



Lottery and Gaming Control Commission

1800 Washington Boulevard, Suite 330, Baltimore, MD 21230

**In Re the Application of
Bally's Interactive Maryland, LLC**

**MOBILE SPORTS WAGERING
LICENSE APPLICANT**

License Applicant Number SW-2022-32

Report Date: November 18, 2022

**EXECUTIVE SUMMARY
OF BACKGROUND INVESTIGATION**

"Commission Presentation"

INTRODUCTION

Role of the Maryland Lottery and Gaming Control Commission (“Commission”)

The Commission is required to determine whether sports wagering applicants have proven, by clear and convincing evidence, that they meet the qualifications for licensure under the Sports Wagering Law. Requirements for qualification include: (1) applicant’s financial stability and integrity; (2) integrity of any financial backers related to the application; (3) applicant’s good character, honesty, and integrity; (4) applicant’s business ability; and (5) whether there are any mandatory disqualifiers that prevent the applicant from proving its qualifications by clear and convincing evidence. The Commission cannot issue a license unless it determines that the applicant is qualified.

The Licensing Division of the Maryland Lottery and Gaming Control Agency (“Agency”) conducts the required background investigation of an applicant’s qualifications. A report of the background investigation is provided to the Commission to assist it in determining whether the applicant described in this Report has proven that it is qualified.

The Executive Summary is a public document, which will be provided in the Commission packets, and is also available on the Agency website with other Commission meeting documents. If the applicant is found qualified, the decision statement of the Commission will be forwarded to the Sports Wagering Application Review Commission for it to determine whether to award a license.

Process

As a prerequisite to being eligible for a Mobile Sports Wagering License, an applicant must submit a Mobile Sports Wagering License Application to the Commission. The applicant must prove to the Commission, by clear and convincing evidence, that it meets the qualification criteria set forth in the Annotated Code of Maryland, State Gov’t Article (“SG”), § 9-1E and the Commission’s sports wagering regulations in Code of Maryland Regulations (“COMAR”) 36.10 (collectively, “the Sports Wagering Law”). The Sports Wagering Law also includes and incorporates applicable licensing requirements in SG § 9-1A, and COMAR 36.03 (collectively, “the Gaming Law”), which establishes requirements for all casino-related licenses.

Specifically, the applicant must prove that it is qualified under SG § 9-1E-07(e) and COMAR 36.10.03.02 and 36.10.05 and not disqualified under SG § 9-1E-07(g)(1). An applicant must provide all information to the Commission that is necessary for a qualification determination as to the applicant, its principals, and its principal entities.

The Applicant

The Agency (“MLGCA,” “we” or “our”), conducted a suitability background license investigation of Bally’s Interactive Maryland LLC (“Applicant”) in connection with its application for a Mobile Sports Wagering License.

Introduction

The Applicant’s parent company Bally’s Corporation (“Bally’s”) is a global casino entertainment company, publicly traded on the NYSE as BALY with a growing presence including casinos and resorts, as well as a broad portfolio of digital sports betting and casino offerings. Bally’s is the amalgamation of 17 retail gaming establishments across the United States as well as a number of leading technology platforms. Through the merging of BetWorks and Gamesys platforms, Bally Bet Sportsbook & Casino is available online via web & apps in respective North American markets, including New York, New Jersey, Ontario.

With approximately 10,500 employees spread in offices around the world, Bally’s Corporation is one of the fastest-growing competitors in the field. Company assets within the United States include 16 casinos, a horse racing track, and access to online sports betting licenses in 18 states. Bally’s casino operations boast a total collection of over 15,000 slot machines, 500 table games, and 5,300 hotel rooms.

Bally’s Interactive is the home of digital and global products. Bally’s Interactive, LLC is the home of leading brands such as Bally Bet, Jackpotjoy and Monkey Knife Fight, as well as world class B2B platforms like SportCaller and Telescope Inc. Bally’s Interactive, LLC has applied for an Online Sports Wagering Operator License.

ALTERNATIVE LICENSING

Application of Alternative Licensing Standards

The Sports Wagering Law authorizes the Commission to establish an abbreviated process for qualifying and licensing an applicant that holds a valid license in this State or another state, if the Commission determines that the licensing standards of the issuing agency in the other state are comprehensive and thorough, and provide similar safeguards to those in the Sports Wagering Law. SG 9-1E-05(c). Staff has identified several states with acceptable sports wagering license standards: Arkansas, Colorado, Illinois, Kansas, Louisiana, Massachusetts, Michigan, Mississippi, Missouri, Nevada, New Jersey, New York, Pennsylvania, Rhode Island, Virginia and Wisconsin.

Because Maryland’s qualification standards for other sports wagering-related licenses are identical to and are a part of the Sports Wagering Law, they are therefore, clearly sufficient for qualifying an applicant for a different sports wagering license on that basis.

Alternative Licensing Process

An applicant for a sports wagering-related license may submit a written request for the Commission to find it qualified for a Maryland license under the alternative licensing process permitted under SG § 9-1E-05(c) and described in COMAR 36.10.02.12. If the request is granted, the applicant may be qualified for a license before the Agency conducts a full background investigation.

