

**BEFORE THE CASINO CONTROL COMMISSION
STATE OF OHIO**

IN THE MATTER OF :
 : **Case No. 2021-REG-001**
Central Ohio Gaming Ventures, LLC, :
Gaming-Related System Integrity Violations. :

SETTLEMENT AGREEMENT

This Settlement Agreement (“Agreement”) is made by and between Central Ohio Gaming Ventures, LLC, (“HCO”) and the Ohio Casino Control Commission (“Commission”) for the purpose of resolving Commission Case No. 2021-REG-001. Together, HCO and the Commission are referred to as “the parties.”

WHEREAS, the Commission is responsible for the administration and enforcement of R.C. Chapter 3772 and the rules adopted thereunder, which regulate the conduct of casino gaming in the State of Ohio;

WHEREAS, HCO is a Casino Operator Licensee that owns and operates the Hollywood Casino Columbus facility;

WHEREAS, the Commission, pursuant to its authority to regulate, investigate, and penalize casino operators, discovered violations of Ohio law and HCO’s Commission-approved internal controls or approved procedures during the course of normal daily operations at HCO’s facility;

WHEREAS, as a result of this discovery, the Commission issued a Notice of Violation and Opportunity for Hearing (“Notice”), dated December 17, 2021, to HCO, pursuant to and in accordance with R.C. Chapters 119 and 3772 and Ohio Adm.Code Chapters 3772-21 and 377222;

WHEREAS, the Commission procedurally complied with R.C. Chapters 119 and 3772 and established jurisdiction over this matter; and

WHEREAS, Commission Case No. 2021-REG-001 has not yet been brought before the Commission for final adjudication, as required by R.C. Chapters 119 and 3772, and the parties enter this Agreement in lieu of issuance of a final adjudicatory order by the Commission.

NOW THEREFORE, in consideration of the mutual promises expressed herein, and with intent to be legally bound, the parties **AGREE** as follows:

1. HCO Admissions

- A. Commission staff discovered practices that violated Ohio law and HCO's Commission-approved internal controls or approved procedures.
- B. As a result, the Commission issued the Notice, Case No. 2021-REG-001, providing HCO with an opportunity for a hearing to contest the allegations.

C. Gaming-Related System Violations

- i. HCO failed to accurately respond to the Commission's request for production data, leading the Commission to conclude that the software was unapproved in violation of Ohio Adm.Code 3772-9-02(A);
- ii. HCO failed to provide timely or verifiable documentation that the electronic gaming equipment software was approved; and
- iii. HCO did not request approval from the Commission to install gaming related software, in violation of Ohio Adm.Code 3772-10-15(C)(1).

2. Pursuant to this Agreement, Commission Case No. 2021-REG-001 is **ADMINISTRATIVELY CLOSED**. Accordingly, the Commission makes no specific findings regarding the allegations described in the Notice.

3. The Admissions contained in Paragraph 1 of this Agreement by itself will not be a basis for future action against HCO, except as set forth in Paragraph 4 of this Agreement. The Commission makes no further statements or representations with respect to the admissions referenced or HCO's compliance with Ohio law.

4. Nothing in this Agreement precludes the Commission from:

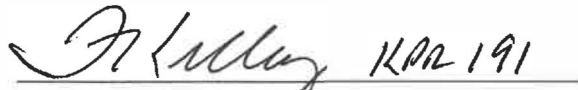
- a. Investigating and prosecuting HCO for violations of or non-compliance with this Agreement or for separate violations of or non-compliance with R.C. Chapter 3772 or the rules adopted thereunder; or

- b. Limits the Commission's exercise of authority and discretion with respect to imposing additional conditions upon or taking further action against HCO under R.C. Chapter 3772 and the rules adopted thereunder for matters not contemplated in this Agreement.
5. HCO will pay a monetary fine in the amount of \$50,000.00.
6. HCO will ensure, and demonstrate to the Commission, that its personnel are properly trained on all laws, policies, procedures, and Commission-approved internal controls or approved procedures relevant to each employee's individual function, as it relates to the admissions in Paragraph 1, as described and required by Ohio Adm.Code 3772-902(A) and 3772-10-15(C)(1).
7. HCO will ensure, and demonstrate to the Commission, that all electronic gaming-related software in use by HCO is approved by the Commission.
8. HCO will ensure, and demonstrate to the Commission, adherence to its updated approved procedures for verifying that only approved electronic gaming-related software is installed on its equipment and systems.
9. Upon the date of the last signature of the parties, this Agreement is effective and binding upon the parties and any and all successors, assigns, subsidiaries, agents, employees, or representatives of the parties or any other affiliates.
10. The parties have read and understand this Agreement and have entered into the same knowingly, voluntarily, and with the opportunity to gain advice of counsel.
11. This Agreement is entered into by the parties and may be executed in counterparts or facsimiles, each of which will be deemed an original and all of which will constitute the same instrument.
12. This Agreement (including all attached exhibits) contains the entire agreement between the parties with respect to this subject matter and supersedes all prior agreements and understanding, oral or written, with respect to such matters. This Agreement may be modified only by a further writing that is duly executed by the parties.
13. The provisions of this Agreement are severable and independent; and, if any provision is determined to be unenforceable, in whole or in part, the remaining provisions and any partially enforceable portion of the subject provision is nevertheless binding and enforceable.

14. This Agreement is governed by and construed in accordance with the laws of the State of Ohio, and the exclusive venue for any cause of action arising from it will be a court of competent jurisdiction in the State of Ohio, County of Franklin.

IN WITNESS WHEREOF, the parties to this **SETTLEMENT AGREEMENT** have either executed it or caused it to be executed by their duly authorized representatives:

Accepted by:


Central Ohio Gaming Ventures, LLC
By: Tim Kelley, Interim General Manager

3/11/22
Date


Ohio Casino Control Commission
By: June E. Taylor, Chair

4/20/2022
Date