



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

NOTICE OF ADMINISTRATIVE HEARINGS AND QUARTERLY BUSINESS MEETING

NOTICE IS HEREBY GIVEN that the South Dakota Commission on Gaming will hold administrative hearings and its' quarterly business meeting on March 23, 2022 beginning at 9:00 a.m. MST in the City Commission Chambers at Deadwood City Hall, 102 Sherman Street, Deadwood, South Dakota

You may listen to the meeting at <https://www.sd.net/>

You may call in to participate using the following information:

Phone number to participate: 1-669-900-9128

When prompted enter the Participation ID: # 914 6735 9877

When prompted enter the Passcode: 306867

When prompted state your name followed by the #

Dial in participants will be muted when joining the meeting. *6 mute/unmute and if you wish to make a comment select *9 to raise your hand.

Join Zoom Meeting

<https://state-sd.zoom.us/j/91467359877?pwd=MmZZUmtTRWYvSUIacDBjWIM5cDI1UT09>

AGENDA

Call to Order

Conflicts of Interest Disclosure

ADMINISTRATIVE HEARINGS

Petition for Declaratory Ruling per §1-26-15 regarding additional building determination **Pages 3 - 12**
KR Deadwood Sherman Street 2020 LLC

QUARTERLY BUSINESS MEETING

Adoption of Quarterly Business Meeting Agenda **Pages 1 - 2**

Approval of the minutes of Special Meeting of February 3, 2022 **Pages 13 - 17**

Old Business

Comments Executive Secretary Susan Christian

Comments Department of Revenue Secretary Jim Terwilliger

Stipulation of Assurance and Voluntary Compliances **Pages 18 - 104**

- 1) Joseph Gasper III License #11138-19-KY **Pages 19 - 26**
 - Complaint #21-10-045-BS
- 2) Sara Stone SDCG L License #12101-21-SP **Pages 27 - 34**
 - Complaint #21-10-053-BS
- 3) ISI License #12253-21-SW **Pages 35 - 45**
 - Complaint #22-01-003-MH
 - Complaint#22-01-005-MH
- 4) Mustang Sally's License #12264-OP **Pages 46 - 52**
 - Complaint #22-01-007-MH
- 5) Gold Dust License #0231-OP **Pages 53 - 62**
 - Complaint #22-01-004-MH
 - Complaint #22-01-006-MH
- 6) Danny Burr License #0547-00-KY **Pages 63 - 72**
 - Complaint #21-12-072-AW
- 7) Gold Country Inn License #0596-RT **Pages 73 - 83**
 - Complaint #22-01-012-AW
- 8) DHIH, LLC dba Hickok's License #11965-RT **Pages 84 - 91**
 - Complaint #22-01-013-MH
- 9) DBUH, LLC dba The Bullock License #11985-RT **Pages 92 - 104**
 - Complaint#22-01-014-MH
 - Complaint #22-01-015-MH
 - Complaint #22-01-016-MH

Approval of new event to Sports Event and Wagering Catalog **Pages 105 - 110**

Deadwood Licensing Matters **Pages 111 - 121**

Public Comment

Executive Session pursuant to SDCL 1-25-2 (3)

Decisions on Administrative Hearings

Adjournment

SUSAN CHRISTIAN, CIA

Executive Secretary

For access, persons with special needs may call the Commission office (605) 578-3074.

PETITION FOR DECLARATORY RULING

TO: STATE OF SOUTH DAKOTA, SOUTH DAKOTA COMMISSION ON GAMING

Pursuant to the provisions of SDCL 1-26-15 and ARSD 20:18:04:01, Gerard Keating, as Manager of KR Deadwood Sherman Street 2020 LLC, a Delaware limited liability company, with an address of c/o Keating Resources, 107 Main St., PO Box 130, Atkinson, Nebraska 68713, as the owner of the following described properties hereby petitions the South Dakota Commission on Gaming for its declaratory ruling in regard to the following:

1. THE STATE STATUTE, SOUTH DAKOTA COMMISSION ON GAMING RULE OR ORDER, OR ORDER OF THE SECRETARY OF THE SOUTH DAKOTA COMMISSION ON GAMING IN QUESTION IS:

- A)** SDCL 42-7B-18 which addresses the number of gaming devices which may be located in each approved building.
- B)** ARSD 20:18:25:05 which addresses inner access between buildings.

2. THE FACTS AND CIRCUMSTANCES WHICH GIVE RISE TO THE ISSUE TO BE ANSWERED BY THE COMMISSION'S DECLARATORY RULING ARE:

Petitioner owns the buildings located at 51, 53 and 55 Sherman Street which have previously been approved for gaming purposes. See Exhibit A. Based on the historical and structural evidence available to Petitioner and prior rulings by the Commission (e.g. SD Commission on Gaming ruling re: Martin-Mason building April 6, 2006 and SD Commission on Gaming ruling re: Clark building March 26, 2007), it is believed that the 3rd and 4th floors of 53 Sherman St. and the 4th floor of 55 Sherman St. are separate buildings eligible for designation as gaming facilities. See Exhibits B, C, D, and E.

Petitioner is requesting that the Commission approve the 3rd and 4th floors at 53 Sherman St. and the 4th floor at 55 Sherman St. as three (3) buildings for gaming purposes and approve the inner access between the 3rd and 4th floors of the structures located at 51, 53 and 55 Sherman St as shown on the attached Exhibit F. The inner access openings between floors will not

exceed 25% of the length of the area separation walls and will be protected by "water curtains" as previously approved by the Commission.

3. THE PRECISE ISSUE TO BE ANSWERED BY THE COMMISSION'S DECLARATORY RULING IS:

A) Whether the 3rd and 4th floor of the structure at 53 Sherman St. and the 4th floor of the structure at 55 Sherman Street (as shown on Exhibit E) constitute three (3) separate buildings for purposes of determining the number of gaming devices that can be placed within the buildings and whether thirty (30) gaming devices can be placed on the 3rd floor and on the 4th floor of the structure at 53 Sherman St. and whether thirty (30) gaming devices can be placed on the 4th floor of the structure at 55 Sherman St. assuming compliance with the other rules and requirements for gaming activity.

B) Whether the inner access between the 3rd and 4th floors of the structures located at 51, 53 and 55 Sherman St as shown on the attached Exhibit F which are to be protected by "water curtains" qualify as inner access pursuant to ARSD 20:18:25:02

Dated this 11th day of February, 2022.

