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The MICHIGAN GAMING Newsletter



MICHIGAN AG FILES PETITIONER'S BRIEF IN BAY MILLS TRIBAL CASINO CASE

On Friday, August 30, 2013, the State of Michigan, through state Attorney General Bill Schuette, filed its Petitioner's Brief with the United States Supreme Court in the matter involving the Bay Mills Indian Community's ("Bay Mills Tribe") Vanderbilt casino. The Bay Mills Tribe had opened a casino in Vanderbilt, Michigan in November, 2010 on land that was approximately 125 miles south of its reservation land located in Michigan's Upper Peninsula. The casino was closed following the entry of a preliminary injunction by the U.S. District Court for the Western District of Michigan in March, 2011. The Bay Mills Tribe then appealed this decision to the Sixth Circuit Court of Appeals, which reversed the decision of the District Court last August. The State of Michigan has now appealed the Sixth Circuit's decision to the U.S. Supreme Court.

The case, which could very well set significant precedent in the area of Indian gaming throughout the United States, will review two issues: (1) whether a federal court has jurisdiction to enjoin activity that violates the Indian Gaming Regulatory Act ("IGRA") but takes place outside of Indian lands; and (2) whether tribal sovereign immunity bars a state from suing in federal court to enjoin a tribe from violating IGRA outside of Indian lands.

The Bay Mills Tribe will answer the arguments of the State of Michigan by way of its Respondent's Brief, which must be filed on or before October 24, 2013. Many court observers believe that this matter could be heard as early as December, and decided by the end of the Court's 2013-14 term.

The docket report for this case can be viewed at the following link: <http://www.supremecourt.gov/Search.aspx?FileName=/docketfiles/12-515.htm>

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LEGISLATION INTRODUCED TO AMEND CHARITABLE GAMING LAWS

On September 4, 2013, Representative Jeff Farrington (R-Utica) introduced House Bill 4960 (“HB 4960”) that, if passed, would amend the Traxler-McCauley-Law-Bowman Bingo Act (“Act”) to allow for an expansion of charitable gaming activity in the state.

The Act was originally passed in 1972 and authorized several forms of charitable gaming, including raffles, bingo, charity game tickets, and Millionaire Party events, which allow casino-style games on a limited basis. While all charitable gaming activity was traditionally placed under the oversight of the state lottery, Governor Richard Snyder transferred oversight of Millionaire Parties to the Michigan Gaming Control Board (“MGCB”) via Executive Order 2012-4 in an effort to consolidate oversight over such activities.

The bill would constitute a major revision of the existing statute and would reverse several recent changes in charitable gaming policy aimed at Millionaire Party events. The bill would also create a greater distinction between Millionaire Party events and other charitable gaming methods by separating the Millionaire Party provisions from the general provisions of the bill.

On July 29, 2013, the Executive Director of the MGCB issued a letter to all licensed charitable gaming suppliers and qualified organizations noting changes in MGCB policy regarding Millionaire Party events. After the Ingham County Circuit Court issued a temporary injunction to prevent the implementation of the new policies, a second letter was issued on August 29, 2013 rescinding the [letter from July 29, 2013](#).

The text of HB 4960 is available at the following link: [House Bill 4960](#). For more information on the July changes to Millionaire Party policy, please refer the *The Michigan Gaming Newsletter*, Vol. 19, Issue 21, dated August 2, 2013, located here: http://michigangaming.com/docs/newsletter/volume_19/MichiganGamingNewsVol19-Issue21.pdf

MGCB RELEASES REGULAR PUBLIC MEETING AGENDA

On Tuesday, September 10, 2013, the Michigan Gaming Control Board (“MGCB”) will hold its Regular Public Meeting. The agenda includes the following items:

- A. Consider the Licensing & Regulation Division’s Recommendation Regarding Level 1 and Level 2 Occupational License Applications
- B. Consider the Executive Director’s Reports and the Licensing & Regulation Division’s Recommendations Regarding the Pending Transfers of Interest of
 1. International Market Place, Inc. d/b/a Fishbone’s Rhythm Kitchen Café, Board File No. SL000141-13-001
 2. Rhiannon Creations, Inc. d/b/a Body Bliss, Board File No. SL005380-13-001
 3. SHFL entertainment, Inc., Board File No. SL000313-13-002
 4. Spielo International USA, LLC, Board File No. SL000284-13-002
- C. Consider the Executive Director’s Report and Licensing & Regulation Division’s Recommendation Regarding the Pending Supplier License Application of
 1. City Renovation & Trim, Inc., Board File No. SL006581-13-002
- D. Consider the Executive Director’s Reports and Licensing & Regulation Division’s Recommendations Regarding the Pending Supplier License Renewal Requests of
 1. 1st Choice Distributors, LLC, Board File No. SL005841-13-001
 2. International Market Place, Inc. d/b/a Fishbone’s Rhythm Kitchen Café, Board File No. SL000141-13-002
 3. Structural Group, Inc., Board File No. SL002112-13-001

