to me or who produced the following as identification: Florida Driver Lic A416-720-55-347-0.



Notary Public

My commission expires:



This Stipulation and Consent Order for the Florida Gaming Control Commission Case Number 2024-045435 is APPROVED for legal sufficiency this 11th day of September, 2025.

/s/ Justin Hundersmarck

Justin Hundersmarck
Senior Attorney
Florida Gaming Control Commission