KR Deadwood Sherman Street 2020,
LLC

DocuSigned by:
By: Gerard Keating
Gerard Keating

Its: Manager

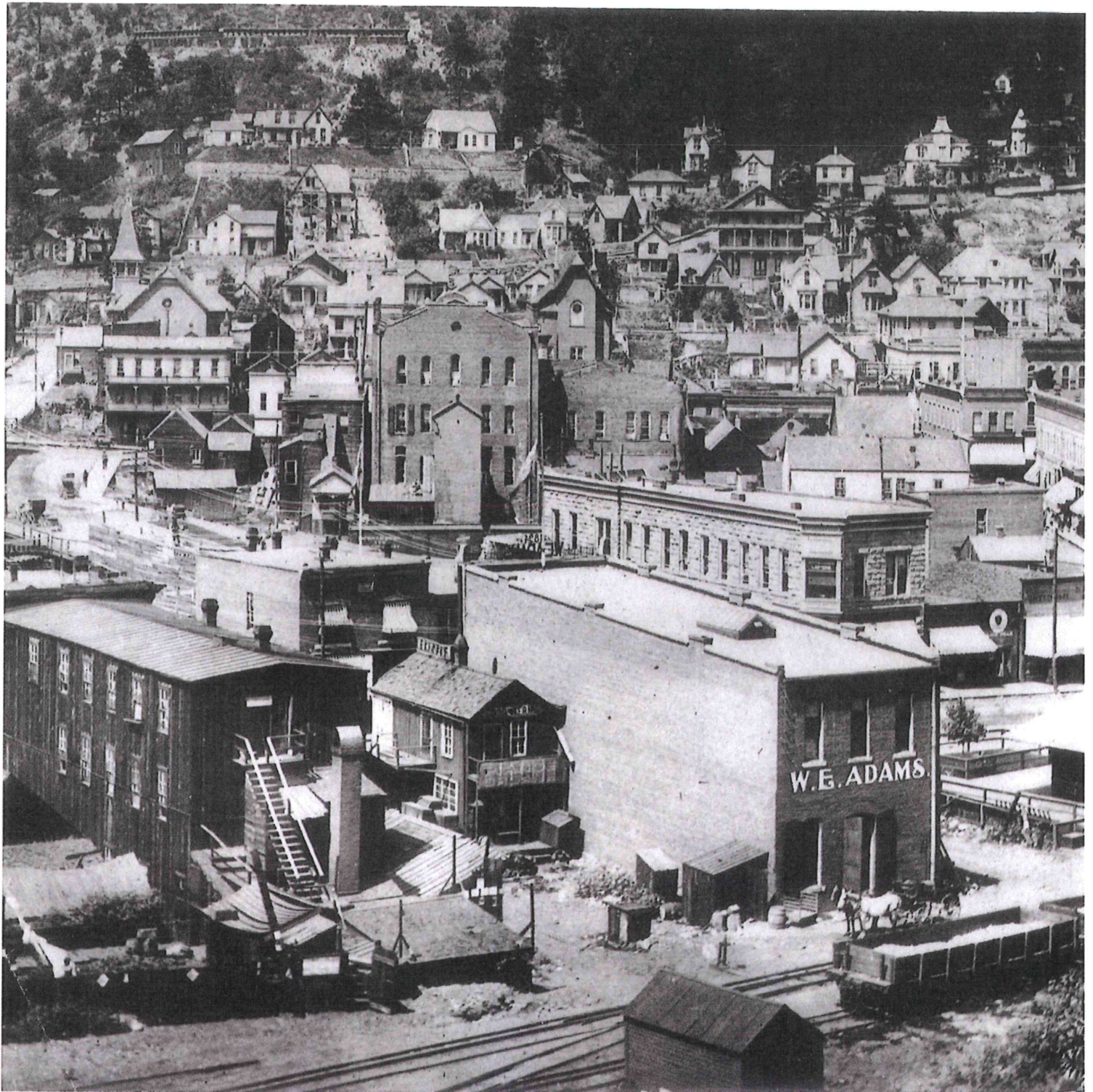
EXHIBIT

tabbies

A



Current Buildings at
51, 53 & 55 Sherman Street



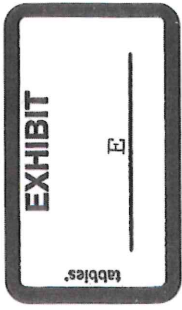
1895-1896
53 Sherman Street
Rear of building built in 1894
A two-story building



1897
53 & 55 Sherman
55 Sherman - 3-story building
3rd story added to 53 Sherman



1898 51 Sherman
Built as 4-story building



1933	1898			1909	1909
	1894		1897	1897	
				1909	1909

EXHIBIT

F1

lobbies

CA
chamberlin
 725 St. Joseph Street, Suite B1
 Rapid City, SD 57701
 605.355.6604
 chamberlinarchitects.com

NOT FOR CONSTRUCTION

**SPORTSBOOK
 DEADWOOD**

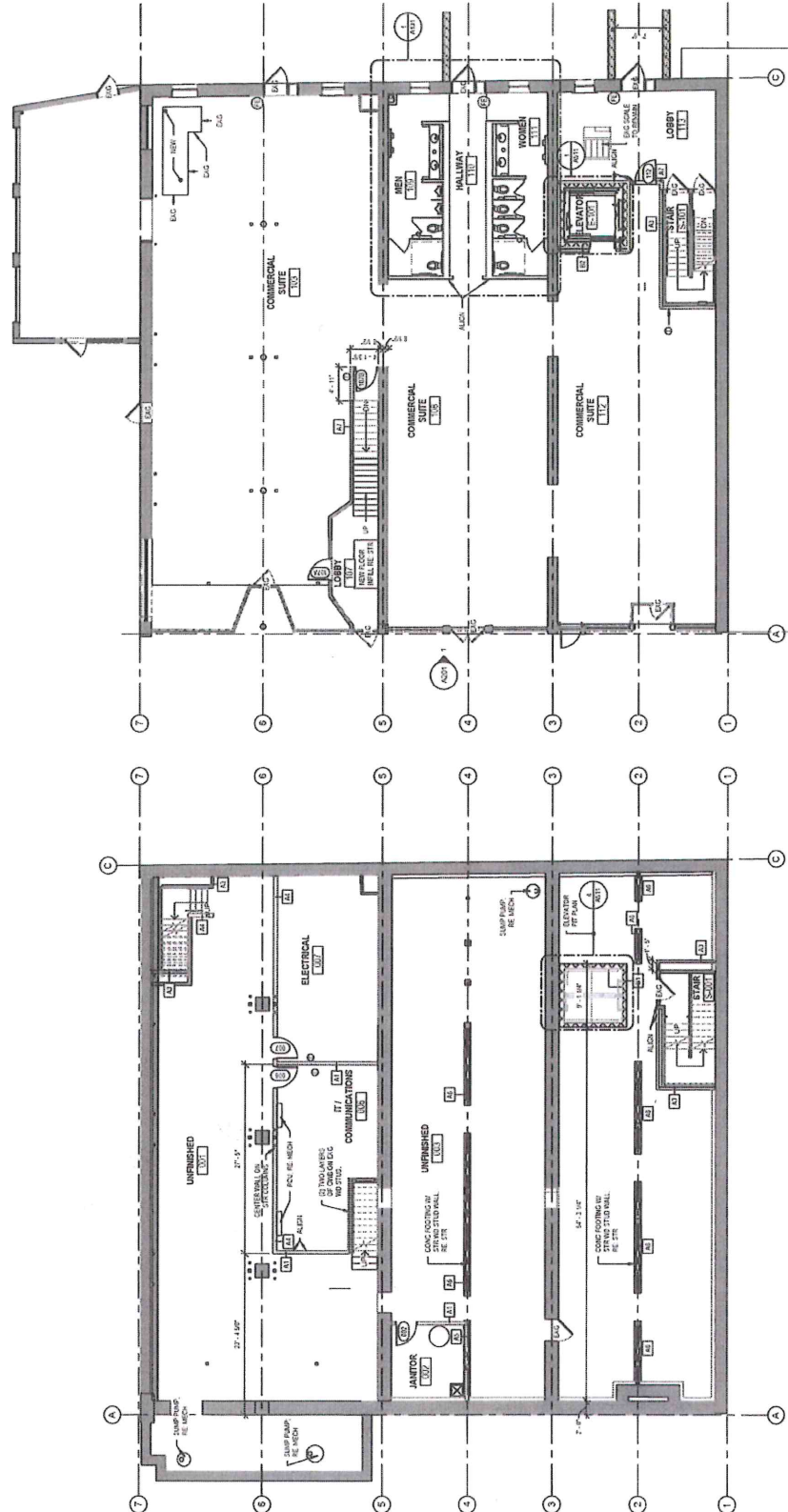
55 SHERMAN STREET
 DEADWOOD, SOUTH DAKOTA

**BSMT & 1ST FLOOR
 PLANS**

NO. ISSUED FOR: DATE

PROJECT STATUS: 75% CD

DATE: 02/03/2022
 SHEET NO: **A101**
 PROJECT NO: 20195



1 1ST FLOOR PLAN
 1/8" = 1'-0"

2 BASEMENT PLAN
 1/8" = 1'-0"



chamberlin
725 St. Joseph Street, Suite B1
Rapid City, SD 57701
605.355.6604
chamberlinarchitects.com

