



Business Information  
In A Global Context



2nd Annual Forum

# US ONLINE GAMING LAW

## 2012

Staying ahead during this period of rapid legislative and regulatory change

September 19 & 20, 2012 | Bellagio Las Vegas, Nevada, USA

**Key regulators, distinguished in-house counsel and business leaders from casinos, online-operators, lotteries, tribes, tech-companies and their expert legal advisors from across the country and beyond will address the following issues:**

- ♣ Hear first-hand what legal steps gaming businesses are taking now to stay one step ahead
- ♣ How to capitalize on opportunities for doing online business in Nevada in light of the gaming regulations
- ♥ Using strategic alliances and joint ventures to deliver a lucrative online business in the USA
- ♦ How relationships between State regulators, casino operators and technology providers should be managed to maximize potential revenue
- ♣ Understanding the implications of "Black Friday" on potential partners and prospective online gaming providers
- ♣ How are State Lotteries equipped to provide online gaming and what are their future plans?
- ♥ The specific strategies for potential online gaming in New Jersey, Iowa and California
- ♦ Potential pitfalls in online testing, technology standards and online safety: intra and interstate
- ♣ Interstate Gaming: How can cross-border capability improve liquidity?
- ♥ How alternatives to poker will offer original revenue streams for online operators

**Plus, add further value to your experience by attending our expert-led breakfast briefing workshop on:**

**Applying for and Obtaining an Online Gaming License: A Step-by-Step Guide to the Potential Pitfalls**

### Led by Industry Experts from:

Caesars Entertainment Corporation  
 Boyd Gaming  
 Full House Resorts  
 Shufflemaster  
 Intralot  
 US Digital Gaming  
 PurePlay  
 Sportingbet  
 Betfred.com  
 Iowa Racing and Gaming Commission  
 Cherokee Nation Gaming Commission  
 Iowa Gaming Association  
 Poker Players Alliance  
 Spectrum Gaming  
 San Manuel Tribal Gaming Commission  
 Georgia Lottery Corporation  
 GLI Test Labs Canada  
 Harris Hagan  
 Center for Gaming Research  
 Gambling Compliance  
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**W**ith the DOJ opinion on December 23, 2011 appearing to clarify the legality of US Online Gaming, operators, manufacturers, and technology providers are all putting plans in place to try and tap this potentially lucrative new revenue source.

There remain many legal and regulatory hurdles before such strategies can become reality. Big questions as to the workability of inter-state operations and the potential impact on safety, regulation, liquidity and ultimate profitability. Joint ventures and strategic alliances are becoming more common, together with the first applicants awaiting the results of their submissions to the Nevada Board. With potential interested parties ranging from land-based casinos, State lotteries, Tribal gaming organizations and technology providers, the industry must remain ready, and continue to be proactive during what is likely to be a period of rapid legislative and regulatory changes in the next 12 months.

The **2012 US Online Gaming Law Forum** will focus on the latest regulatory changes across the country and offer real-time initiatives on how to use current industry insight in the business strategies you employ in 2012 and beyond.

**You will walk away with real-life insights, tactics and both short and long-term strategies to ensure your organization is best placed to capitalize on opportunities including:**

- ♣ **Shufflemaster, Boyd Gaming and US Digital Gaming** on how to stay proactive and anticipate regulatory changes
- ♣ **Full House Resorts and Caesars** on working within existing Nevada Online Gaming Regulations
- ♥ **Iowa, California, and New Jersey** on how relationships between regulators and operators will impact gaming
- ♦ The inside track from **Sportingbet, Betfred.com and Alderney Gambling Control Commission** on how US companies can learn from established European operators
- ♣ **Intralot, Georgia and Illinois Lotteries** on how they are equipping themselves to provide online gaming services
- ♣ Alternatives to Poker from the CEO of **Pureplay**
- ♦ **and much more...**

**C5's Forum on US Online Gaming Law** brings together key regulators, distinguished in-house counsel and business leaders from the world's largest casinos, online-operators, lotteries, tribes and tech-companies. Based on their first-hand experience, the expert faculty will provide you with important insight and invaluable strategies to use in when preparing for legalized online gaming in the United States.

