

**ORDER 2024-41
IN RE SETTLEMENT AGREEMENT**

**ROAR DIGITAL
24-ROAR-01**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 21st DAY OF MARCH, 2024.

THE INDIANA GAMING COMMISSION:


Milton Thompson, Chair

ATTEST:


Jason Dudich, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF: BETMGM, LLC d/b/a ROAR DIGITAL)))))	SETTLEMENT 24-ROAR-01
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SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and BetMGM, LLC d/b/a Roar Digital (“Roar Digital”), (collectively, the “Parties”) desire to enter into this settlement agreement (“Agreement”) prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

COUNT I

1. 68 IAC 27-12-3(b) provides that patrons must be provided with an easy and obvious method to impose limitations for wagering parameters, including, but not limited to, deposits, wagers, time-based limitations and a patron option to decline the ability to cancel a pending withdrawal request.
2. Roar Digital’s approved internal control procedures, Section 8.10.3.1, describe the responsible gaming process and procedures.
3. On October 6, 2023, Roar Digital notified the Commission’s Sports Wagering Division that Roar Digital’s Compliance team identified a system issue that allowed patrons to exceed the patron imposed responsible gaming limits.
4. On September 8, 2023, Roar Digital became aware of Indiana patrons hat exceeded their responsible gaming limits and wagered these funds. As a result, Roar Digital conducted a full investigation. The results of the investigation determined that two (2) patrons were able to surpass the daily deposit limits set by the patron. Patron A was able to deposit \$25.00 over their daily limit of \$100.00. Patron B was able to deposit \$150.00 over their daily limit of \$500.00. As a result of this issue, Patron A received a refund of \$25.00 and Patron B received a refund for \$150, the exact amounts they were able to deposit in excess of their deposit limit.

COUNT II

5. 68 IAC 2-2-1(d) provides the applicant's key persons, substantial owners, and any other persons deemed necessary to allow the commission to ensure the applicant meets the statutory criteria for licensure set forth in IC 4-33, IC 4-35, and this title must complete

and submit a Personal Disclosure Form 1 (PD1) application for occupational license under 68 IAC 2-3-1.

6. 68 IAC 2-2-6.1(a) provide that all key persons and substantial owners of supplier licensees and supplier license applicants must obtain a Level 1 occupational license.
7. 68 IAC 2-2-4(b)(3) provides an application shall be deemed filed when the completed application forms, including all required documents, all personal disclosure forms, materials, photographs, and application fee have been submitted. The commission will not begin its background investigation until the application is filed.
8. On June 9, 2023, one of Roar Digital's 50% shareholders, Entain PLC ("Entain") notified the Commission that an individual was appointed as a Board Member, effective June 14, 2023.
9. On June 12, 2023, the Commission advised Entain that the PD1 application was due on July 14, 2023.
10. On July 7, 2023, Entain requested an extension for the PD1 application.
11. On July 10, 2023, the Commission approved the extension, resulting in a new due date of August 14, 2023.
12. On August 14, 2023, Entain submitted the PD1 application.
13. On August 18, 2023, the Commission advised Entain that the application was incomplete and would not be considered received by the Commission until fully supplemented in its entirety. Entain confirmed that they understood.
14. On September 10, 2023, the Commission inquired about the status of the PD1 application.
15. On September 11, 2023, Entain confirmed that they were still missing documentation for the PD1 application.
16. On September 18, 2023, Entain submitted updated information for the PD1 application.
17. On September 25, 2023, the Commission determined that the PD1 application was still incomplete and would require additional information to be considered for approval.
18. On October 4, 2023, Entain provided the missing information.
19. The PD1 application was forty-four (44) days late.

COUNT III

20. 68 IAC 2-2-1(d) provides the applicant's key persons, substantial owners, and any other persons deemed necessary to allow the commission to ensure the applicant meets the statutory criteria for licensure set forth in IC 4-33, IC 4-35, and this title must complete and submit a Personal Disclosure Form 1 (PD1) application for occupational license under 68 IAC 2-3-1.
21. 68 IAC 2-2-6.1(a) provide that all key persons and substantial owners of supplier licensees and supplier license applicants must obtain a Level 1 occupational license.
22. 68 IAC 2-2-4(b)(3) provides an application shall be deemed filed when the completed application forms, including all required documents, all personal disclosure forms, materials, photographs, and application fee have been submitted. The commission will not begin its background investigation until the application is filed.
23. On June 30, 2023, an individual was retroactively appointed a Director for Entain Holdings (UK) Limited, effective June 19, 2023, after a resignation occurred, effective June 30, 2023. As a result, the PD1 application was due on July 30, 2023.
24. On October 18, 2023, Entain notified the Commission that this individual was appointed to the Director position. The Commission advised Entain that the PD1 application would have been due thirty (30) days after appointment, in July, and advised the PD1 application needed to be submitted ASAP but no later than thirty (30) days from the notification unless an extension was granted.
25. On November 16, 2023, the Commission received the PD1 application. Entain also requested payment information. The Commission responded with the required information for electronic and check payments.
26. On November 28, 2023, the Commission requested an update on the payment. Entain advised the payment would be overnighted.
27. On November 29, 2023, the Commission received the payment for the PD1 application.
28. The PD1 application was 122 days late.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Roar Digital by and through its agents as described herein constitute a breach of IC 4-38, 68 IAC, and/or Roar Digital's approved internal control procedures. The Commission and Roar Digital hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Roar Digital.

Roar Digital shall pay to the Commission a total of \$7,500 (\$3,000 for Count I, \$1,500 for Count II and \$3,000 for Count III) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the Findings of Fact contained in

this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.


Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Roar Digital agrees to promptly remit payment in the amount of \$7,500 and waive all rights to further administrative or judicial review.

This Agreement constitutes the entire agreement between the Parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically as if the original had been received.

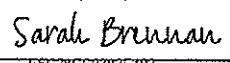
This Agreement shall be binding upon the Commission and Roar Digital.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.



Greg Small, Executive Director
Indiana Gaming Commission

3/14/2024
Date

DocuSigned by:


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Sarah Brennan, Director of Compliance
Bet MGM, LLC d/b/a Roar Digital

3/12/2024
Date