NOT FOR CONSTRUCTION

SPORTSBOOK
DEADWOOD

55 SHERMAN STREET
DEADWOOD, SOUTH DAKOTA

2ND & 3RD FLOOR PLANS

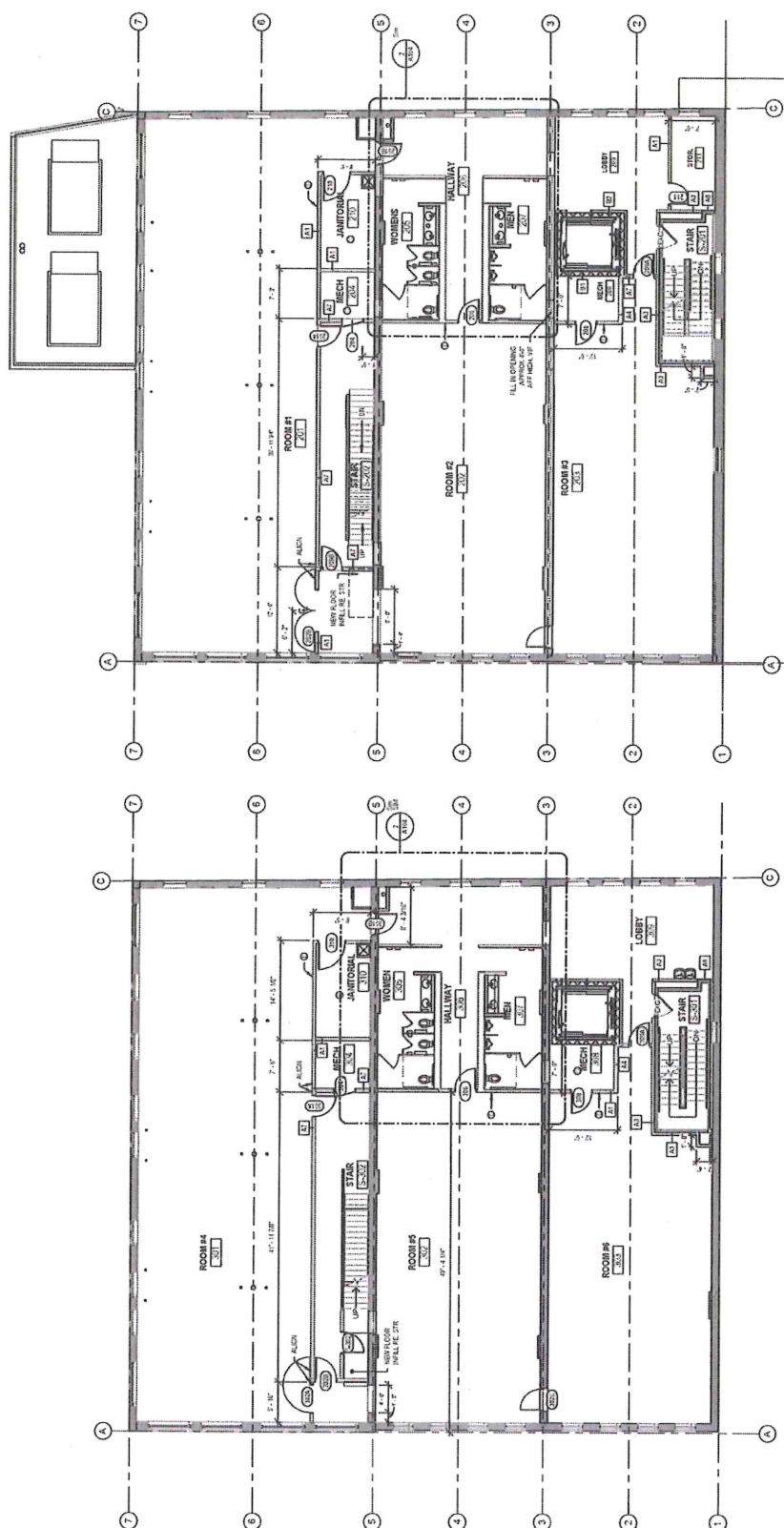
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PROJECT STATUS: 75% CD

DATE 02/03/

PROJECT N
20105

A102



1 SECOND FLOOR PLAN
DATE: 11/1/00

2 THIRD FLOOR PLAN
A-102
1/8" = 1'-0"

chamberlin
725 St. Joseph Street, Suite B1
Rapid City, SD 57701
605.355.6804
chamberlinarchitects.com

NOT FOR CONSTRUCTION

SPORTSBOOK
DEADWOOD

55 SHERMAN STREET
DEADWOOD, SOUTH DAKOTA

4TH FLOOR PLAN

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ISSUED FOR:

CM

PROJECT STATUS: 75% CD

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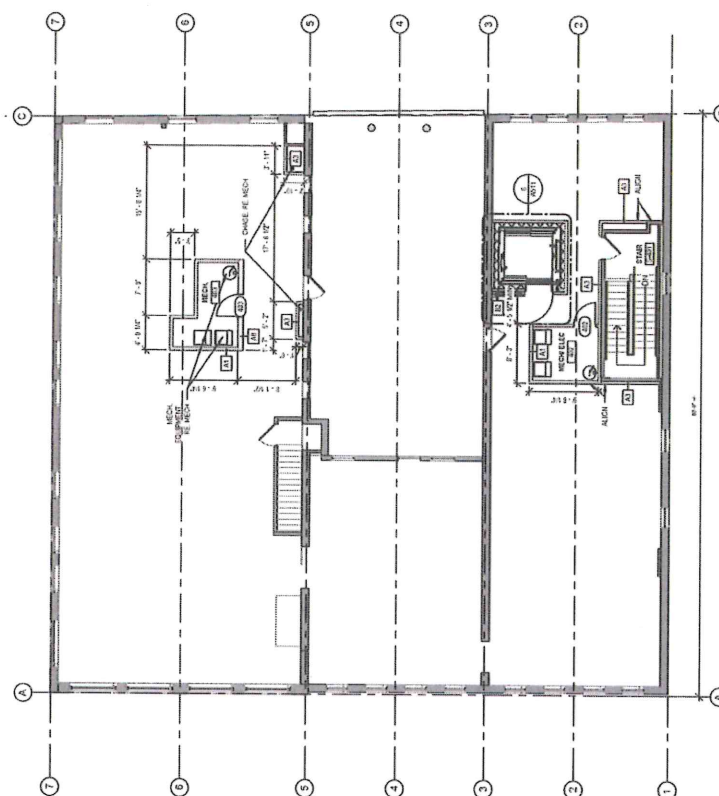
DATE _____

PROJECT NO.
0106

ON 12/1/08

0101

GENERAL NOTES
MECHANICAL ROOM LOCATIONS TO BE DETERMINED, NOT FOR CONSTRUCTION



FOURTH FLOOR PLAN



SOUTH DAKOTA COMMISSION ON GAMING

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UNAPPROVED MINUTES

South Dakota Commission on Gaming Special Meeting

MINUTES

February 2, 2022

The South Dakota Commission on Gaming special meeting was held by telephone conference call at 3:30 p.m. CST. Commissioner Karen Wagner, Commissioner Karl Fischer, Commissioner Bob Goetz, Commissioner Spencer Hawley, and Commissioner Harry Christianson were present. Staff members present for the meeting were Mike Shaw, Commission Attorney; Susan Christian, Executive Secretary; Mark Heltzel, Deputy Executive Secretary; Kelly Hanson, Director of Operations; Brian Swets, Enforcement Agent, and Kathy Beringer, Recorder. Other persons participating in the meeting telephonically were Garret Gross, Basil Hofer, and Brendan Reilly, Dakota Gaming Group; Gary King, Rushmore Gaming, LLC; Jaci Pearson, Black Hills Pioneer; Steve Schaeffer, First Gold; and Mike Rodman, Deadwood Gaming Association.

The meeting was called to order by Commissioner Wagner at 3:30 p.m. CST and a roll call was taken. Commissioner Wagner welcomed the new Commissioner Harry Christianson.

On a roll call all Commissioners were present.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

Conflicts of Interest Disclosure

On a roll call no conflicts of interest were disclosed.

Commissioner Goetz	Nay
Commissioner Fischer	Nay
Commissioner Hawley	Nay
Commissioner Christianson	Nay
Commissioner Wagner	Nay

Old Business

There was no old business to be discussed.

December 15, 2021 Quarterly Meeting

Commissioner Fischer made a motion to adopt the minutes as drafted for the December 15, 2021 quarterly meeting. Commissioner Hawley seconded the motion. Commissioner Christianson abstained from the roll call vote.