**Breakfast Briefing Workshop** on September 20, 7.45am – 10.00am:

### **Applying for and Obtaining an Online Gaming License: A Step-by-Step Guide to the Potential Pitfalls**

The workshop leader will take you through the key elements when applying for an Online Gaming License

### **Unparalleled Learning and Networking**

**C5** understands that sharing experiences and building relationships with your fellow delegates during the breaks can be just as valuable as the structured conference sessions. We strive to make both the formal and informal aspects of the conference as productive as possible.

### **Networking Drinks Reception**

Relax after a long day of conferencing as you share a drink with your new industry contacts and fellow online gaming experts.

Reserve your place at this invaluable conference today! Register now by calling **+44 (0) 20 7878 6888**, by faxing your registration form to **+44 (0) 20 7878 6885** or by registering online at **www.C5-Online.com/USGaming**

### **C5's US Online Gaming Law Forum will provide valuable insights for:**

- |  |  |
|--|--|
| <ul style="list-style-type: none"><li>• CEOs/Presidents</li><li>• In House Lawyers and Head of Legal</li><li>• Heads and VP's Government Affairs</li><li>• Head of Legal and Regulatory Affairs</li><li>• Company Secretaries</li><li>• Business Development Directors</li><li>• IP Directors / IP Rights Managers</li></ul> | <p>From</p> <ul style="list-style-type: none"><li>• Gaming Operators</li><li>• Law Firms</li><li>• Casinos</li><li>• State Lotteries</li><li>• Tribal Gaming Commissions</li></ul> |
|--|--|

### **MEET OUR EXPERT FACULTY:**

*Michael Cohen*, Senior Vice President & Deputy General Counsel, **Caesars Entertainment Corporation**

*Mark Lipparelli*, Chairman, **Nevada Gaming Control Board**

*Congressman Jon Porter (Ret.)*, President, **Porter Gordon Silver Communications**

*Kevin Sullivan*, SVP Business Development, **Boyd Gaming**

*Barth F. Aaron*, General Counsel, **Full House Resorts**

*Chris Sheffield*, Managing Director, **Betfred.com**

*Katie Lever*, General Counsel, **Shufflemaster**

*Byron Boothe*, Vice President Government Relations, **Intralot**

*Hon. Harold Lovell*, Minister of Finance, the Economy & Public Administration, **Antigua**

*Kirk Uhler*, Vice President, Government Relations, **US Digital Gaming**

*Brian Ohorilko*, Administrator, **Iowa Racing and Gaming Commission**

*Jason Kellerman*, CEO, **PurePlay**

*Andrew McIver*, Group Chief Executive, **Sportingbet Plc**

*Wes Ehrecke*, President and CEO, **Iowa Gaming Association**

*Kurt D. Freedlund*, Chief Operating Officer & General Counsel, **Georgia Lottery Corporation**

*Salim L. Adatia*, Chief Executive Officer, **GLI Test Labs Canada**

*Pierre Wu*, Director, **California Online Poker Association**

*John N. Roberts*, Deputy Commissioner, **San Manuel Tribal Gaming Commission**

*Agostino Lorenzini*, General Counsel, **Illinois Lottery**

*Jamie Hummingbird*, Director, **Cherokee Nation Gaming Commission**

*John Pappas*, Executive Director, **Poker Players Alliance**

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*Fredric E. Gushin*, Managing Director, **Spectrum Gaming**

*David G. Schwartz*, Center for Gaming Research, **University of Las Vegas**

*Jennifer M. Webb*, Regulatory and Legislative Manager, **Gambling Compliance**

*Sam Cohen*, Government Affairs and Legal Specialist, **Santa Ynez Band of Chumash Indians**

*André Wilsenach*, Executive Director, **Alderney Gambling Control Commission**

*Mary Lynn Palenik*, Director, Development, Research and Analysis, **PricewaterhouseCoopers LLP**

*Professor Joseph Kelly*, Professor of Business Law, **State University of New York College at Buffalo**

*Mickey Charles*, President and CEO, **The Sports Network**

*Dennis K. Neilander*, Partner, **Kaempfer Crowell Renshaw Gronauer & Fiorentino**

*Bethnam Dayanim*, Partner and Co-Chair of the Litigation and Regulatory Department, **Axinn Veltrop Harkrider LLP**

