

OFFICE OF THE ATTORNEY GENERAL
MARYLAND STATE LOTTERY AND GAMING CONTROL AGENCY

TO: Maryland Lottery and Gaming Control Commission
Gordon Medenica, Director

FROM: Robert T. Fontaine, Assistant Attorney General *RTF*
Principal Counsel

DATE: December 4, 2018

SUBJECT: Report for the December Commission Meeting

This is a status update of ongoing and special projects in the Office of the Attorney General.

I. Contracts, Human Resources, and Administrative

a. Key accomplishments last period:

- i. Reviewed several contracts for the Communications Division for promotion of public affairs events.
- ii. Reviewed several contracts for the Marketing Division.
- iii. Reviewed various employment issues and documents for the Human Resources Division, and assisted Staff in resolving several issues.
- iv. Filed several liens against retailers on behalf of the AFO Division.
- v. Assisted Staff with notifying two retailers that the Agency intends to revoke their retailer licenses.
- vi. OAH granted the Agency's motion for summary decision concerning another grievance for overtime compensation filed by several employees.
- vii. Filed a motion to dismiss a motor vehicle lawsuit brought against a Lottery employee who was the driver of a State vehicle involved in an accident. The lawsuit was filed in Prince George's County District Court and seeks \$15,000 in damages. The employee no longer works for the Agency, and the lawsuit has a timeliness problem. Plaintiff's response to our motion to dismiss is overdue, and the court has scheduled a hearing on the motion for December 12, 2018.
- viii. Assisted Staff in responding to Public Information Act requests from: (1) a media outlet, seeking records of customer complaints about MGM National Harbor Casino that were submitted to the Agency from June 1 through October 31, 2018; (2) the same media outlet, seeking a list of all Agency staff, and their office location, employment start date, and salary; and (3) from a law firm representing a labor union, seeking records pertaining to the Agency's directive to the State's casinos on releasing casino surveillance recordings.

b. Upcoming tasks for this period:

- i. Assist staff by attending a fact-finding conference concerning a Maryland Commission on Civil Rights Complaint filed by a Lottery employee.

c. Issues:

- i. N/A

II. Lottery

a. Key accomplishments last period:

- i. Reviewed several requests from Product Development relating to new Lottery scratch-off games.
- ii. Reviewed several new XCAP Agreements.
- iii. Reviewed several promotions from Product Development.
- iv. Reviewed several contracts for sponsorship opportunities for the Lottery.
- v. Assisted Staff as needed in implementing the award of the Lottery central monitoring and control system contract.
- vi. Continued to assist Creative Services and Communications Divisions in developing and implementing the My Lottery Rewards Program by reviewing procedures for drawings to be performed by SGI.
- vii. Worked with Staff on a license and merchandise agreement for a Baltimore Ravens scratch-off game and second chance promotion.
- viii. Worked with Staff on a license and services agreement for a Warehouse Dash second chance promotion.
- ix. Assisted Staff in reviewing and revising Terms of Use for MLR and in drafting a format for License Specifics going forward.
- x. Assisted staff in reviewing and addressing specific procurement related questions.

b. Upcoming tasks for this period:

- i. Continue to assist Staff as needed on implementation of the Lottery central monitoring and control system contract.
- ii. Work with Staff on implementing a paperless application process.
- iii. Continue to assist Staff in reviewing and revising procedures and rules for MLR and in drafting a format for License Specifics.
- iv. Continue to assist Staff as needed on working with the Mega Millions Consortium on issues related to asserting trademark protections and exploring use of the Mega Million trademark in European sales.
- v. Work with Staff to prepare a new Ravens Sponsorship Agreement.
- vi. Continue to assist Staff as needed on issues associated with the Advertising, Marketing, and Media Related Services RFP.
- vii. Assist Staff with procurement-related matters.

c. Issues:

- i. N/A

III. Gaming

a. Key accomplishments last period:

- i. Continued to assist Staff on enforcement and licensing issues associated with casino operations.
- ii. In the case of a petition for judicial review of the Agency's termination of a temporary video lottery employee license that was filed the Agency's record in the Circuit Court for Prince George's County, we are waiting for

the former licensee to file a required memorandum with the court. A hearing on the petition is scheduled for February 27, 2019.

- iii. Assisted Staff with resolving a licensing matter concerning disputed facts.
- iv. The Court of Special Appeals administratively closed an appeal by an individual who unsuccessfully applied for a video lottery employee license. The Circuit Court dismissed the case on November 7 because the appellant failed to pay necessary court costs.
- v. Assisted Staff with preparing and reviewing documents associated with licensees' separation of employment from casinos and the Mandatory Exclusion Program.

b. Upcoming tasks for this period:

- i. Continue to assist Staff on enforcement and licensing issues associated with casino operations.
- ii. Continue to work with Staff to prepare additional documents concerning the Mandatory Exclusion Program.
- iii. Develop, for publication on the Agency's website, a chronicle of the work of the Video Lottery Facility Location Commission in awarding the State's six casino licenses.

c. Issues:

- i. N/A

IV. Electronic Gaming Devices

a. Key accomplishments last period:

- i. N/A

b. Upcoming tasks for this period:

- i. Provide advice to Staff as needed concerning the Commission's regulation of electronic gaming devices.

c. Issues:

- i. N/A

V. Amusement Gaming Licenses

a. Key accomplishments last period:

- i. N/A

b. Upcoming tasks for this period:

- i. Provide advice to Staff as needed concerning the Commission's regulation of amusement gaming licenses.
- ii. Work with Staff on reviewing issues associated with skills-based amusement device registration and licensing.
- iii. Assist Staff with issues associated with operators of electronic gaming devices.

c. Issues:

- i. N/A

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VI. Fantasy Competition

a. Key accomplishments last period:

i. N/A

b. Upcoming tasks for this period:

i. Assist Staff as needed in implementing the fantasy competition regulations.

c. Issues:

i. N/A