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E. Consider the Executive Director's Report and Licensing & Regulation Division's Recommendation Regarding the Suitability of New Key Person of Greektown Casino, LLC

1. Jeffrey Cohen, Board File No. GTC-2013-013

F. Consider the Executive Director's Report and Licensing & Regulation Division's Recommendation Regarding the Suitability of New Key Person of Spielo International USA, LLC

1. Investendo Due S.r.L., Board File No. SL00284-13-003

G. Consider Greektown Casino, LLC's Request to Suspend Fixed Charge Coverage Ratio for 3rd Quarter

H. Consider the Proposed Public Meeting Schedule for Fiscal Year 2013-2014

The MGCB meeting will take place at the Detroit Office Hearing Room, located at Cadillac Place, 3062 W. Grand Blvd., Suite L-700, Detroit, Michigan at 9:30 a.m. on Tuesday, September 10.

IGAMING TO BE A HOT TOPIC AT G2E 2013

As the landscape of Internet gambling continues to evolve and interest in this topic increases, Global Gaming Expo (G2E) 2013 will be the go-to place to gain critical insights and comprehensive perspectives about what is on the horizon for this rapidly developing sector of the gaming industry. From new products and technologies to educational sessions and invaluable networking opportunities, G2E will serve as the leading educational resource and ideal learning environment on iGaming. G2E is the premier trade show and conference event for the international gaming entertainment industry and will be held Sept. 23-26 at the Sands Expo and Convention Center in Las Vegas.

"As the Internet gambling sector has developed in the U.S. and around the world, we've seen increased interest from G2E attendees for access

to more educational programming on this issue," said Courtney Muller, Senior Vice President at Reed Exhibitions. "The iGaming features at G2E will arm attendees with the knowledge to react to the changing face of the industry, take advantage of new opportunities and be prepared for what lies ahead."

This year's iGaming features at G2E include:

iGaming Congress: The one-day iGaming Congress will take place Monday, Sept. 23 and will address the potential impact of the legalization of Internet gambling in the U.S. Additionally, sessions at the iGaming Congress will provide gaming professionals with advice on how to react to the changing face of the industry and take advantage of new opportunities. This information-packed program will appeal to existing offshore Internet gambling operators, as well as commercial casinos, tribal casinos, manufacturers and more.

iGaming Conference Track: The two-day iGaming Conference Track will take place Tuesday, Sept. 24 and Wednesday, Sept. 25 and is designed to provide an overview of Internet gambling operations and regulations around the world. This track will include eight in-depth sessions intended to prepare the U.S. market for business in advance of legalization and examine what it will mean for the industry at large.

iGaming Networking Reception: iGaming executives are invited to network and connect about one of the hottest sectors in the industry during the iGaming Networking Reception on Monday, Sept. 23 from 5-6:30 p.m. at The Act in the Palazzo. This networking reception is open only to iGaming Congress attendees and five-day Super Pass G2E conferees.

iGaming Zone: G2E's iGaming Zone is the destination for industry leaders looking to find cutting-edge suppliers and stay abreast of the latest developments in the sector. The iGaming Zone will showcase Internet gambling software products to support online games such as poker, sports betting and bingo. The pavilion also will feature support systems, including marketing tools, live gaming software, payment technologies and more.

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This year's iGaming Zone will be the biggest to date, and the G2E show floor also will feature many additional exhibitors of iGaming products.

iGaming Virtual Ticket: The iGaming Virtual Ticket will offer live streaming of the iGaming Congress and iGaming Conference Track, allowing those who cannot attend the conference in person to connect to G2E like never before from their web-enabled mobile device or computer.

For more information and to register for G2E 2013, visit www.globalgamingexpo.com. To stay up to date on G2E, year-round educational opportunities and the latest news and issues in the industry, connect with G2E on the [G2E Blog](#), [Twitter](#), [Facebook](#), [YouTube](#) and [LinkedIn](#).

AGA ANNOUNCES FINALISTS FOR THE 13TH ANNUAL INDUSTRY COMMUNICATIONS AWARDS

The American Gaming Association (AGA) recently announced the finalists for the 2013 Gaming Voice Awards, which recognize the gaming industry's top achievements in public relations, marketing, advertising and financial and corporate communications.

The Gaming Voice Awards will be presented at the AGA Communications Luncheon and Awards Presentation, which is held in conjunction with Global Gaming Expo (G2E), on Wednesday, September 25, at 12:45 p.m. in the Galileo Room 901 at the Sands Expo and Convention Center. Tickets to the luncheon are \$100 each. Those interested must purchase tickets and RSVP by September 13.

For more information please contact Brian Lehman at blehman@americangaming.org or 202.552.2680

The 2013 AGA Communications Awards finalists are listed below.

Best Annual Report

- International Game Technology (IGT) – “Building on Our Momentum”
- MGM Resorts International – “2011 Corporate Social Responsibility (CSR) Annual

Report” (Assisting Agency: Crear Creative Group)

- WMS Industries, Inc. – “Better People. Better Business. Better World” (Assisting Agency: Curran & Connors, Inc.)