*Michael Ellen*, Director, Licensing and Strategy, **Alderney Gambling Control Commission**

8.30 Coffee and Registration

9.00 **Chair's Opening Remarks**

Professor Joseph Kelly, Professor of Business Law, State University of New York College at Buffalo

9.15 **What Gaming Businesses Are Doing Now to Stay Ahead: Remaining Proactive and Anticipating Regulatory Change**

Katie Lever, General Counsel, Shufflemaster

Kevin Sullivan, SVP Business Development, Boyd Gaming

Kirk Uhler, Vice President, Government Relations, US Digital Gaming

- How can offering official comment on proposed regulations improve your position?
- Assessing the impact and past success of lobbying efforts and the potential for future efforts
- Stepping up business planning efforts in readiness for the green light
  - meeting staffing requirements
  - finalizing organization charts
  - accurately completing financial projections
- The importance of free-play offerings in assessing capability to provide online services

10.00 **How Online Gaming is Developing in Nevada: Lessons Learned from the State Leading the Way**

Moderator:

Frank A. Schreck, Shareholder, Brownstein Hyatt Farber Schreck, LLP

Barth F. Aaron, General Counsel, Full House Resorts

Michael Cohen, Senior Vice President & Deputy General Counsel, Caesars Entertainment Corporation

Mark Lipparelli, Chairman, Nevada Gaming Control Board

- Examining the existing Nevada Online Gaming regulations
  - how are they likely to compare with other States in the future?
  - does the need for bricks and mortar operations restrict the potential market?
- How did potential operators navigate the application process?
- How can potential operators utilize mechanisms for complaints and dispute resolution?
- What is the process for gaining a specific license from the Nevada Gaming Commission to perform actions on behalf of already-licensed operators?
- The latest from the Nevada Gaming Control Board on how current applications have been considered

11.00 Morning Refreshments

11.30 **The DOJ Decision on the Wire Act: A Game Changer for Remote Gaming Services?**

Hon. Harold Lovell, Minister of Finance, the Economy & Public Administration, Antigua

12.00 **The Inside Track from Established European Operators and the Pitfalls They Have Encountered in Online Gaming**

Julian Harris, Partner, Harris Hagan

Andrew McIver, Group Chief Executive, Sportingbet Plc

European Online Gaming Panel

Chris Sheffield, Managing Director, Betfred.com

André Wilsenach, Executive Director, Alderney Gambling Control Commission

- The inside track from established European players and the pitfalls they have encountered in online gaming
  - what is the level of regulation they face?
  - what are their products?
  - what strategies have they employed for cross-border operations?
  - what tax implications have there been during their operation?
- What level of presence do online gaming operators need have to have on the ground?
- What limitations are there on license to operate?
- What lessons can be learned from European technology and safety standards?

1.00 Networking Lunch

2.30 **Exploring State Models: What You Need to Know to Launch Online Gaming Operations in New Jersey, Iowa and California**

Barbara DeMarco, Vice President, Porzio Governmental Affairs, New Jersey

Wes Ehrecke, President and CEO, Iowa Gaming Association

Pierre Wuu, Director, California Online Poker Association

Brian Ohorilko, Administrator, Iowa Racing and Gaming Commission

- Even with the DOJ opinion is internet wagering consistent with individual state constitutions?
- If you blend "the pool" of patrons with oversees or other states through an interstate compact, will the individual state run into an issue with the DOJ opinion?
- If the DOJ rejects the blending of bets with other states could individual populations support the licensing of multiple vendors?
- Can an intrastate internet bill passed without a state constitutional referendum withstand a challenge?
  - who would challenge the bill?
- Can an intrastate internet wagering bill withstand a challenge if it does not comply with existing state law or regulation?
- Where do the new developments leave the operators with regards their potential for:
  - a new customer base
  - new revenue streams
- What are the ramifications for existing operators?
  - handling the problem of liquidity in a State of relatively few people if competition increases
- To what extent are there JV's and commercial relationships agreed in principle, and strategies to forming the perfect relationship?