On a roll call vote motion carried.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Wagner	Aye

Deadwood Licensing Matters

Business License Temporary Approval

Deputy Executive Secretary Heltzel recommended approval of the following:

- ✓ Temporary approval of Dakota Gaming Group, Inc. dba BetKota for a Sports Wagering Service Providers License **(12215-SW)** for twelve (12) months to allow for the completion of the background investigation, or until the Commission makes a final determination on the application upon the following conditions:
 - Successful completion of the background investigation within twelve (12) months;
 - Report all disciplinary action taken against Applicant by any regulatory agency and providing updates to Commission Staff as to the status of any disciplinary action;
 - Taking full responsibility for the actions or inactions of any third party contracted with to provide sports wagering services to licensed operators in Deadwood, complete and sign the attached agreement; and
 - Provide a list of all third-party vendors contracted with to provide sports wagering services to licensed operators within the city of Deadwood, including associated equipment providers, within fourteen (14) days of temporary licensure and supplemented within fourteen (14) days of any additional contracts.

Commissioner Fischer made a motion to approve the temporary conditional license for Dakota Gaming Group, Inc. as staff recommend. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Approval of Dakota Gaming Group, Inc. dba BetKota for a Route Operator License **(12625-RO)**.

Commissioner Goetz made a motion to approve the Route Operator License as staff recommended. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Temporary approval of Rushmore Gaming, LLC dba BetRushmore for a Sports Wagering Service Providers License **(12216-SW)** for twelve (12) months to allow for the completion of the background investigation, or until the Commission makes a final determination on the application upon the following conditions:

- Successful completion of the background investigation within twelve (12) months;
- Report all disciplinary action taken against Applicant by any regulatory agency and providing updates to Commission Staff as to the status of any disciplinary action;
- Taking full responsibility for the actions or inactions of any third party contracted with to provide sports wagering services to licensed operators in Deadwood, complete and sign the attached agreement; and
- Provide a list of all third-party vendors contracted with to provide sports wagering services to licensed operators within the city of Deadwood, including associated equipment providers, within fourteen (14) days of temporary licensure and supplemented within fourteen (14) days of any additional contracts.

Commissioner Hawley made a motion to approve the temporary conditional license for Rushmore Gaming, LLC as staff recommended. Commissioner Goetz seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

- ✓ Approval of Rushmore Gaming, LLC dba BetRushmore for a Route Operator License **(12626-RO)**.

Commissioner Goetz made a motion to approve the Route Operator License as staff recommended. Commissioner Christianson seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz	Aye
Commissioner Fischer	Aye
Commissioner Hawley	Aye
Commissioner Christianson	Aye
Commissioner Wagner	Aye

Deputy Executive Secretary Heltzel stated that there is not an immediate timeline as when Dakota Gaming Group, Inc. and Rushmore Gaming, LLC can start sports wagering. There are still issues to work on as far as internal controls, staffing issues, inspections on the systems, and surveillance. Both parties agreed that there are still issues to accomplish before they can start sports wagering.

Individual License

Deputy Executive Secretary Heltzel recommended approval of the following:

- ✓ Approval of Garret Gross **(12194-DR)**, Basil Hofer **(12195-DR)**, Gregory Anderson **(12196-DR)**, and Jason Baskin **(12197-DR)** as Directors associated with Dakota Gaming Group, Inc. dba BetKota.

Commissioner Fischer made a motion to approve the individual licenses as staff recommended. Commissioner Goetz seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

- ✓ Approval of Ryan Karst **(12200-DR)**, Gary King **(12201-DR)**, Jared Miller **(12202-DR)**, Terry Schmidt **(12203-DR)**, and Eldon Swingler **(12204-DR)** as Directors associated with Rushmore Gaming, LLC dba BetRushmore.

Commissioner Goetz made a motion to approve the individual licenses as staff recommended. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

Next Commission Meeting

The next Commission meeting is scheduled for March 23, 2022.

Public Comment

There was no participation for the comment period of the meeting.

Adjournment

With no further business to be discussed Commissioner Fischer made a motion to adjourn the meeting. Commissioner Hawley seconded the motion.

On a roll call vote motion carried unanimously.

Commissioner Goetz
Commissioner Fischer
Commissioner Hawley
Commissioner Christianson
Commissioner Wagner

The meeting was adjourned at 3:42 p.m. CST

Respectfully Submitted,

Kathy Beringer

Karen Wagner, Chairman

Susan Christian, Executive Secretary



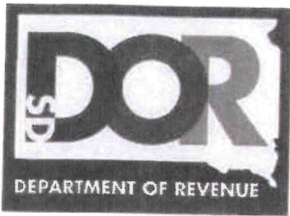
SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

TO: Commissioners and Mike Shaw
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliances

DATE: March 23, 2022

Informal Consultations were held between the Executive Secretary and Licensees to resolve the Initial Complaints filed for sports wagering violations. Stipulation and Assurance of Voluntary Compliances were entered into and penalties were assessed based on the action taken by the Commission at the December 16, 2021 quarterly meeting. Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliances on the following pages for Sara Stone Complaint #21-10-053-BS and Joe Gasper Complaint #21-10-045-BS.



SOUTH DAKOTA COMMISSION ON GAMING

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SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

Complaint # 21-10-045-BS

Joseph Gasper III
SDCG Lic. # 11138-19-KY

DEFENDANT

RECITALS

A complaint was filed against the Defendant on or about October 18, 2021 by, Brian Swets, an enforcement agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on November 19, 2021.

I

The complaint filed on October 18, 2021 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that the Defendant had issued a single wager in the amount of \$1,300.00 in violation of SDCL 42-7B-14.

II

The Defendant answered the complaint on or about November 10, 2021. The Defendants answer admits the conduct alleged in the complaint.

III

On September 20, 2021 the licensee manually overrode the system settings that restricted wagers to a maximum of \$1,000.00 and approved the acceptance of a single wager in the amount of \$1,300.00.

This is in direct violation of SDCL 42-7B-14 Maximum allowable bets of \$1,000.00. The Executive Secretary imposes a monetary penalty of \$350.00 to be paid not later than December 14, 2021.

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

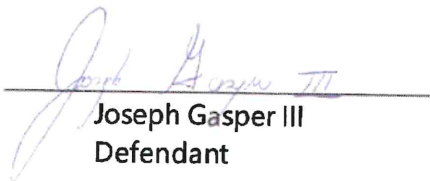
V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Deadwood, South Dakota, the 22nd day of November 2021.



Susan Christian, CIA
Executive Secretary
South Dakota Commission on Gaming



Joseph Gasper III
Defendant



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

November 16, 2021

Joseph Gasper, III
40 Jefferson Street
Deadwood, SD 57732


RE: South Dakota Commission on Gaming vs. Joseph Gasper, III
SDCG License Number 11138-19-KY
Complaint Number 21-10-045-BS

Mr. Gasper,

Your response to the initial complaint delivered to you on or about October 22, 2021 has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 9:00 a.m. MST on November 22, 2021 at the South Dakota Commission on Gaming office located at 87 Sherman Street, Deadwood, SD.

Sincerely,


Susan Christian, CIA
Executive Secretary

e-mail: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel e-mail
Brian Swets by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

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20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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October 20, 2021

Joseph Gasper III
40 Jefferson Street
Deadwood, SD 57732

RE: South Dakota Commission on Gaming vs Joseph Gasper III SDCG Lic.# 11138-19-KY
Complaint Number 21-10-045-B5

Dear Mr. Gasper,

This is to inform you that a complaint has been filed against you by Brian Swets, an Enforcement Agent of the South Dakota Commission on Gaming. The complaint alleges that on September 20, 2021 you accepted an initial bets of \$1,300.00 in violation of SDCL 42-7B-14.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have twenty (20) days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,


Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

One(1) Enclosure
CC: Enforcement Agent Angela Wilkerson



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>)	Initial Complaint Filed
)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Joseph Gasper III)	
SDCG Lic. # 11138-19-KY	)	Complaint # 21-10-045-BS
)	
)	
)	
<i>Defendant.</i>)	

The Complaint is made against the following Licensee:

Joseph Gasper III
SDCG Lic. # 11138-19-KY

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On September 20, 2021 the licensee accepted an initial bet of \$1,300 on a game between the Green Bay Packers and Detroit Lions. The licensee violated South Dakota Codified Law 42-7B-14 when they allowed a customer to place an initial bet, in excess of \$1000.00.

SDCL 42-7B-14 - Maximum Amount of Bets.

