

# The Legal Intelligencer

Select '**Print**' in your browser menu to print this document.

©2007 *The Legal Intelligencer Online*

Page printed from: <http://www.thelegalintelligencer.com>

[Back to Article](#)

---

## Groups Challenge Decker On Timing of Knowledge

Asher Hawkins

05-25-2007

An attorney for a cadre of neighborhood groups opposed to casinos in Philadelphia has submitted to the state's justices court papers that challenge Pennsylvania Gaming Control Board Chairman Thomas "Tad" Decker's assertions he didn't know until late last year that his former law firm performed legal work related to an ultimately successful bid for one of two city-based licenses.

Decker, a favorite target of the anticasineros crowd, strongly denies any allegation to that effect, and has begun telling local media he will sue anyone he believes has defamed him.

The recent episode highlights one of the frequent refrains of the fight over gaming in Pennsylvania.

Antigaming activists, neighborhood groups and, increasingly, supporters of disappointed license applicants tend to criticize not only the bias they feel was at play in the license-awarding process, but also the apparent lack of a proper means by which to raise their concerns in the court system.

Supporters of the Gaming Control Board say its members are being held to an impossible six-degrees-of-separation standard in a state where business, law and politics often intertwine. They dismiss the other side's bias charges as ad hominem insinuations that should be rejected out of hand.

Here's what the latest volley is all about.

On Dec. 20, 2006, the day of the board's vote on the Philadelphia licenses, Decker recused himself from voting on the license application concerning the proposed SugarHouse Casino in Fishtown, saying it had "recently" come to his attention that Cozen O'Connor had begun doing legal work related to the SugarHouse license application after Decker left that firm, where he had served as managing partner, to assume his \$150,000-a-year position with the board in the fall of 2004.

Gov. Edward G. Rendell had selected Decker, a personal friend, to lead the Gaming Control Board after Rendell's first pick, former Philadelphia Police Capt. Frank Friel, pulled his name from consideration when media began to focus on old stories about Friel's testifying in Connecticut on behalf of a boxing promoter with alleged mob ties.

In court papers submitted earlier this week in *Society Hill Civic Association v. Pennsylvania Gaming Control Board*, neighborhood groups attorney Larry Silver of Langsam Stevens & Silver in Philadelphia wrote that Decker's "recently" statement "appears very doubtful" and that the justices should inquire further about Decker's allegedly improper behavior.

Silver, whose practice focuses on environmental and zoning work, has had a bit of trouble actually getting his memorandum filed with the court. He submitted it to the court after the matter's May 7 briefs deadline; Silver said he didn't get his hands on key documents from the Gaming Control Board and Department of State until after that date.

Deputy Prothonotary John Person, who runs the Supreme Court's City Hall office, then returned the document to

