

OHIO CASINO CONTROL COMMISSION
MEETING MINUTES

10:00 A.M. – February 15, 2023
JO ANN DAVIDSON HEARING ROOM
100 E. BROAD STREET, 20TH FLOOR
COLUMBUS, OHIO 43215

The regular meeting of the Ohio Casino Control Commission (Commission) was called to order at 10:09 a.m. by Chair June Taylor. Vice-Chair John Steinhauer and Commissioners Sheetal Bajoria, McKinley Brown, Will Lucas, and Lynn Slaby were also in attendance. The minutes of the January 18, 2023, meeting were approved following a motion by Commissioner Slaby and seconded by Commissioner Brown.

Executive Director Matthew Schuler began his report informing the Commissioners that he had recently provided testimony for the biennial budget. Mr. Schuler explained that as part of the Commission's request for an increase in funding, he quantified the work of the Commission and was struck by the team's accomplishments. Mr. Schuler reported that to date the responsible gambling fund has raised more than 54 million dollars. The original voluntary exclusion plan (VEP) is now a collaborative approach with the Lottery Commission and allows Ohio's citizens ban themselves from both casinos and racinos simultaneously. Recently, the VEP was re-branded as Time Out Ohio, and now allows individuals to ban themselves online or in-person. To date, staff have processed over 5,000 in-person VEP applications. In the last biennium, the Licensing & Investigations Division processed 3,000 casino gaming licenses. Additionally, staff processed 500 skill-based amusement machine and 90 fantasy contest license applications. This past year alone, from August through December, Commission staff processed 4,591 sports gaming licensees. Each year, the Compliance Division completes hundreds of audits and reviews and approves hundreds of games. The Enforcement Division has executed 131 search warrants on illegal casinos and have seized 5,700 slot machines. The amount of slot machines seized is more than all the slot machines in Ohio's casinos combined. This is tremendous work by Commission staff and Mr. Schuler wanted to make known the work that goes on behind the scenes.

Mr. Schuler ended his report with Rick Anthony, Deputy Executive Director providing a budget update. Mr. Anthony reported that tax revenue was above estimates, but the overage was the smallest amount seen thus far. Most sports gaming fees were received at the front end of the year, so revenue is anticipated to be low throughout the rest of the year but will be on track to meet estimates. The Enforcement Fund showed additional revenue this quarter, due to receiving funds from work on an illegal casino investigation. Supplies and maintenance fees were higher than anticipated this month but are anticipated to be under estimates at year-end.

Monica Wilcoxon, Manager of Investigations, presented to the Commission for consideration the gaming-related vendor license renewal application for Incredible Technologies, Inc. (Incredible) and two key-employees. The Division of Licensing & Investigations completed a suitability investigation of Incredible and the key-employees, which did not uncover any material derogatory information. The

Division recommended approval of proposed Resolution 2023-06, granting the gaming-related vendor renewal license and two natural persons' key-employee licenses. A motion to approve the Resolution was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Bajoria and approved.

Next, Ms. Wilcoxon presented to the Commission for consideration the gaming-related vendor license renewal application for The United States Playing Card Company (USPC). The Division of Licensing & Investigations completed a suitability investigation of USPC, which did not uncover any material derogatory information. The Division recommended approval of proposed Resolution 2023-07, granting the gaming-related vendor renewal license. A motion to approve the Resolution was made by Chair Taylor. The motion was seconded by Commissioner Brown and approved.

Then, Ms. Wilcoxon presented to the Commission for consideration eight key-employee license applications. The Licensing & Investigations Division completed background investigations of the applicants, which did not uncover any material derogatory information, and recommended approval of proposed Resolution 2023-08, granting or renewing, as applicable, key-employee licenses to: Carolina Davis, Hollywood Casino Toledo; Daniel Schrementi, Incredible Technologies, Inc.; George Goldhoff, Voluntary Filer; Jessica McGrady, Hollywood Casino Toledo; Ronald Naples, PENN Entertainment, Inc.; John Payne, VICI Properties, Inc.; Matthew Spitnale, PENN Entertainment, Inc.; and Arlene Tansey, Aristocrat Leisure Limited. A motion to approve the Resolution was made by Commissioner Lucas. The motion was seconded by Commissioner Slaby and approved.

Berena Seifert, Manager of Skill Games, presented for consideration 3 initial and 23 renewal skill-based amusement machine-related license applications. The Skill Games Division completed background investigations of the applicants, which did not uncover any material derogatory information, and recommended approval of proposed Resolution 2023-09, granting or renewing, as applicable, skill-based amusement machine-related licenses upon receipt of the required licensing fees. A motion to approve the Resolution was made by Commissioner Slaby. The motion was seconded by Commissioner Lucas and approved.