The maximum amount of an initial bet or subsequent bet on all games subject to this chapter is one thousand dollars.

Source: SL 1989, ch 374, § 12; SL 1993, ch 320, §§ 5A, 5B, 5C rejected by referendum Sept. 14, 1993; Initiated Measure No. 1, approved Nov. 7, 2000, eff. Nov. 16, 2000; SL 2012, ch 206, § 1.

Name of complaint: Brian Swets
Address: 87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

The following witnesses could give testimony about the complaint.

Brian Swets
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

David Main – Head of US Sports Trading
Bet MGM
210 Hudson Street Suite 602
Jersey City, NJ 07311
(609) 248-9531

Joseph Gasper III
SDCG Lic. # 11138-19-KY

Justine Daniels
SDCG Lic. # 11470-19-SP

NOTICE TO:

Joseph Gasper III
40 Jefferson Street
Deadwood, SD 57732

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 18th day of October, 2021


South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

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SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

Complaint # 21-10-053-BS

Sara Stone
SDCG Lic. # 12101-21-SP

DEFENDANT

RECITALS

A complaint was filed against the Defendant on or about October 29, 2021 by, Brian Swets, an enforcement agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on December 20, 2021.

I

The complaint filed on September 19, 2021 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that the Defendant had issued a single wager in the amount of \$1,500.00 in violation of SDCL 42-7B-14.

II

The Defendant answered the complaint on or about November 12, 2021. The Defendants answer admits the conduct alleged in the complaint.

III

On September 19, 2021 the licensee requested a manual override of the system settings that restricted wagers to a maximum of \$1,000.00 from the key licensee on duty. The key licensee manually overrode the system settings and licensee issued the wagering voucher to the patron.

This is in direct violation of SDCL 42-7B-14 Maximum allowable bets of \$1,000.00. Licensee admitted to receiving training and that she knew that the maximum bet limit was \$1,000.00.

The Executive Secretary imposes a monetary penalty of \$150.00. to be paid not later than January 14,

~~2021~~
2022

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

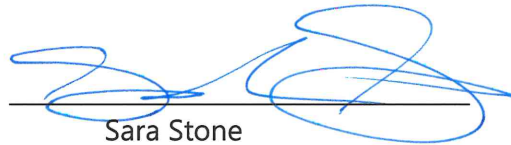
V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Deadwood, South Dakota, the ^{14th} day of January 2022 ¹⁴
~~20th day of December 2021.~~



Susan Christian, CIA
Executive Secretary
South Dakota Commission on Gaming



Sara Stone
Defendant



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

November 9, 2021

Sara Stone
516 Sawyer Street
Lead, SD 57754

RE: South Dakota Commission on Gaming vs. Sara Stone
SDCG License Number 12101-SP
Complaint Number 21-10-053-BS

Mr. Thurmes,

Your response to the initial complaint delivered to you on or about October 30, 2021 has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 11:00 a.m. MST on November 18, 2021 at the South Dakota Commission on Gaming office located at 87 Sherman Street, Deadwood, SD.

Sincerely,

Susan Christian, CIA
Executive Secretary

e-mail: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel e-mail
Brian Swets by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

October 29, 2021

Sara Stone
516 Sawyer Street
Lead, SD 57754

RE: South Dakota Commission on Gaming vs. Sara Stone
Complaint Number 21-10-053-BS

Dear Ms. Stone,

This is to inform you that a complaint has been filed against you by Brian Swets, Enforcement Agent of the South Dakota Commission on Gaming. The complaint alleges that on September 19, 2021, licensee accepted a Parlay bet for \$1,500.00 in violation of SDCL 42-7B-14 Maximum Amount of Bets

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,


Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

1 Enclosure
CC: Brian Swets



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
)	
Sarah Stone	)	Complaint # 21-10-053-BS
SDCG Lic. # 12101-SP)	
)	
<i>Defendant.</i>)	

The Complaint is made against the following Licensee:

Sarah Stone
SDCG Lic. # 12101-SP

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action pursuant to 20:18:09:01. The conduct complained against is as follows:

On September 19, 2021 the licensee accepted a Parley bet on the Philadelphia Eagles and Miami Dolphins for \$1,500.00 The licensee violated South Dakota Codified Law 42-7B-14 when they allowed a customer to place an initial bet, in excess of \$1000.00.

SDCL 42-7B-14 - Maximum Amount of Bets.

The maximum amount of an initial bet or subsequent bet on all games subject to this chapter is one thousand dollars.

Source: SL 1989, ch 374, § 12; SL 1993, ch 320, §§ 5A, 5B, 5C rejected by referendum Sept. 14, 1993; Initiated Measure No. 1, approved Nov. 7, 2000, eff. Nov. 16, 2000; SL 2012, ch 206, § 1.

Name of complaint: Brian Swets
Address: 87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

The following witnesses could give testimony about the complaint.

Brian Swets
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

David Main – Head of US Sports Trading
Bet MGM
210 Hudson Street Suite 602
Jersey City, NJ 07311
(609) 248-9531

Joshua Thurmes
SDCG Lic. # 8227-14-KY

Sarah Stone
SDCG Lic # 12101-SP

David Knight
SDCG Lic. # 11980-20-KY

NOTICE TO:

Sarah Stone
516 Sawyer Street
Lead, SD 57754

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the ^{24th} ~~20th~~ day of October, 2021



South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

TO: Commissioners and Mike Shaw
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliances

DATE: March 23, 2022

Informal Consultations were held between the Executive Secretary and the Operators to resolve the Initial Complaints filed for sports wagering violations. Stipulation and Assurance of Voluntary Compliances were entered into and penalties were assessed based on the action taken by the Commission at the December 16, 2021 quarterly meeting. Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliances on the following pages for Internet Sports International, Ltd, Complaint #s 22-01-003-MH and #22-01-005-MH, Mustang Sally's, Inc, Complaint #22-01-007-MH, and Black Diamond Capital, LLC. Complaint #s 22-01-004-MH and # 22-01-005-MH.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE
OF VOLUNTARY COMPLIANCE

VS.

Complaint # 22-01-003-MH
Complaint #22-01-005-MH

Internet Sports International, LTD
SDCG Lic# 12253-21-SW

DEFENDANT

RECITALS

Complaints were filed against the Defendant on or about January 10, 2022 by, Mark Heltzel, Deputy Executive Secretary for the South Dakota Commission on Gaming.

The parties wish to resolve the two (2) complaints with one (1) Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on March 3, 2022.

I

The complaints filed on or about January 10, 2022 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that the Defendant made available through their sports wagering system a prohibited event and an unapproved wager type.

II

The Defendant answered the complaint on or about January 25, 2022. The Defendant's answer admitted to the conduct alleged in the complaints.

III

On November 23, 2021, the Defendant allowed wagers to be placed and accepted on a South Dakota State University basketball game in violation of SDCL 42-7B-82-(4).

On December 14, 2021, the Defendant allowed future wagers to be placed and accepted on a NCAA basketball tournament. This wager type was not approved by the South Dakota Commission on Gaming and is in violation of ARSD 20:18:35:04.

The Operator notified the South Dakota Commission on Gaming that the sports wagering system was not in compliance with the rules and regulations of the South Dakota Commission on Gaming. The Defendant voided all wagers in the sports wagering system.

The noncompliance was the direct result of human error. Defendant's employees incorrectly identified the event and wager to be allowed by the sports wagering system. The Defendant has implemented policies and procedures to mitigate the risk of human errors occurring. No violations have occurred since December 14, 2021.

The Executive Secretary imposes a monetary penalty of \$3,000.00. The penalty is to be paid no later than March 23, 2022.

Please remit penalty payment to:

South Dakota Commission on ,
87 Sherman Street
Deadwood, SD 57732

IV

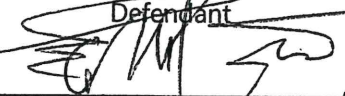
The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

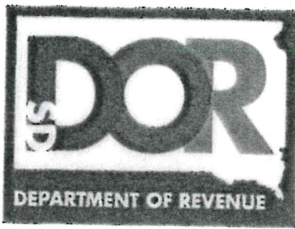
V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Pierre, South Dakota, the 3rd day of March 2022 .


