

Colorado Limited Gaming Control Commission

Minutes of Public Session
August 25, 2022

PUBLIC SESSION

I. Call to Order

The August 25, 2022, meeting of the Colorado Limited Gaming Control Commission was called to order by Chair Nathan at approximately 9:16 a.m. at 142 Lawrence Street, Central City, CO 80427 and via Cisco Webex video conference. Commissioners Davis, Armstrong, Coleman were present and a quorum existed. Commissioner Landaveri was excused for good cause.

Officials & Administrators in Attendance

Richard Nathan, Chair
Justin Davis, Vice-Chair
Shawn Coleman, Commissioner via Cisco Webex
Kevin Armstrong, Commissioner via Cisco Webex
Cory Amend, Senior Director, Specialized Business Group
Dan Hartman, Director
Kirsten Gregg, Chief of Investigations
Kenya Collins, Director of Administration via Cisco Webex
Bradford Jones, Senior Assistant Attorney General
Paul Hogan, Chief Auditor
John Madruga, Agent in Charge, Background Unit
Brett Buckingham, Agent in Charge, Sports Betting
Suzanne Karrer, Communications Specialist
Breanne Nolan, Executive Assistant, Secretary to CLGCC

EXECUTIVE SESSION

The Commission voted unanimously to go into Executive Session pursuant to sections 24-6-402(3)(a)(III), 44-30-521(1)(a), 44-30-526(1)(d), and 44-30-1507 of the Colorado Revised Statutes to review confidential background licensing reports from the Division of Gaming that were scheduled for consideration in the Public Session and to receive legal advice under section 24-6-402(3)(a)(II) of the Colorado Revised Statutes regarding Public Session business matter #7: Consideration of refund of prepaid sports betting fee for Momentum Sports and Entertainment.

PUBLIC SESSION

The Public Session was called back to order at 10:26 a.m.

II. Approval of Licensing Actions

The Commission voted unanimously to approve the Renewal of the Manufacturer/Distributor License for Aces Up Gaming Inc. The Manufacturer/Distributor License will expire two years from its current date of expiration.

The Commission voted unanimously to approve the First Temporary Vendor Major License for SIS CONTENT SERVICES, INC. The Vendor Major License was issued pending the final results of the Division's background investigation.

The Commission voted unanimously to approve the Reissuance of the Temporary Internet Sports Betting Operator License for PlayUp Interactive CO Inc. d/b/a PlayUp. The Temporary Internet Sports Betting Operator License will expire two years from its current date of expiration and pending the final results of the Division's background investigation.

The Commission voted unanimously to approve the Reissuance of the Vendor Major Licenses for GAN NEVADA, INC.; NeoGames Solutions LLC; Sports IQ Analytics Inc.; Uptonvale USA LLC; Overdrive Marketing, Inc.; GBG ENDEAVORS LLC d/b/a MetaBet; SharpLink, Inc d/b/a SharpLink; and SimpleBet, Inc. The Vendor Major Licenses will expire two years from their current dates of expiration.

The Commission voted unanimously to approve the Renewal of the Vendor Minor Licenses for Commercial Streaming Solutions, Inc d/b/a BettorView; Nuvei Technologies Inc.; opensponsorship, corp. d/b/a OpenSponsorship; Pickwatch Ltd; Rarefied Atmosphere, Inc; Barstool Sports, Inc d/b/a Barstool Sports; Sporting Solutions Services Limited d/b/a Sporting Solutions; Taboola.com LTD.; Rackspace US, Inc.; CPX INTERACTIVE LLC d/b/a DIGITAL REMEDY; P&P Vegas Group Inc. d/b/a Picks and Parlays; Buffalo Wild Wings, Inc.; Fortuna Edge Media Limited; OLBG Inc; SOLUTIONS-II, INC.; Bulletproof Solutions, INC; Outkick Media LLC; and NBCUniversal Media, LLC d/b/a NBC Sports. The Vendor Minor Licenses will expire 2 years from their current dates of expiration.

The Commission voted unanimously to approve the First Vendor Minor Licenses for: MoneyLine Gaming Inc; FotMob AS d/b/a FotMob Inc; Radar Labs, Inc.; BRAND STREAMERS US INC.; GGR Media Inc.; Jindo Trading Corporation; and Sofa IT LLC. The Vendor Minor Licenses will expire 2 years from their dates of issuance.

