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By Jasmine Dunklin at 10:54 am, Oct 04, 2023

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**OCT 03 2023**

LA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE

**STATE OF LOUISIANA  
LOUISIANA GAMING CONTROL BOARD  
ADMINISTRATIVE HEARING OFFICE**

**Betfair Interactive US, LLC d/b/a FanDuel Sportsbook**

**CASE NO.: B016503481**

**JOINT MOTION FOR APPROVAL OF COMPROMISE AND  
SETTLEMENT AGREEMENT**

**TO THE HONORABLE ADMINISTRATIVE HEARING OFFICER:**

**NOW COME** the State of Louisiana, Office of State Police Gaming Enforcement Division (hereinafter, the "Division") and Betfair Interactive US, LLC d/b/a FanDuel Sportsbook (hereinafter, "Platform Provider"), who file this Joint Motion for Approval of Compromise and Settlement Agreement, and in support thereof would respectively show unto the Hearing Officer as follows:

1.

The Division and Platform Provider are desirous of compromising and settling all disputes between them relative to the referenced administrative proceeding. In connection therewith, the parties have entered into a Compromise and Settlement Agreement, which by its terms will become effective upon approval by the Administrative Hearing Office and the Louisiana Gaming Control Board.

2.

A true and correct copy of the proposed Compromise and Settlement Agreement is attached hereto as Exhibit "A" and incorporated by reference for all purposes.

**WHEREFORE, PREMISES CONSIDERED,** the Division and Platform Provider respectfully request that this Honorable Administrative Hearing Officer approve the parties' Compromise and Settlement Agreement.

Respectfully Submitted,

**JEFF LANDRY,  
ATTORNEY GENERAL**

By: 

**Talibah McIntyre, Bar Roll #36127**  
Assistant Attorney General  
1885 North Third Street, 5<sup>th</sup> Floor  
Baton Rouge, Louisiana 70802  
Telephone: (225) 326-6500  
Facsimile: (225) 326-6599  
*Counsel for the Office of State Police*

By: 

**Janet Boles, Attorney for  
Betfair Interactive US, LLC,  
D/B/A FanDuel Sportsbook**

**STATE OF LOUISIANA**  
**LOUISIANA GAMING CONTROL BOARD**  
**ADMINISTRATIVE HEARING OFFICE**

**RE: BETFAIR INTERACTIVE US, LLC**  
**D/B/A FANDUEL SPORTSBOOK**

**CASE NO.: B016503481**

**COMPROMISE AND SETTLEMENT AGREEMENT**

The State of Louisiana, Office of State Police Gaming Enforcement Division (hereinafter, the "Division") and Betfair Interactive US d/b/a FanDuel Sportsbook (hereinafter, "Platform Provider"), do hereby represent and agree as follows:

**WHEREAS**, the Louisiana Gaming Control Board has sent a Notice of Recommendation of Administrative Action to Platform Provider, which Notice contains allegations of certain violations of Louisiana Gaming Control Law; and

**WHEREAS**, the issues raised by said Notice were set for hearing before the Louisiana Gaming Control Board Administrative Hearing Office on October 4, 2023;

**WHEREAS**, the Division and Platform Provider are desirous of fully and finally compromising and settling all issues and disputes arising out of and in connection with said Notice;

**NOW, THEREFORE**, in consideration of the foregoing, the parties hereto do hereby agree and stipulate as follows:

**STIPULATIONS**

1. Platform Provider is a Sports Wagering Platform Provider in Louisiana.

2. From January 7, 2023 to January 12, 2023, Platform Provider mailed a sports wagering, handheld, print advertisement to residents in Louisiana promoting its mobile sportsbook.

3. The problem gambling message and toll-free telephone number in the handheld print advertisement did not comprise an area equal to 1/20 of the entire advertisement's height and did not extend across the entire width of the advertisement.

4. The Platform Provider failed to comply with the advertisement requirements of Louisiana gaming regulations, in violation of LAC 42:VI.517(F)(1) and LAC 42:517(G)(2)(a).

#### **TERMS AND CONDITIONS**

1. In lieu of administrative action, Platform Provider will pay a penalty of **TEN THOUSAND and 00/100 (\$10,000) DOLLARS** for its violation of LAC 42:VI.517(F)(1) and LAC 42:517(G)(2)(a).