Susan Christian, CIA
Executive Secretary
South Dakota Commission on Gaming

Internet Sports International, LTD
Defendant
By 
Its Vice President/General Counsel



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

February 23, 2022

Ernest C. Matthews IV
Vice President/General Counsel
ISI, Ltd.
2120 Golf Club Lane
Nashville, TN 37251

South Dakota Commission on Gaming vs. Internet Sports International, LTD,
SDCG Lic # 12253-21-SW, Complaint Number 22-01-005-MH

South Dakota Commission on Gaming vs. Internet Sports International, LTD,
SDCG Lic # 12253-21-SW, Complaint Number 22-01-003-MH

Dear Mr. Matthews,

Your response to the initial complaints delivered to you on or about has been received. Per ARSD 20:18:10:03 it has been determined that the complaints have merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 3:00 p.m. CDT on March 3, 2022 at the law offices of May, Adams, Gerdes & Thompson LLP located at 503 S Pierre St, Pierre, SD.

Sincerely,

Mark Heltzel
Deputy Executive ~~Secretary~~

1 Enclosure

CC: Susan Christian by e-mail

Mike Shaw by e-mail

Doug Abraham by e-mail

Roger Tellinghuisen by e-mail USPS Certified mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 10, 2022

Sent via e-mail to ernest@isisports.com and USPS Certified mail

Ernest C. Matthews IV
Vice President/General Counsel
ISI, Ltd.
2120 Golf Club Lane
Nashville, TN 37215

RE: South Dakota Commission on Gaming vs. Internet Sports International, LTD, SDCG Lic # 12253-21-SW
Complaint Number 22-01-003-MH

Dear Mr. Matthews,

This is to inform you that a complaint has been filed against you by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that on November 23, 2021, licensee allowed wagers to be placed and accepted on a South Dakota State University basketball game through the sports wagering system. This is in direct violation SDCL 42-7B-82(4).

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail
Mike Shaw by e-mail
Williams Stearns/Angie Ek by e-mail and USPS Certified mail
Roger Tellinghuisen USPS Certified mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Internet Sports International, LTD)	
SDCG Lic. # 12253-21-SW	)	Complaint # 22-01-003-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

On November 23, 2021, the compliance department from Internet Sports International, LTD notified The South Dakota Commission on Gaming via email of a wagering violation. ISI opened and allowed wagers on a college basketball game between South Dakota State University and the University of Washington. This is a violation of S.D.C.L. 42-7B-82.

S.D.C.L. 42-7B-82. Betting prohibited on certain events. A licensee may not accept a bet on any of the following events or contingencies:

- (1) A high school sporting event;
- (2) A minor league sporting event;
- (3) The performance or nonperformance of any individual athlete participating in a single game or match of a collegiate sporting event; or
- (4)** Any individual game in a collegiate sporting event in which any team or athlete from a university or college in South Dakota is competing.

Source: SL 2021, ch 189, § 21.

Dated this 3rd day of January 2022

Name of complaint Mark Heltzel
Address - 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Angie Ek - General Manager
ISI Maritime/Islands
7250 Peak Dr. #210
Las Vegas, NV 89128

Notice to:

Business Filings Incorporated
ATTN: Internet Sports International, LTD
319 S Coteau Street
Pierre, SD 57501

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Acting Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 10th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 10, 2022

Sent via e-mail to ernest@isisports.com and USPS Certified mail

Ernest C. Matthews IV
Vice President/General Counsel
ISI, Ltd.
2120 Golf Club Lane
Nashville, TN 37251

RE: South Dakota Commission on Gaming vs. Internet Sports International, LTD, SDCG Lic # 12253-21-SW
Complaint Number 22-01-005-MH

Dear Mr. Matthews,

This is to inform you that a complaint has been filed against you by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that on December 14, 2021, licensee allowed future wagers on NCAA basketball to be placed and accepted through the sports wagering system. This is in direct violation of ARSD 20:18:35:04.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office

Email: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail

Mike Shaw by e-mail

Williams Stearns/Angie Ek by e-mail and USPS Certified mail

Roger Tellinghuisen USPS Certified mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Internet Sports International, LTD)	
SDCG Lic. # 12253-21-SW	)	Complaint # 22-01-005-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

On December 14, 2021, the compliance department from Internet Sports International, LTD notified The South Dakota Commission on Gaming via email of wagering violations. ISI opened futures wager on NCAA college basketball that was not approved by the Commission. Six unapproved wagers were placed and accepted on their system on December 14, 2021. This was a violation of ARSD 20:18:35:04.

20:18:35:04. Authorized and prohibited events and wager types. Before any licensee or sports wagering services provider may accept sports bets on an event category or sports bets of a particular wager type, the event category or wager type must be approved by the commission.

Prior to offering exchange wagering a licensee or sports wagering services provider must obtain approval from the commission. The rake taken on such wagers shall be subject to the wagering taxes pursuant to SDCL [42-7B-28](#), [42-7B-28.1](#) and [42-7B-28.2](#) as are paid on sports wagering net receipts.

Source: 48 SDR 14, effective August 22, 2021.

General Authority: SDCL [42-7B-7](#), [42-7B-11](#)(13).

Law Implemented: SDCL [42-7B-2.1](#)(1), [42-7B-43](#).

Dated this 3rd day of January 2022

Name of complaint Mark Heltzel
Address 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Angie Ek - General Manager
ISI Maritime/Islands
7250 Peak Dr. #210
Las Vegas, NV 89128

Notice to:

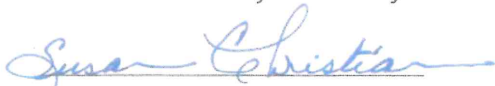
Business Filings Incorporated
ATTN: Internet Sports International, LTD
319 S Coteau Street
Pierre, SD 57501

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Acting Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 10th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dorc.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE
OF VOLUNTARY COMPLIANCE

VS.

Complaint # 22-01-007-MH

Mustang Sally's, Inc.
SDCG Lic. # 12264-OP

DEFENDANT

RECITALS

A complaint was filed against the Defendant on or about January 10, 2022 by, Mark Heltzel, Deputy Executive Secretary for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on March 3, 2022.

I

The complaint filed on or about January 10, 2022 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that on December 14, 2021, the Defendant allowed two (2) future wagers on a NCAA basketball tournament to be placed and accepted at the sports wagering kiosk operated by the Defendant.

II

The Defendant answered the complaint on or about January 31, 2022. The Defendants answer does not deny the conduct alleged in the complaint.

III

The two (2) wagers accepted have been voided in the sports wagering system and the Defendant will refund the initial wager to the individuals if or when they are identified. All wagers placed at the kiosk are anonymous and the Defendant has not been able to identify the individuals that placed the wagers.

The Executive Secretary imposes a monetary penalty of \$3,000.00. The penalty is to be paid no later than March 23, 2022.

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732


IV

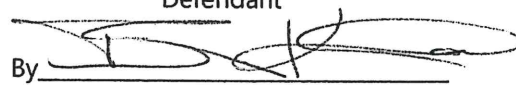
The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

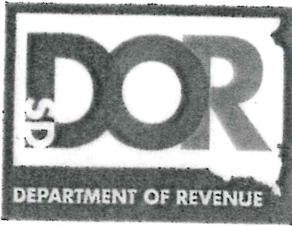
V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Pierre, South Dakota, the 3rd day of March 2022 .


Susan Christian, CIA
Executive Secretary
South Dakota Commission on Gaming

Mustang Sally's, Inc
Defendant
By 
Its owner.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

February 23, 2022

Mustang Sally's
Attn: Toby Keehn
634 Main Street
Deadwood, SD 57732

RE: South Dakota Commission on Gaming vs. Mustang Sally's, INC SDCG Lic # 12284-OP
Complaint Number 22-01-007-MH

Dear Mr. Keehn,

Your response to the initial complaints delivered to you on or about has been received. Per ARSD 20:18:10:03 it has been determined that the complaints have merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 3:30 p.m. CDT on March 3, 2022 at the law offices of May, Adams, Gerdes & Thompson LLP located at 503 S Pierre St, Pierre, SD.