III. Opportunity for the Public to Address the Commission

The Chair extended an opportunity for the public to address the Commission. No members of the public came forward to address the Commission.

IV. Consideration of Limited Gaming Financial Statements for June 2022

The Commission voted unanimously to approve the Statement of Gaming Revenues, Gaming Taxes, and Expenditures (unaudited) for the twelve months ending on June 30, 2022 and to authorize its distribution.

V. Consideration of Division Sports Betting Financial Statement for June 2022

The Commission voted unanimously to approve the Statement of Sports Betting Revenues, Taxes, and Expenditures (unaudited) for the twelve months ending on June 30, 2022 and to authorize its distribution.

VI. Limited Gaming and Extended Limited Gaming Fund Distributions for Fiscal Year 2022

Tseko Ivanov, Reporting Accounting, presented the Fiscal Year 2022 Distribution of the Limited Gaming Fund and the Extended Limited Gaming Fund. Discussion was had by the Commission and Mr. Ivanov.

The Commission voted unanimously to certify the Fiscal Year 2022 Distribution of the Limited Gaming Fund and the Extended Limited Gaming Fund as presented by the Division.

VII. Consideration of Refund of Prepaid Sports Betting Fee for Momentum Sports & Entertainment

Dan Hartman, Director, Division of Gaming, presented the memo regarding Momentum Sports' request for "Refund of Prepaid Sports Betting Fees."

The Chair called Daniel Kelliher, President of Momentum Sports & Entertainment, to present his letter addressed to the Commission as well as offer further comments. Discussion was had by the Commission and Mr. Kelliher.

The Chair called upon Bradford Jones, Senior Assistant Attorney General, to confirm that legal advice was received during the executive session and to provide comment on a case referenced in Mr. Kelliher's letter.

Discussion was had by the Commission, Director Hartman, Bradford Jones, and Daniel Kelliher.

The Commission publicly deliberated on the Consideration of Refund of Prepaid Sports Betting Fee for Momentum Sports & Entertainment.

The Commission voted unanimously to deny Momentum Sports' request for refund of the prepaid Sports Betting fee previously paid by Momentum Sports totaling \$77,000, to direct Senior Assistant Attorney General Jones to draft an order memorializing the Commission's decision, and to delegate authority to the Chair to review, approve, sign and issue the prepared order.

VIII. Consideration of Limited Gaming Rule 24

The Commission voted unanimously to open the hearing on Limited Gaming Rule 24.

Paul Hogan, Chief Auditor, was sworn in and gave the presentation on Rule 24..

Senior Assistant Attorney General, Bradford Jones, noted that Rule 24 was presented at the July 21, 2022 CLGCC meeting but due to a website posting error, a Special Meeting was held on August 3, 2022 to accept Emergency Limited Gaming Rule 24. He stated that a notice of the rescheduled permanent rulemaking hearing for Rule 24 was issued in the Colorado Register following discussions with the Colorado Secretary of State's Office.

Hearing no public comments, Commission voted unanimously to close the public comment portion of the rulemaking hearing on Limited Gaming Rule 24

The Commission voted unanimously to approve Colorado Limited Gaming Rule 24, as presented.

The Commission voted unanimously to close the hearing on Colorado Limited Gaming Rule 24.

IX. Consideration of Organizational Matters

The Commission approved the minutes from the July 21, 2022 public session and the August 3, 2022 special meeting of the Colorado Limited Gaming Control Commission.

Cory Amend, Senior Director, Specialized Business Group, expressed his appreciation to the Division for the time and effort taken to provide flexibility with in person and virtual Commission meeting.

Dan Hartman, Director, Division of Gaming, stated that a workshop that would help provide ideas for data collection with the passage of SB22-216 was to be held on August 26, 2022 at 10:00 a.m. MDT. He also described that he attended the Racing and Gaming Conference held in Saratoga Springs, NY August 15-17. He concluded that the Problem Gambling Coalition of Colorado was holding its annual golf tournament on September at the Hilton Denver Inverness and members of the industry and public were encouraged to attend.

XI. Opportunity for the Industry Members to Address the Commission

The Chair gave an opportunity for anyone from the industry to address the Commission regarding any current issues or events.

No members of the public came forward to address the Commission.

Adjournment

The Commission voted unanimously to adjourn the August 25, 2022 meeting of the Colorado Limited Gaming Control Commission at 11:37 a.m.

Breanne Nolan, Secretary to the Colorado Limited Gaming Control Commission