Aleah Page, Deputy Director of Licensing, presented for consideration a fantasy contest operator license application for Bettlet, Inc. (Bettlet). The Commission's Licensing & Investigations, Legal, Regulatory Compliance, and Problem Gambling Services Divisions completed a suitability investigation of Bettlet, which did not uncover any material derogatory information. Ms. Page recommended approval of proposed Resolution 2023-10, granting Bettlet a three-year fantasy contest operator license. A motion to approve the Resolution was made by Chair Taylor. The motion was seconded by Commissioner Brown and approved.

Next, Ms. Page presented for consideration a fantasy contest operator renewal license application for DK Crown Holdings, Inc. (DraftKings). The Commission's Licensing & Investigations, Legal, Regulatory Compliance, and Problem Gambling Services Divisions completed a suitability investigation of DraftKings, which did not uncover any material derogatory information. Ms. Page recommended approval of

proposed Resolution 2023-11, granting DraftKings a three-year fantasy contest operator renewal license. A motion to approve the Resolution was made by Commissioner Lucas. The motion was seconded by Commissioner Slaby and approved.

Then, Ms. Page presented for consideration a fantasy contest operator renewal license application for FanDuel, Inc. (FanDuel). The Commission's Licensing & Investigations, Legal, Regulatory Compliance, and Problem Gambling Services Divisions completed a suitability investigation of FanDuel, which did not uncover any material derogatory information. Ms. Page recommended approval of proposed Resolution 2023-12, granting FanDuel a three-year fantasy contest operator renewal license. A motion to approve the Resolution was made by Commissioner Bajoria. The motion was seconded by Vice-Chair Steinhauer and approved.

Caty Abbott, Assistant General Counsel, presented for consideration casino gaming administrative rules, consisting of Ohio Adm.Code Chapter 3772-10 (Internal Control Systems) and 3772-13 (Advertising). Ms. Abbott explained that these rules were amended in order to harmonize the language with the recently adopted rules for sports gaming. Next, Ms. Abbott provided an overview of the administrative rules and requested approval to initially file the following new or amended rules: Ohio Adm.Code 3772-10-01, -07, -15, -16, -20, -24, and -25, and Ohio Adm.Code 3772-13-01 — -03. In so doing, Ms. Abbott reminded the Commissioners that upon this approval, the rules and a Business Impact Analysis will be filed with the Common Sense Initiative Office (CSIO). After CSIO review and authorization, the rules will then be filed with the Joint Committee on Agency Rule Review (JCARR). After JCARR's jurisdiction ends, the rules will be brought before the Commissioners again at a public meeting for final-filing approval. A motion to approve the initial filing was made by Vice-Chair Steinhauer. The motion was seconded by Commissioner Slaby and approved.

Andromeda Morrison, General Counsel and Director of Skill Games, presented for consideration skill-based amusement machine administrative rules that were approaching their R.C. 106.03 review date. Ms. Morrison explained that each administrative rule must be reviewed prior to its review date, and the Commission must consider, among other things, whether the rule is still necessary, must be amended, or conflicts with other rules. Next, Ms. Morrison provided an overview of the administrative rules and requested approval to initially file the following new, amended, or rescinded rules: Ohio Adm.Code 3772-50-01 — -28. In so doing, Ms. Morrison reminded the Commissioners that upon this approval, the rules and a Business Impact Analysis will be filed with the Common Sense Initiative Office (CSIO). After CSIO review and authorization, the rules will then be filed with the Joint Committee on Agency Rule Review (JCARR). After JCARR's jurisdiction ends, the rules will be brought before the Commissioners again at a public meeting for final-filing approval. A motion to approve the initial filing was made by Commissioner Brown. The motion was seconded by Commissioner Bajoria and approved.

Martin Kerscher, Assistant General Counsel, presented for consideration fantasy contest administrative rules, consisting of Ohio Adm.Code Chapter 3772-74 (Fantasy Contests). Mr. Kerscher explained that these rules were amended in order to harmonize the language with the recently adopted rules for sports

gaming. Next, Mr. Kerscher provided an overview of the administrative rules and requested approval to initially file the following new, amended or rescinded rules: Ohio Adm.Code 3772-72-02, -08, -10.1, and -12 — -17. In so doing, Mr. Kerscher reminded the Commissioners that upon this approval, the rules and a Business Impact Analysis will be filed with the Common Sense Initiative Office (CSIO). After CSIO review and authorization, the rules will then be filed with the Joint Committee on Agency Rule Review (JCARR). After JCARR's jurisdiction ends, the rules will be brought before the Commissioners again at a public meeting for final-filing approval. A motion to approve the initial filing was made by Commissioner Lucas. The motion was seconded by Commissioner Slaby and approved.

Ms. Morrison, presented to the Commission for consideration three casino gaming final orders:

A final order regarding the denial of casino gaming employee license applications (case nos. #2022-LIC-089, -091 & -092). 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.

A final order regarding the closure of casino gaming employee license applications (case nos. #2022-LIC-015, -021 & -042). Chair Taylor moved to close the casino gaming employee license applications for the cases listed in the final order. The motion was seconded by Vice-Chair Steinhauer and approved.