Sincerely,

Mark Heltzel
Deputy Executive Secretary

1 Enclosure

CC: Susan Christian by e-mail
Mike Shaw by e-mail
Doug Abraham by e-mail
Roger Tellinghuisen by e-mail USPS Certified mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 10, 2022

Mustang Sally's
Attn: Toby Keehn
634 Main Street
Deadwood, SD 57732

RE: South Dakota Commission on Gaming vs. Mustang Sally's, INC SDCG Lic # 12284-OP
Complaint Number 22-01-007-MH

Dear Mr. Keehn,

This is to inform you that a complaint has been filed against you by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that on December 14, 2021 licensee allowed future wagers on NCAA basketball to be placed and accepted. This is in direct violation of ARSD 20:18:35:04.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,


Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail
Mike Shaw by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Mustang Sally's, INC.)	
SDCG Lic. # 12284-OP	)	Complaint # 22-01-007-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

On December 14, 2021, the compliance department from Internet Sports International, LTD notified The South Dakota Commission on Gaming via email of wagering violations. ISI opened futures wager on NCAA college basketball that was not approved by the Commission. Two unapproved wagers were placed on a kiosk in the Mustang Sally's Casino on December 14, 2021. This was a violation of ARSD 20:18:35:04.

20:18:35:04. Authorized and prohibited events and wager types. Before any licensee or sports wagering services provider may accept sports bets on an event category or sports bets of a particular wager type, the event category or wager type must be approved by the commission.

Prior to offering exchange wagering a licensee or sports wagering services provider must obtain approval from the commission. The rake taken on such wagers shall be subject to the wagering taxes pursuant to SDCL 42-7B-28, 42-7B-28.1 and 42-7B-28.2 as are paid on sports wagering net receipts.

Source: 48 SDR 14, effective August 22, 2021.

General Authority: SDCL 42-7B-7, 42-7B-11(13).

Law Implemented: SDCL 42-7B-2.1(1), 42-7B-43.

Dated this 3rd day of January 2022

Name of complaint Mark Heltzel
Address 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Angie Ek - General Manager
ISI Maritime/Islands
7250 Peak Dr. #210
Las Vegas, NV 89128

Notice to:

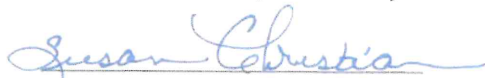
Mustang Sally's
Attn: Toby Keehn
634 Main St.
Deadwood, SD 57732

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Acting Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 10th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE
OF VOLUNTARY COMPLIANCE

VS.

Complaint # 22-01-004-MH
Complaint #22-01-006-MH

Black Diamond Capital, LLC
dba Gold Dust Casino and Hotel
SDCG Lic# 0231-OP

DEFENDANT

RECITALS

Complaints were filed against the Defendant on or about January 10, 2022 by, Mark Heltzel, Deputy Executive Secretary for the South Dakota Commission on Gaming.

The parties wish to resolve the two (2) complaints with one (1) Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on March 7, 2022.

I

The complaints filed on or about January 10, 2022 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that the Defendant accepted wagers on a prohibited event and an unapproved wager type.

II

The Defendant answered the complaint on or about January 25, 2022. The Defendants answer does not deny the conduct alleged in the complaint.

III

On November 23, 2021, the Defendant accepted two (2) wagers on a South Dakota State University basketball game in violation of SDCL 42-7B-82-(4).

On December 14, 2021, the Defendant accepted four (4) future wagers on a NCAA basketball tournament. This wager type was not approved by the South Dakota Commission on Gaming and is in violation of ARSD 20:18:35:04.

South Dakota Commission on Gaming was notified that the Defendant accepted wagers on a prohibited event and an unapproved wager type.

The wagers accepted have been voided in the sports wagering system and the Defendant will refund the initial wager to the individuals if or when they are identified. All wagers placed at the kiosk are anonymous and the Defendant has not been able to identify the individuals that placed the wagers.

The Executive Secretary imposes a monetary penalty of \$3,000.00. The penalty is to be paid no later than March 24, 2022.

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

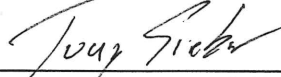
DATED at Deadwood, South Dakota, the 7th day of March 2022 .

Black Diamond Capital, LLC dba Gold Dust Casino and Hotel
Defendant



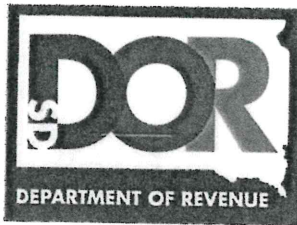
Susan Christian, CIA
Executive Secretary
South Dakota Commission on Gaming

By



Its





SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

February 23, 2022

VIA USPS FIRST CLASS CERTIFIED MAIL

Black Diamond Capital, LLC
Jeffrey G. Lamont
205 6th Avenue SE Suite 300
Aberdeen, SD 57401-4317

RE: South Dakota Commission on Gaming vs. Black Diamond Capital, LLC, SDCG Lic # 0231-OP

Complaint Number 22-01-006-MH
Complaint Number 22-01-004-MH

Dear Mr. Lamont,

Your response to the initial complaints delivered to you on or about January 12, 2022, and hand delivered to Tony Sieber has been received. Per ARSD 20:18:10:03 it has been determined that the complaints have merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for March 7th, 2022, at 10AM MST at the South Dakota Commission on Gaming office located at 87 Sherman Street, Deadwood, SD.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Heltzel', is written over a horizontal line.

Mark Heltzel
Deputy Executive Secretary

1 Enclosure

CC: Susan Christian by e-mail
Mike Shaw by e-mail
Doug Abraham by e-mail
Tony Sieber by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 10, 2022

Black Diamond Capital, LLC
Jeffrey G. Lamont
205 6th Avenue SE Suite 300
Aberdeen, SD 57401-4317

RE: South Dakota Commission on Gaming vs. Black Diamond Capital, LLC, SDCG Lic # 0231-OP
Complaint Number 22-01-004-MH

Dear Mr. Lamont,

This is to inform you that a complaint has been filed against you by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that on November 23, 2021, licensee allowed wagers to be placed and accepted on a South Dakota State University basketball game. This is in direct violation of SDCL 42-7B-82(4).

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail
Mike Shaw by e-mail
Tony Sieber hand delivered



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Black Diamond Capital, LLC.)	
SDCG Lic. # 0231-OP	)	Complaint # 22-01-004-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

On November 23, 2021, the compliance department from Internet Sports International, LTD notified The South Dakota Commission on Gaming via email of a wagering violation. Two different bets were placed on a college basketball game between South Dakota State University and the University of Washington at the kiosk in the Gold Dust Casino. This is a violation of S.D.C.L. 42-7B-82.

S.D.C.L. 42-7B-82. Betting prohibited on certain events. A licensee may not accept a bet on any of the following events or contingencies:

- (1) A high school sporting event;
- (2) A minor league sporting event;
- (3) The performance or nonperformance of any individual athlete participating in a single game or match of a collegiate sporting event; or
- (4) Any individual game in a collegiate sporting event in which any team or athlete from a university or college in South Dakota is competing.

Source: SL 2021, ch 189, § 21.

Dated this 3rd day of January 2022

Name of complaint Mark Heltzel
Address 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Angie Ek - General Manager
ISI Maritime/Islands
7250 Peak Dr. #210
Las Vegas, NV 89128

Notice to:

Jeffrey G. Lamont
205 6th Avenue SE Suite 300
Aberdeen, SD 57401-4317

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Acting Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 10th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 10, 2022

Black Diamond Capital, LLC
Jeffrey G. Lamont
205 6th Avenue SE Suite 300
Aberdeen, SD 57401-4317

RE: South Dakota Commission on Gaming vs. Black Diamond Capital, LLC, SDCG Lic # 0231-OP
Complaint Number 22-01-006-MH

Dear Mr. Lamont,

This is to inform you that a complaint has been filed against you by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that on December 14, 2021 licensee allowed future wagers on NCAA basketball to be placed and accepted. This is in direct violation of ARSD 20:18:35:04.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA
Executive Secretary

Telephone : (605) 773-6051 Pierre office
(605) 578-3074 Deadwood office
Email: susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail
Mike Shaw by e-mail
Tony Sieber hand delivered



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
Black Diamond Capital, LLC.)	
SDCG Lic. # 0231-OP	)	Complaint # 22-01-006-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

On December 14, 2021, the compliance department from Internet Sports International, LTD notified The South Dakota Commission on Gaming via email of wagering violations. ISI opened futures wager on NCAA college basketball that was not approved by the Commission. Four unapproved wagers were placed on a kiosk in the Gold Dust Casino on December 14, 2021. This was a violation of ARSD 20:18:35:04.