2. The Division hereby agrees that payment of a total penalty of **TEN THOUSAND and 00/100 (\$10,000.00) DOLLARS** shall be in full and final settlement of all matters set forth in the Notice of Recommendation of Administrative Action.

3. The Division reserves the right to take into consideration this admitted violation in connection with any future investigation, violation or assessment of penalty and in connection with any future assessments of Platform Provider's suitability.

4. The terms of this Compromise and Settlement Agreement shall be interpreted under the laws of the State of Louisiana.

5. This Compromise and Settlement Agreement constitutes the entire agreement between the Division and Platform Provider, pertaining to the subject matter contained herein and

supersedes all prior and contemporaneous agreements, representations and understandings of the parties.

6. This Compromise and Settlement Agreement is subject to approval by the Hearing Officer and the Louisiana Gaming Control Board. It is expressly understood that if this proposed settlement is approved by the Hearing Officer, this agreement is not thereby executory, but will be submitted to the Louisiana Gaming Control Board for its determination as to whether to approve same or to remand the matter to the Hearing Officer for a full hearing on the merits.

7. If approved, Platform Provider agrees to make full payment of the civil penalty within fifteen (15) days of approval of this settlement by the Louisiana Gaming Control Board. Platform Provider agrees that failure to meet this requirement shall result in immediate suspension of the gaming permit without the necessity of any further administrative action until such time as the penalty is paid in full.

I have read this entire Compromise and Settlement Agreement and agree to all stipulations and terms and conditions hereof.



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Jane Boles, Attorney for  
Behair Interactive US, LLC d/b/a FanDuel Sportsbook



FOR TALIBAH MCINTYRE

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Talibah McIntyre, on behalf of  
State of Louisiana, Department of Public Safety &  
Corrections, Office of State Police

**STATE OF LOUISIANA**  
**LOUISIANA GAMING CONTROL BOARD**  
**ADMINISTRATIVE HEARING OFFICE**

**RE: BETFAIR INTERACTIVE US, LLC  
D/B/A FANDUEL SPORTSBOOK**

**CASE NO.: B016503481**

**ORDER**

**BE IT REMEMBERED** that on the 4 day of October, 2023, came for consideration the Joint Motion for Approval of Compromise and Settlement Agreement, and the parties having appeared by and through their respective attorneys of record or representing themselves, and the Hearing Officer having considered the pleadings on file, the proposed Compromise and Settlement Agreement, and the said Motion, and it appearing to the Hearing Officer that the said Compromise and Settlement Agreement should be approved; it is, therefore,

**ORDERED, ADJUDGED, AND DECREED** that the Compromise and Settlement Agreement attached to the parties' Joint Motion for Approval of Compromise and Settlement Agreement be, and the same is hereby, **APPROVED**; that Betfair Interactive US, LLC, d/b/a FanDuel Sportsbook must pay **TEN THOUSAND and 00/100 (\$10,000.00) DOLLARS** to the Division within fifteen (15) days of approval by the Louisiana Gaming Control Board. Failure to do so shall result in the immediate suspension of the gaming permit without the necessity of any further administrative action until such time as the penalty is paid in full.

**SIGNED AND ENTERED** this 4th day of October, 2023, in Baton Rouge, Louisiana.

LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE

I HEREBY CERTIFY THAT A CERTIFIED  
COPY HAS BEEN MAILED OR SERVED ON

ALL PARTIES THIS 4 DAY  
OF October, 2023

Ebony Bataak

DOCKET CLERK, ADMIN. HEARING OFFICE

cc: Betfair Interactive US, LLC  
d/b/a FanDuel Sportsbook  
Taliban McIntyre  
Sgt. Ruben Braun

Suzan S. Ponder

**SUZAN S. PONDER  
HEARING OFFICER**

**A TRUE COPY ATTEST**  
LOUISIANA GAMING CONTROL BOARD  
HEARING OFFICE  
BATON ROUGE, LA 10/4/23

Ebony Bataak  
DOCKET CLERK, ADMINISTRATIVE HEARING OFFICE

## **Bourgeois, Suzanne**

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**From:** Connie Lemoine <connie@jboleslaw.com>  
**Sent:** Tuesday, October 3, 2023 2:15 PM  
**To:** Bourgeois, Suzanne  
**Subject:** RE: Documentation for Betfair Interactive US, LLC  
**Attachments:** Chairman1-infraction.pdf

***CAUTION:** This email originated outside of Louisiana Department of Justice. Do not click links or open attachments unless you recognize the sender and know the content is safe.*

Suzanne, thank you so much. Please see attached correspondence we would like filed into the record of the above matter. Please acknowledge receipt.