Then, Ms. Morrison presented for consideration of three sports gaming final orders:

A final order regarding the denial of the standard sports gaming license applications (case nos. #2022-SGL-008, -012, -015, -021, -023, -024, -026 & -027). Chair Taylor moved to deny the standard sports gaming license applications for the cases listed in the final order. The motion was seconded by Commissioner Brown and approved.

A final order regarding Ravencrest Partners, LLC and Steven Rosen (case nos. 2022-SGL-005 & -006). Chair Taylor moved to close the sports gaming Type B proprietor and key employee license applications for Ravencrest Partners, LLC and Steven Rosen. The motion was seconded by Commissioner Bajoria and approved.

A final order regarding New Besa, LLC (case no. 2022-SGL-031). Chair Taylor moved to close the Type C sports gaming host license application for New Besa, LLC. The motion was seconded by Commissioner Slaby and approved.

Ms. Morrison, presented to the Commission for consideration a settlement agreement between Penn Sports Interactive dba Barstool Sportsbook (PSI) and the Commission. The agreement would administratively close Commission Case No. 2022-SGR-001, a case that arose regarding advertising violations pursuant to and in accordance with R.C. Chapters 119, 3772, and 3775 and Ohio Adm.Code Chapters 3775-1 and 3775-4. The settlement agreement includes admissions, conditions, and remedial measures, including a monetary fine of \$250,000.00. Chair Taylor made a motion to approve the

agreement and authorize the Chair to sign it on behalf of the agency. The motion was seconded by Commissioner Brown and approved.

Then, Ms. Morrison presented to the Commission for consideration a settlement agreement between Crown OH Gaming, LLC dba DraftKings (DraftKings) and the Commission. The agreement would administratively close Commission Case Nos. 2022-SGR-002 and 2023-SGR-002, cases that arose regarding advertising violations pursuant to and in accordance with R.C. Chapters 119, 3772, and 3775 and Ohio Adm.Code Chapters 3775-1 and 3775-4. The settlement agreement includes admissions, conditions, and remedial measures, including a monetary fine of \$500,000.00. Chair Taylor made a motion to approve the agreement and authorize the Chair to sign it on behalf of the agency. The motion was seconded by Vice-Chair Steinhauer and approved.

Vice-Chair Steinhauer then presented a resolution to Commission staff, commending their service and tireless efforts to expedite the voluminous licensing and regulatory compliance responsibilities necessary to implement the launch of sports gaming in Ohio by January 1, 2023. Chair Taylor moved to adopt Resolution 2023-13 honoring and recognizing the staff's contributions, hard work, and dedicated service in implementing Ohio's sports gaming law. The motion was seconded by Vice-Chair Steinhauer and approved.

Mike Masterson, Director of Enforcement, presented a resolution to Commissioner Brown for his commitment to ensuring casino gaming is conducted honestly and fairly in Ohio, playing an integral role in the launch of the Commission's oversight of skill-based amusement machines, fantasy contests and sports gaming and providing his expertise in law enforcement and investigatory techniques, helping to set the direction for the Commission's ongoing success. Chair Taylor, Vice-Chair Steinhauer, and Commissioners Bajoria, Lucas, and Slaby moved to adopt Resolution 2023-14 commemorating Commissioner Brown's dedication to the Commission and the citizens of the State of Ohio. The motion was seconded unanimously by all the Commissioners and approved.

Anna Marin Russell, Director of Licensing and Investigations and Senior Legal Counsel, presented a resolution to Vice-Chair Steinhauer for his commitment to ensuring casino gaming is conducted honestly and fairly in Ohio, playing an integral role in the launch of the Commission's oversight of skill-based amusement machines, fantasy contests and sports gaming and providing his legal expertise helping to set the direction for the Commission's ongoing success. Chair Taylor and Commissioners Bajoria, Brown, Lucas, and Slaby moved to adopt Resolution 2023-15 commemorating Vice-Chair Steinhauer's dedication to the Commission and the citizens of the State of Ohio. The motion was seconded unanimously by all the Commissioners and approved.

Ms. Morrison presented a resolution to Chair Taylor for her efforts to create and foster an agency worthy of the responsibilities entrusted to it by the Ohio General Assembly and the people of Ohio, her wise counsel in establishing policies that hold licensees to high standards of accountability, and her commitment and guidance to assist the Commission in fulfilling its mission of ensuring the integrity of

casino gaming, skill-based amusement machines, fantasy contests, and sports gaming. Vice-Chair Steinhauer and Commissioners Bajoria, Brown, Lucas, and Slaby moved to adopt Resolution 2023-16 commemorating Chair Taylor's dedication to the Commission and the citizens of the State of Ohio. The motion was seconded unanimously by all the Commissioners and approved.

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

Signed,



Lara Thomas

Commission Secretary

Approved: March 15, 2023