The Commission may only apply the alternative licensing process:

1. If an applicant holds a current, valid Maryland sports wagering-related license issued by this Commission. That alone is a sufficient basis upon which Staff may grant a request to apply alternative licensing standards to satisfy qualification requirements. Maryland’s qualification standards for all sports wagering-related licenses are identical, so they are clearly sufficient for qualifying an applicant for a mobile sports wagering license on that basis.
2. If an applicant holds a current, valid Maryland casino-related license issued by this Commission. That alone is a sufficient basis upon which Staff may grant a request to apply alternative licensing standards to satisfy qualification requirements. Maryland’s

qualification standards for casino-related licenses are identical to, and specifically incorporated in, the Sports Wagering Law, so they are clearly sufficient for qualifying an applicant for a sports wagering license on that basis; or

3. If an applicant does not hold a current, valid Maryland casino-related license, but the applicant has a current, valid license in at least 3 of the 16 Commission-approved states that have licensing standards which are comprehensive and thorough, and provide similar and adequate safeguards to those in the Sports Wagering Law.

An applicant that submits a request for the application of alternative licensing standards specifically acknowledges that a full background investigation will be conducted, and that if Staff ever determines that the Applicant or licensee, if licensed, does not meet a Commission standard, the Commission may take enforcement action, up to and including revocation of the license. These acknowledgements are memorialized in the Affidavit in Support of Applicant’s Request to Apply Alternative Licensing Standards in Support of an Application for a Sports Wagering License (“Affidavit”) the Applicant has submitted.

The Commission’s decision to abbreviate an applicant’s licensing process on this basis is discretionary. The Commission may exercise its discretion to deny the request, place conditions on the license, or take any other necessary action to protect the State’s interests.

INVESTIGATION INTO APPLICANT

Regulatory History of Applicant

The Applicant’s parent company, Bally’s Corporation, is a gaming, betting, and interactive entertainment company headquartered in Providence, Rhode Island. It owns and operates 15 casinos across ten states, a horse track in Colorado, and online sports betting operations in 14 states. Additionally, the company owns the sports betting platform Bet.Works, Monkey Knife Fight, and SportCaller, a free-to-play game provider.

The company was founded in 2004 as BLB Investors. It eventually changed its name to Twin River Worldwide Holdings. In 2020, the company acquired the rights to the Bally’s brand from Caesars Entertainment and changed its name to Bally’s Corporation.

Staff is not aware of any unresolved issues that negatively impact the Applicant’s qualifications and the Agency has otherwise found no derogatory information regarding Bally’s Interactive Maryland, LLC or its parent company that would disqualify it from holding a Mobile Sports Wagering License.

Ownership of Applicant

Bally’s Corporation (ultimate parent) is the 100% owner of Twin River Management Group, Inc. which in turn is the 100% owner of Bally’s Interactive, LLC. Bally’s Interactive Maryland, LLC is owned 95% by Bally’s Interactive, LLC and 5% by Ujima Sportsbook, LLC (d/b/a Bet on Black, LLC). Bally’s Corporation is publicly traded (NYSE: BALY). Only one entity, Standard RI, Ltd. (“Standard”) has more than 5 percent beneficial ownership of Bally’s Corporation at 22 percent. Standard RI, Ltd. filed a Principal Entity Disclosure Application. Mr. Soohyung Kim is the managing partner and chief investment officer of Standard. Mr. Kim has filed a Temporary Principal License Application.

Principal Qualifiers

The following individuals were identified as principals of the Applicant. Each has submitted the required Temporary Principal Employee License Application to the Commission:

- Adita Dhandhania, Chief Operating Officer, Bally’s Interactive, LLC (Temporary Principal License Pending); and
- Soohyung Kim, Managing Partner and Chief Investment Officer, Standard RI, Ltd. (Temporary Principal License Approved: 11/10/2022).

Licensing Inquiry

Bally’s Interactive Maryland, LLC submitted a Request for Application of Alternative Licensing Standards in support of its request for a Mobile Sports Wagering License. Its parent company, Bally’s Interactive, LLC, stated that it holds a current license in these Commission-approved states:

- Louisiana Gaming Control Board

- Type of License: Sports Wagering Platform Provider
- Expiration Date: 12/19/2022
- Status: Active and In Good Standing

- Colorado Division of Gaming
 - Type of License: Internet Sports Betting Operator
 - Expiration Date: 8/25/2023
 - Status: Active and In Good Standing

- New Jersey Gaming Control Board
 - Type of License: Internet Gaming Related Business
 - Expiration Date: 5/2/2023
 - Status: Active and In Good Standing

CONCLUSION AND RECOMMENDATIONS

Along with the Request for Application of Alternative Licensing Standards and Affidavit, the Applicant has submitted a completed Mobile Sports Wagering License Application, an affidavit attesting to the minority-and women-owned interests of the Applicant, adequate proof of bond, and all required fees.

The Agency’s inquiry with the states identified above confirms that the licenses issued by those states are current and valid. Staff is not aware of information that would indicate Bally’s Interactive Maryland, LLC fails to meet the Commission’s qualification requirements.

Staff recommends that the Commission find Bally’s Interactive Maryland, LLC qualified for a Mobile Sports Wagering License based on the provisions in the Sports Wagering Law by clear and convincing evidence.

Staff recommends that the Commission entertains motions to:

1. Find that Bally’s Interactive Maryland, LLC has established by application of alternative licensing standards that it is qualified for a Mobile Sports Wagering License by clear and convincing evidence;
2. Delegate to Staff the authority to draft the Commission’s decision statement on the qualification of Bally’s Interactive Maryland, LLC; and
3. Direct the Secretary of the Commission to transmit the decision statement to the Sports Wagering Application Review Commission.