

[J-44-45-2007]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

STATION SQUARE GAMING LP, Petitioner	:	No. 28 MM 2007
	:	
v.	:	Petition for Review from the Order of the
	:	Pennsylvania Gaming Control Board
	:	Dated February 1, 2007 Granting the
PENNSYLVANIA GAMING CONTROL BOARD,	:	Application of PITG Gaming LLC and
Respondent	:	Denying the Application of Station Square
	:	Gaming LP for a Category 2 Slot Machine
	:	License in Pittsburgh, Pennsylvania,
IOC PITTSBURGH, INC., Intervenor	:	Docket Nos. 1361 and 1363
	:	
	:	
PITG GAMING, LLC, Intervenor	:	ARGUED: May 15, 2007

IOC PITTSBURGH, INC., Petitioner	:	No. 29 MM 2007
	:	
v.	:	Petition for Review from the Order of the
	:	Pennsylvania Gaming Control Board
	:	Dated February 1, 2007 Granting the
PENNSYLVANIA GAMING CONTROL BOARD,	:	Application of PITG Gaming LLC and
Respondent	:	Denying the Application of IOC Pittsburgh,
	:	Inc. for a Category 2 Slot Machine License
	:	in Pittsburgh, Pennsylvania, Docket Nos.
PITG GAMING, LLC, Intervenor	:	1357 and 1361
	:	
	:	
STATION SQUARE GAMING LP, Intervenor	:	ARGUED: May 15, 2007

CONCURRING OPINION

MR. JUSTICE BAER

DECIDED: July 18, 2007

I agree with Mr. Justice Saylor's thoughtful observations regarding the effect that the applicable "prudent man" standard has on our review under the circumstances of this case. In all other respects, I join the Majority Opinion.