Panel Discussion

3.30 Afternoon Refreshments

4:00 **Papering the Deal: How to Document Operator, Qualifier and Platform Provider Negotiations**

Elizabeth D. Paulsen, Shareholder, Brownstein Hyatt Farber Schreck, LLP

Jennifer L. Carleton, Shareholder, Brownstein Hyatt Farber Schreck, LLP

Inside perspective from those negotiating on behalf of foreign operators of online gaming platforms, as well as operators of U.S.-based brick and mortar casinos in high profile joint venture agreements, including:

Keynote Address

- Protecting the 3 key components to an online product license, platform and name
- Allocating costs and asset contributions to remain competitive
- Structuring venture governance to optimize flexibility and brand protection
- Anticipating suitability and redemption issues in an evolving regulatory environment
- Addressing the unique issues when one of the parties is a sovereign

#### 4.45 **Potential Pitfalls in Online Testing, Technology Standards and Online Safety: Intra and Interstate**

*Salim L. Adatia*, Chief Executive Officer,  
**GLI Test Labs Canada**

- Are there opportunities for new approval and testing laboratories?
- To what extent can the technologies in the online gaming industry be used to reduce costs?
  - will servers have one single location, and who will have jurisdiction?
  - what will be the impact on the business costs of an operator?
- The latest techniques being employed for bet recognition
  - age verification
  - identification techniques
- The use of free-play to test safety and security capability

#### 5.30 Chair's Closing Remarks and End of Day One

#### 6.00 Networking Drinks Reception Co-Hosted by:



**Brownstein | Hyatt  
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### Main Conference Day Two | September 20, 2012

#### 7.30 Coffee and Registration

#### 7.45 **BREAKFAST BRIEFING WORKSHOP** **Applying For and Obtaining an Online Gaming License – A Step-by-Step Guide to the Potential Pitfalls**

*John Hagan*, Partner, **Harris Hagan**

*Dennis K. Neilander*, Partner, **Kaempfer Crowell Renshaw Gronauer & Fiorentino**

*Michael Ellen*, Director, **Licensing and Strategy, Alderney Gambling Control Commission**

*Join your breakfast briefing leaders as they take you through the steps required to obtain an online gaming license. In this practical session you will have the opportunity to work through examples and ask questions on the fundamental stages of the license process including:*

- Who can apply?
- How to apply
- What to include with your application
- Examples of reasons for rejections

#### 10.00 Morning Refreshments and Chair's Opening Remarks

#### 10.15 **What are the Barriers Preventing a Consistent Federal Law on Online Gaming?**

*Congressman Jon Porter* (Ret.), President,  
**Porter Gordon Silver Communications**

*Behnam Dayanim*, Partner and Co-Chair of the Litigation and Regulatory Department,  
**Axinn Veltrop Harkrider LLP**

*Larry Lavender*, Director of Government Relations,  
**Jones Walker**

- What barriers stop the US from achieving uniformity of regulation, taxation, strengthening of crime prevention?
- Do individual states possess the necessary law enforcement tools to effectively police gambling in a borderless Internet?
- Examining the DOJ opinion
  - was the announcement a ruling intended only for already licensed lottery operators or the wider unlicensed US online gambling industry?
  - is Poker a game of skill and therefore a sport?
- How will a single law benefit potential operators?
  - cost-saving through one regulatory review per company
- What are the advantages for international companies to come to the US and offer online gaming capability?

#### 11.00 **Understanding the Implications of Black Friday on Potential Partners and Prospective Online Gaming Providers**

*Fredric E. Gushin*, Managing Director, **Spectrum Gaming**

- How should online gaming operators prepare to enter the US market from a regulatory perspective?
- Are online gaming companies to face an American licensing investigation?
- What to expect from a licensing investigation?
- Typical issues that may need to be addressed in a licensing investigation?
- What is probity and suitability under the American system of gaming regulation?
- Can your business practices result in probity issues?