Thank you very much.

**Connie B. Lemoine**  
*Executive Assistant-Office Manager*

Boles Law Firm – Baton Rouge, LLC  
7914 Wrenwood Boulevard  
Suite A  
Baton Rouge, LA 70809  
Telephone: 225-924-2686  
Facsimile: 225-926-5425

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**From:** Bourgeois, Suzanne <BourgeoisS@ag.louisiana.gov>  
**Sent:** Tuesday, October 3, 2023 2:10 PM  
**To:** Connie Lemoine <connie@jboleslaw.com>  
**Subject:** Documentation for Betfair Interactive US, LLC

Good afternoon,

You can send your information to me at this address.

Thank you,

**Suzanne Bourgeois, Attorney**

La. Gaming Control Board Hearing Office  
Problem Gambling Resource Services  
P.O. Box 4096



**BOLES LAW FIRM –**  
**BATON ROUGE, LLC**

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CATHERINE H. CRAWFORD,  
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October 2, 2023

Via Email

Chairman Ronnie Johns  
Louisiana Gaming Control Board  
7901 Independence Boulevard, Bldg. A  
Baton Rouge, LA 70806

RE: Betfair Interactive US, LLC d/b/a FanDuel Sportsbook  
Case No.: 23-014398  
SAR # B0165034381

Dear Chairman Johns:

Please be advised of my representation of Betfair Interactive, US, LLC d/b/a FanDuel Sportsbook, ("FanDuel").

FanDuel is writing in response to the Notice of Hearing Date we received from you (SAR# B0165034381). FanDuel sincerely appreciates the dialogue and collaborative relationship we have with LGCB, and we look forward to continuing to build that relationship.

As an initial matter, FanDuel would like to reiterate its strong commitment to Responsible Gaming ("RG"). Every employee at FanDuel, not just personnel assigned to our RG team, receives RG training. We have an entire team devoted to ensuring compliance with RG regulations in every jurisdiction in which we operate. FanDuel also trains its customer service personnel to identify certain language that could indicate RG concerns. FanDuel's RG team is headed by a Vice President (Alison Kutler), who reports directly to FanDuel's President.

This past summer, FanDuel's RG program was accredited by RG Check, which was developed by the Responsible Gaming Council and identifies itself as the "most comprehensive responsible gambling accreditation program in the world." In addition, FanDuel has a formal partnership with a well-known media personality (Craig Carton), a responsible gaming advocate who speaks publicly about the dangers of gambling addiction. Further, FanDuel offers its customers such responsible gaming tools as deposit limits, wager limits, maximum wager size limits and time limits on play. In 2022, FanDuel introduced "Play Well" initiatives designed to help customers enjoy sports wagering in a



responsible manner. This included a multi-media campaign designed to bring attention to responsible gaming.

With respect to the issue in question, FanDuel acknowledges that due to human error, certain marketing materials that were mailed to Louisiana residents were not compliant with Louisiana Regulations as described in a Significant Action Report dated 1/23/2023. FanDuel sincerely regrets this, and we would like to note that since these materials were mailed, FanDuel has hired a Compliance Manager who augments our internal review process for advertisements and marketing materials.

Under FanDuel's review process, all such materials are reviewed by a team that includes legal, compliance and marketing personnel. Further, this process is organized through a central hub and all advertisements and marketing materials are required to include information that is required by Louisiana law, including information related to responsible gaming. Our legal team approves all advertisements and marketing materials prior to release, and the Compliance Manager referenced above reviews and approves details around gaming regulations and statutory requirements. Lastly, our Creative and Legal teams conduct two standing weekly meetings to review and approve advertisements and marketing materials.

FanDuel's goal is always to be fully compliant with Louisiana regulations, and we will continue to strive to meet that goal. Thank you for your hard work in ensuring compliance

With every good wish, I am,

Sincerely,

Janet S. Boles

JSB/cbl

cc: Chris Staszak  
Rich Cooper  
Anthony Studnicka