Best Communications Campaign

- Bally Technologies, Inc. – “Virtual Racing NASCAR” (Assisting Agency: G Creative)
- High 5 Games – “The Launch of High 5 Casino”
- MGM Resorts International – “Inspiring Our World: A Musical Journey”

Best Customer Publication

- Bally Technologies, Inc. – “Connect Brochure” (Assisting Agency: SunCom, Inc. – John Long)
- Caesars Foundation – “Wonders - Caesars Foundation Brochure” (Assisting Viadesign)
- MGM Resorts International – “M Life Magazine” (Assisting Agency: Custom Publishing Group, Inc.)

Best Digital Direct Mail

- High 5 Games – “The Slot Report”
- MGM Resorts International – “Reaching Loyalty Members on Facebook”
- MGM Resorts International – “The Mirage - BBALL SWEEPS Yahoo Sports Takeover”

Best Direct Mail

- Hollywood Casino Columbus – “Sneak Peek Invitation” (Assisting Agency: RPM Advertising)
- Konami Gaming, Inc. – “Fortune Chaser” (Assisting Agency: Concussion, LLP)
- The Venetian Hotel – “Baccarat Tournament Invite” (Assisting Agency: DREX)

Best Employee Publication

- Aria Resort & Casino – “ARIA PULSE Daily Preshift”
- Bally Technologies, Inc. – “Your Voice”
- MGM Resorts International – “Daily Momentum”

Best Mobile Marketing

- Bally Technologies, Inc. – “System Users Conference UC 10 Mobile App”
- Konami Gaming, Inc. – “Brand Video” (Assisting Agency: Concussion, LLP)

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- LotteryHUB – “LotteryHUB: 160,000 Downloads”

Best Multi-format Advertising Campaign

- Bally Technologies, Inc. – “Pawn Stars Multi-format Ad Campaign” (Assisting Agency: The Glenn Group)
- Grand Victoria Casino – “Indulge” (Assisting Agency: The Glenn Group)
- Parx Casino – “Get Lucky in No Time” (Assisting Agency: Barker DZP)
- SPIELO International – “Vegas and Beyond: Innovation Trends”

Best Outdoor Advertisement

- Empire City Casino – “Train” (Assisting Agency: DDB New York)
- Empire City Casino – “Dice” (Assisting Agency: DDB New York)
- Fallsview Casino Resort – “Cards” (Assisting Agency: Blammo Worldwide)
- Fallsview Casino Resort – “Woo Hoo!” (Assisting Agency: Blammo Worldwide)
- Parx Casino – “New Jersey Transit Station Domination” (Assisting Agency: Barker DZP)

Best Print Advertisement

- BMM Testlabs – “BMM Tribal Ad” (Assisting Agency: TenWest Creative)
- Gaming Laboratories International (GLI) – “Giving You the World” (Assisting Agency: Steinbeck Communications)
- New York-New York Hotel & Casino – “Meetings & Conventions Ad” (Assisting Agency: David & Goliath)

Best Print Advertising Campaign

- Bally Technologies, Inc. – “Pawn Stars Print Advertising” (Assisting Agency: The Glenn Group)
- Cadillac Jack – “Games That Take You Places” (Assisting Agency: Defero)
- Gasser Chair Company – “Gasser Dazzles Campaign” (Assisting Agency: Concussion, LLP)

Best Radio Advertisement

- Lumière Place Casino & Hotels – “Marshall's Take - Teamwork” (Assisting Agency: Masterminds Advertising)
- Lumière Place Casino & Hotels – “Marshall's Take - Chicken and Egg” (Assisting Agency:

- Masterminds Advertising)
- Maryland Live! Casino – “GO LIVE!” (Assisting Agency: Gaga Marketing)

Best Social Media Program

- Bally Technologies, Inc. – “Virtual Racing NASCAR Guinness World Records Attempt”
- High 5 Games – “The High 5 Casino Community”
- Pechanga Resort & Casino – “Pechanga Social Media”

Best Television Advertisement

- Empire City Casino – “Pinch” (Assisting Agency: DDB New York)
- Northern Quest Resort and Casino – “Q-Cash” (Assisting Agency: Hanna & Associates)
- The Palazzo Hotel – “The Palazzo – Indescribable” (Assisting Agency: Circle Group)

Best Website

- Boyd Gaming Corporation – www.boydgaming.com
- Konami Gaming, Inc. – “Fortune Chaser Microsite” – www.gaming.konami.com/fortunechaser (Assisting Agency: Concussion, LLP)
- MGM Resorts International – “Inspiring Our World Through Social Responsibility” – www.mgmresorts.com/csr/

For more information about the AGA and the commercial gaming industry, visit the AGA website at www.americangaming.org, like on Facebook at www.facebook.com/americangaming and follow on Twitter at www.twitter.com/agaupdate.