#### 11.45 **What Can Tribes Offer Now to US Online Gaming?**

*John N. Roberts*, Deputy Commissioner,  
**San Manuel Tribal Gaming Commission**

*Jamie Hummingbird*, Director,  
**Cherokee Nation Gaming Commission**

*Sam Cohen*, Government Affairs and Legal Specialist,  
**Santa Ynez Band of Chumash Indians**

- How will new regulations in various States affect the tribes?
  - what are the tensions between the tribes, and why?
  - ensuring there is cohesion across the board
  - ensuring there is an equal split of the market between tribes
  - would the tribes prefer to see Federal legislation?
    - ♦ if so, who would regulate online gaming?
- Estimating the economic potential to the state

#### 12.30 Networking Lunch

#### 1.30 **How are State Lotteries Equipped to Provide Online Gaming and What Are their Future Strategies?**

*Byron Boothe*, Vice President Government Relations,  
**Intralot**

*Kurt D. Freedlund*, Chief Operating Officer & General Counsel,  
**Georgia Lottery Corporation**

*Agostino Lorenzini*, General Counsel, **Illinois Lottery**

- How are different State Lotteries equipped to provide online gaming?
  - Illinois/Megamillions - online lottery: is this the first step towards gaming?
  - New Jersey/Casino
- What type of financial model would a State Lottery offer?
  - tax revenue implications

- What roles could a State Lottery play in interstate gaming offerings?
- How could potential partnerships between lotteries and casinos be utilized?

- Can the potential returns be calculated without clarity on regulations or Federal legislation?

4.50 Chair's Closing Remarks and End of Conference

2.15

## Does the Future Power Lie with Tech Companies or Traditional Gaming Providers?

*David G. Schwartz*, Center for Gaming Research, **University of Las Vegas**

*Jennifer M. Webb*, Regulatory and Legislative Manager, **Gambling Compliance**

*John Pappas*, Executive Director, **Poker Players Alliance**

- Where is the current power? What initiatives are proving to be successful
- Are the customer demographics the same?
- Comparing and contrasting the retail model
  - speed of adoption
- Is online gaming a tech product?
- Is gaming merely the product?
- Who are the true developers and buyers?

3.15

Afternoon Ref refreshments

3.30

## How Alternatives to Poker Will Offer Original Revenue Streams for Online Operators

*Jason Kellerman*, CEO, **PurePlay**

*Mickey Charles*, President and CEO, **The Sports Network**

- Examining the legality of online slots, sweepstakes, skill gaming, online auctions
- Taking out the key elements of prize, chance or consideration
- Is virtual currency considered to be consideration, is it a thing of value, how is a thing of value analyzed at the different State and Federal level
  - what type of business models rely on that?
  - is virtual currency considered a prize?
  - what if there is a secondary market to this, does this generate value at some point, is the operator responsible for the secondary market creation of value?

4.10

## The Economics of Online Gaming: What are the Real Costs of Entering the Market and Business Models Required for Running a Successful Business

Moderated by:

*Mary Lynn Palenik*, Director, Development, Research and Analysis, **PricewaterhouseCoopers LLP**

- Do the numbers stack up?
  - why do the projected potential returns vary so much?
- To what extent will online games be used as a funnel to land-based operations?
  - is there a completely different customer base online?
  - which existing databases will be used for online gaming?
    - ♦ what part will Europe play in this?
- What are the tax implications for online gaming?
- What is the real cost of going through regulatory review and obtaining a license?
- Are there sufficient revenue streams in individual states?
- What are the financial risks of interstate models?
- Is poker sufficient as an online gaming option – rake based revenue?
- What is the potential customer base?
- Is it commercially feasible for even one operator (or more than one) vying for the same customer base?

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**Harris Hagan** is the only specialist City law firm dedicated exclusively to advising all sectors of the gambling and leisure industry, in the UK and internationally. We offer unparalleled legal experience, knowledge and commercial understanding of the industry and are consistently top rated by Chambers and Legal 500.

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# US ONLINE GAMING LAW

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Staying ahead during this period of rapid legislative and regulatory change

September 19 & 20, 2012 | Bellagio Las Vegas, Nevada, USA



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## ADMINISTRATIVE DETAILS

Date: September 19 – 20, 2012

Time: 9.00 am – 5.30 pm

Venue: Bellagio Las Vegas

Address: 3600 Las Vegas Blvd. South, Las Vegas, NV, 89109, USA

Telephone: +1 (0)702 693 7111

An allocation of bedrooms is being held for delegates at a negotiated rate until 3 September 2012. To book your accommodation please call Venue Search on tel: +44 (0) 20 8541 5656 or e-mail [beds@venuesearch.co.uk](mailto:beds@venuesearch.co.uk). Please note, lower rates may be available when booking via the internet or direct with the hotel, but different cancellation policies will apply.

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