

OHIO CASINO CONTROL COMMISSION  
MEETING MINUTES

10:00 A.M. – September 7, 2022  
JO ANN DAVIDSON HEARING ROOM  
100 E. BROAD STREET, 20<sup>TH</sup> FLOOR  
COLUMBUS, OHIO 43215

The regular meeting of the Ohio Casino Control Commission (Commission) was called to order at 10:06 a.m. by Chair June Taylor. Vice-Chair John Steinhauer and Commissioners Sheetal Bajoria, McKinley Brown, and Will Lucas were also in attendance. Commissioner Lynn Slaby had an excused absence. The minutes of the August 17, 2022, meeting were approved following a motion by Chair Taylor and seconded by Commissioner Brown.

Executive Director Matthew Schuler provided a sports gaming update. Mr. Schuler reviewed Ohio R.C. 3775.03(C), which states the Commission shall not grant a sports gaming proprietor, mobile management services provider, management services provider, or sports gaming supplier a license until it has determined that each person who has control of the applicant has met the qualifications for sports gaming licensure. Persons considered to have control of these applicants are holding companies and key employees, as defined by Ohio R.C. 3775.03(C)(1), (2), and (3). Mr. Schuler reported that stakeholders and applicants have been thoroughly informed and instructed of these licensing requirements in a variety of different ways. These requirements were first relayed via the text of the sports gaming bill passed on December 8, 2021. Afterward, the requirements were presented multiple times via the rule making process. Then these requirements were communicated through frequent reminders, FAQs, updates, and draft applications. Mr. Schuler highlighted that an applicant must attest to these requirements when submitting an application. Further, on May 24, 2022, specific and detailed instructions on the scope these requirements and how materials must be submitted were sent out to stakeholders and applicants. Finally, all applicants have received at least one, in some cases multiple, direct reminders to submit the required information for persons in control.

Mr. Schuler emphasized that the holding company and key employee sports gaming application deadline is October 5, 2022. If a sports gaming proprietor, mobile management services provider, management services provider, or sports gaming supplier fails to submit these applications by this deadline, the applicant will be disqualified from guaranteed consideration in time for the universal start date. Mr. Schuler reported that 33% of applicants are currently not in compliance with this requirement. He stressed that the Commission does not have the time or resources to carry applicants across the finish line. If applicants want to begin by the universal start date, they must meet this minimum requirement.

Berena Seifert, Manager of Skill Games, presented for consideration 300 new Type-C sports gaming host license applications. The Skill Games Division conducted a review for eligibility for licensure, and found the applicants met all eligibility requirements, and recommended approval of proposed Resolution 2022-39, granting the Type-C sports gaming host licenses effective January 1, 2023. A motion to approve the

Resolution was made by Commissioner Lucas. The motion was seconded by Commissioner Bajoria and approved.

Anna Marin Russell, Director of Licensing & Investigations and Senior Legal Counsel, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor and management service provider license applications for JACK Cleveland Casino, LLC (JACK Cleveland). The Division of Licensing & Investigations completed an investigation of JACK Cleveland, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found JACK Cleveland met all eligibility and economic activity requirements. Further, JACK Cleveland has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-40, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Lucas and approved.

Next, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for JACK Thistledown Racino (JACK Thistledown). The Division of Licensing & Investigations completed an investigation of JACK Thistledown, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found JACK Thistledown met all eligibility and economic activity requirements. Further, JACK Thistledown has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-41, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Commissioner Brown. The motion was seconded by Commissioner Bajoria and approved.

Then, Ms. Russell, presented to the Commission for consideration the Type-A sports gaming proprietor license application for Cincinnati Bengals, Inc. (Cincinnati Bengals). The Division of Licensing & Investigations completed an investigation of Cincinnati Bengals, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Cincinnati Bengals met all eligibility and economic activity requirements. Further, Cincinnati Bengals has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-42, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to defer the matter to a later date was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Brown and approved.

Next, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for Cleveland Browns Football Company, LLC (Cleveland Browns). The Division of Licensing & Investigations completed an investigation of Cleveland Browns, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Cleveland Browns met all eligibility and economic

activity requirements. Further, Cleveland Browns has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-43, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Commissioner Lucas. The motion was seconded by Vice-Chair Steinhauer and approved.

