

OFFICE OF THE ATTORNEY GENERAL
MARYLAND LOTTERY AND GAMING CONTROL AGENCY

TO: Maryland Lottery and Gaming Control Commission
Stephen Martino, Director

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

DIVISION: Office of the Attorney General

DATE: March 20, 2014

SUBJECT: Report for the March Commission Meeting

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

I. Contracts and Human Resources

a. Key accomplishments last period:

- i. Reviewed two contracts for the Communications Division for promotion of public affairs events.
- ii. Reviewed one Corporate Guaranty document and one Financial Responsibility Agreement submitted for 7-11 Lottery retailers.
- iii. Reviewed four Family and Medical Leave Act leave requests from the Human Resources Division.
- iv. Worked with the Human Resources Division on the appeals by a former Agency employee of her termination of employment. The Office of Administrative Hearings (OAH) held a hearing on the employee's appeal on March 5, 2014, and the parties have submitted post-hearing pleadings. We are seeking dismissal of the case on grounds of timeliness of the appeal, and are awaiting a ruling from the OAH. The same former employee has alleged discrimination based on sex and retaliation. The Agency has submitted its position statement to the EEOC and is awaiting a response.
- v. Reviewed an employee's Progressive Improvement Plan for the Human Resources Division.
- vi. Worked with Agency staff to prepare for a circuit court hearing originally set for March 17, 2014 regarding a former retailer's challenge to a lien that the Agency filed against him in the amount of \$4,298.08. The hearing was postponed at the request of the former retailer and reset for June 2, 2014.

b. Upcoming tasks for this period:

- i. Continue to work with Human Resources to prepare defense for MCCR case. The Fact-Finding Conference was postponed; a new date has not yet been set.
- ii. Continue to work with Agency staff to prepare for the June 2 circuit court hearing on the former retailer's challenge to an Agency lien.

c. Issues:

- i. N/A

II. Lottery

a. Key accomplishments last period:

- i. Reviewed six requests from Creative Product Development relating to new Lottery scratch-off games.
- ii. Continued to assist Creative Services Division in developing and implementing the *My Lottery Rewards Program* by reviewing procedures for new promotions using MLR.
- iii. Assisted Staff in working with Diamond Game, which was the successful bidder on the RFP for Veterans' Organization Instant Ticket Lottery Machines.
- iv. Filed and received Notice of Approval of an Extension Request to file a Statement of Use for the mark "Keno To Go".

b. Upcoming tasks for this period:

- i. Continue to assist Staff in implementing the Veterans' Organization Instant Ticket Lottery Machines program.
- ii. Assist Product Development Staff with preparing License Agreement to use the Mark "Mr. Boh" on Lottery products.
- iii. Continue to review court filings to ensure compliance with applicable regulations following the circuit court's entry of an assignment order for a portion of a lottery prize.

c. Issues:

- i. N/A

III. Gaming

a. Key accomplishments last period:

- i. Continued to assist Agency staff on compliance and enforcement issues associated with casino operations at the four casinos.
- ii. Continued to provide Agency staff with advice on the licensing, enforcement and VEP processes.
- iii. Continued to provide Agency staff with advice on responses to requests under the Public Information Act for information included in operators' proposals.

b. Upcoming tasks for this period:

- i. Work with Staff as necessary on issues associated with MGM's license award.
- ii. Provide assistance as necessary to Agency staff regarding licensing, enforcement, public information, and VEP issues.
- iii. Provide assistance related to gaming-related legislation that may be passed by the General Assembly.

c. Issues:

- i. N/A

IV. New Initiatives - Electronic Gaming Devices

a. Key accomplishments last period:

- i. Continue to assist Agency staff with planning the regulation of electronic gaming devices.

b. Upcoming tasks for this period:

- i. Continue to analyze the impact of legislation passed during the Second Special Session, and assist Staff in meeting additional resulting responsibilities.

c. Issues:

- i. N/A