Then, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for Crew SC Stadium Company, LLC (Crew SC). The Division of Licensing & Investigations completed an investigation of Crew SC, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Crew SC met all eligibility and economic activity requirements. Further, Crew SC has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-44, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Brown and approved.

Next, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for MVGC Subsidiary, Inc. (MVGC). The Division of Licensing & Investigations completed an investigation of MVGC, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found MVGC met all eligibility and economic activity requirements. Further, MVGC has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-45, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Bajoria and approved.

Then, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for The Cincinnati Reds, LLC (Cincinnati Reds). The Division of Licensing & Investigations completed an investigation of Cincinnati Reds, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Cincinnati Reds met all eligibility and economic activity requirements. Further, Cincinnati Reds has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-46, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Commissioner Lucas. The motion was seconded by Vice-Chair Steinhauer and approved.

Next, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for Toledo Gaming Ventures, LLC (Toledo Gaming). The Division of Licensing & Investigations completed an investigation of Toledo Gaming, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Toledo Gaming met all eligibility and economic activity

requirements. Further, Toledo Gaming has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-47, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Commissioner Lucas. The motion was seconded by Commissioner Bajoria and approved.

Then, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for Youngstown Real Estate Ventures, LLC (Youngstown Real Estate). The Division of Licensing & Investigations completed an investigation of Youngstown Real Estate, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found Youngstown Real Estate met all eligibility and economic activity requirements. Further, Youngstown Real Estate has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-48, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to approve the Resolution was made by Commissioner Brown. The motion was seconded by Commissioner Lucas and approved.

Finally, Ms. Russell, presented to the Commission for consideration the Type-A and Type-B sports gaming proprietor license applications for FC Cincinnati Holdings, LLC (FC Cincinnati). The Division of Licensing & Investigations completed an investigation of FC Cincinnati, which did not uncover any material derogatory information. The Division also conducted a licensure eligibility review and an economic activity determination and found FC Cincinnati met all eligibility and economic activity requirements. Further, FC Cincinnati has a preference for sports gaming proprietor licensure in the State of Ohio. Therefore, the Division recommended approval of proposed Resolution 2022-49, granting conditional five-year sports gaming licenses, effective January 1, 2023. A motion to defer the matter to a later date was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Brown and approved.

William Cox, Deputy General Counsel, presented for consideration administrative rules for final filing. These rules are comprised of the Commission's third and fourth batch of sports gaming rules, related to supplier and employee licensure, house rules, and specific A, B, and C proprietor duties, as well as the responsible gambling plan from batch three. Mr. Cox indicated that the finalizing of these rules means the Commission may grant plenary supplier and employee licenses, and begin approving compliance materials regarding geolocation, cashiering, security, and surveillance. These rules will ensure sports gaming is conducted safely and with integrity. Mr. Cox explained that the Commission previously approved the rules at its April 6, 2022, and April 20, 2022, meetings. After receiving approval, the rules were filed with the Common Sense Initiative Office and then with the Joint Committee on Agency Rule Review. After completing the rule-review process, the new rules became eligible for final filing. Commissioner Bajoria made a motion to adopt proposed Resolution 2022-50, approving the final filing of Ohio Adm.Code 3772-12-06, 3775-4-08 and -09, 3775-10-01, 3775-17-01, 3775-18-01 — -05, and 3775-19-01. The motion was seconded by Commissioner Lucas and approved.

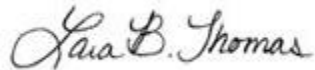
Mr. Cox stressed that November 2<sup>nd</sup> is the deadline for approved compliance materials and advised applicants to submit those materials with time in advance to ensure they are complete prior to the deadline. The submission of compliance materials will show whether a sports book can be operated safely and with integrity. Mr. Cox reminded stakeholders that the last batch of rules, batch 5, will be presented for final filing at the October 5<sup>th</sup> meeting. VEP rules will be final filed once the online VEP portal is completed.

Andromeda Morrison, General Counsel and Director of Skill Games, presented to the Commission for consideration a casino gaming final order:

A final order regarding the denial of casino gaming employee license applications (case nos. #2022-LIC-028 & -035). Chair Taylor moved to deny the casino gaming employee license applications for the cases listed in the final order. The motion was seconded by Commissioner Brown and approved.

There being no further business before the Commission, the meeting was adjourned.

Signed,

A handwritten signature in cursive script that reads "Lara B. Thomas".

Lara B. Thomas

Commission

Secretary Approved:

September 21, 2022