20:18:35:04. Authorized and prohibited events and wager types. Before any licensee or sports wagering services provider may accept sports bets on an event category or sports bets of a particular wager type, the event category or wager type must be approved by the commission.

Prior to offering exchange wagering a licensee or sports wagering services provider must obtain approval from the commission. The rake taken on such wagers shall be subject to the wagering taxes pursuant to SDCL 42-7B-28, 42-7B-28.1 and 42-7B-28.2 as are paid on sports wagering net receipts.

Source: 48 SDR 14, effective August 22, 2021.

General Authority: SDCL 42-7B-7, 42-7B-11(13).

Law Implemented: SDCL 42-7B-2.1(1), 42-7B-43.

Dated this 3rd day of January 2022

Name of complaint Mark Heltzel
Address - 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Angie Ek - General Manager
ISI Maritime/Islands
7250 Peak Dr. #210
Las Vegas, NV 89128

Notice to:

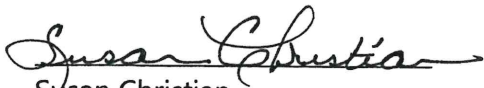
Jeffrey G. Lamont
205 6th Avenue SE Suite 300
Aberdeen, SD 57401-4317

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Acting Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 10th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

TO: Commissioners and Mike Shaw
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliances

DATE: March 23, 2022

An Informal Consultation was held between the Executive Secretary and Danny Burr to resolve the Initial Complaint filed for conducting a poker game with 53 cards in the deck in violation of 20:18:16:06. Based on prior Stipulation and Assurance of Voluntary Compliance, licensee was fined \$100.00. Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliance.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

Complaint # 21-12-072-AW

Danny Burr
SDCG Lic. # 0547-00-KY

DEFENDANT

RECITALS

A complaint was filed against the Defendant on or about January 19, 2022 by, Austin Wilson, an enforcement agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Deputy Executive Secretary and the Defendant on November 17, 2021.

I

The complaint filed on alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that the Defendant conducted a poker game with an extra Queen of Diamonds in the active poker deck. This is violation of ARSD 20:18:16:06

II

The Defendant answered the complaint on or about January 29, 2022. The Defendants answer admitted to the conduct alleged in the complaint that occurred on December 29, 2021.

III

While working as dealer at Cadillac Jacks on December 29, 2021 Danny Burr accidentally introduced an extra Queen of Diamonds into the active poker deck. Over the next 5 minutes one winning poker hand was dealt. This is a violation of ARSD 20:18:16:06.

20:18:16:06. Cards. The cards in the game of poker must be one complete standard deck of 52 cards. A joker may be used. The design on the backs of the cards in the deck must be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards may contain a logo. The backs of the cards in the deck must be designed to eliminate the ability of any person to place concealed markings on them. No retail licensee may use cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed.

Any cards which have been opened and placed on a poker table shall be removed from play and inspected within twenty-four (24) hours or less and may not be returned to any poker table for at least seventy-two (72) hours. The licensee must keep a log of the removal and inspection.

Source: 16 SDR 57, effective October 1, 1989; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13), 42-7B-15.

The Executive Secretary imposes a monetary penalty of \$100.00. The monetary penalty is to be paid no later than March 4, 2022.

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

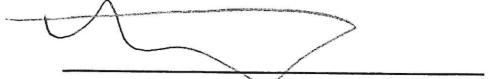
IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

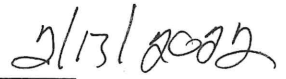
V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Deadwood, South Dakota, the 13th day of February 2022 .



Mark Heltzel
Deputy Executive Secretary
South Dakota Commission on Gaming



Danny Burr
Defendant



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

February 19, 2022

Danny Burr
13124 Pony Express Drive
Piedmont, SD 57769

RE: Complaint Number 21-12-072-AW

Mr. Burr,

Your response to the initial complaint delivered to you on or about January 21, 2022, has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for February 17, 2022 at 3:30 PM MST on 2022 at the South Dakota Commission on Gaming office located at 87 Sherman Street, Deadwood, SD.

Sincerely,

Mark Heltzel
Deputy Executive Secretary

1 Enclosure

CC:

Austin Wilson e-mail
Susan Christian



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

Return of Service

I, Mark Heltzel, Deputy Executive Secretary for the South Dakota Commission on Gaming, hereby certify and return that the following annexed papers **Informal Consultation** came into my hands for service on the 9th day of February, 2022. That I served the same on **Danny Burr** defendant personally by delivering to and leaving a true copy thereof with Danny Burr in the city of Deadwood, County of Lawrence, State of South Dakota, on the 10th day of February, 2022.

ANNEXED PAPERS

- Subpoena
— Initial Complaint
— Notice of Suspension of License
— Notice of Hearing
XX Other

Dated at Deadwood, South Dakota, this 10th day of February, A.D. 2022.

Mark Heltzel
Deputy Executive Secretary
[Signature]
Signature of Recipient

By: [Signature]
Agent
2/10/2022
Date

Date Ret'd 2/10/22



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 19, 2022

Danny Burr
13124 Pony Express Drive
Piedmont, SD 57769

RE: South Dakota Commission on Gaming vs. Danny Burr SDCG Lic # 0547-00-KY
SDCG Complaint # 21-12-072-AW

Dear Mr. Burr,

This is to inform you that a complaint has been filed against you Austin Wilson, Enforcement Agent, of the South Dakota Commission on Gaming. The complaint alleges that on December 29, 2021, licensee conducted a poker game with deck of cards containing an extra Queen of Diamonds. This is in direct violation of ARSD 20:18:16:06.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA

Executive Secretary

Telephone : (605) 773-6051 Pierre office

E-mail susan.christian@state.sd.us

1 Enclosure

CC: Austin Wilson by e-mail

Marl Heltzel by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:16:06
)	
Danny Burr)	
SDCG Lic. # 0547-00-KY	)	Complaint # 21-12-072-AW
)	
<i>Defendant.</i>)	

The Complaint is made against the following Licensee:

Danny Burr
SDCG Lic. # 0547-00-KY

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

While working as dealer at Cadillac Jacks on December 29, 2021 Danny Burr accidentally introduced an extra Queen of Diamonds into the active poker deck. Over the next 5 minutes one winning poker hand was dealt. This is a violation of ARSD 20:18:16:06.

20:18:16:06. Cards. The cards in the game of poker must be one complete standard deck of 52 cards. A joker may be used. The design on the backs of the cards in the deck must be identical, and no card may contain any marking, symbol, or design that enables a player to know the identity of any element printed on the face of the card. The backs of the cards may contain a logo. The backs of the cards in the deck must be designed to eliminate the ability of any person to place concealed markings on them. No retail licensee may use cards that are taped, cut, shaved, marked, defaced, bent, crimped, or deformed.

Any cards which have been opened and placed on a poker table shall be removed from play and inspected within twenty-four (24) hours or less and may not be returned to any poker table for at least seventy-two (72) hours. The licensee must keep a log of the removal and inspection.

Source: 16 SDR 57, effective October 1, 1989; 41 SDR 7, effective July 29, 2014.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(13), 42-7B-15.

Dated this 19th day of October 2021.

Name of complaint Austin Wilson
Address - 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Austin Wilson
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Notice to:

Danny Burr
13124 Pony Express Drive
Piedmont, SD 57769

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 19th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

TO: Commissioners and Mike Shaw
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliances

DATE: March 23, 2022

An Informal Consultation was held between the Executive Secretary and Willy's Wild West, Inc, dba Gold Country Inn to resolve the Initial Complaint filed for failing to inspect surveillance equipment in violation of ARSD 20:18:29:07 and 20:18:29:14. Based on prior Stipulation and Assurance of Voluntary Compliance for surveillance issues, licensee was fined \$2,500.00. Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliance.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

Complaint # 22-01-012-AW

Willy's Wild West, Inc. dba Gold Country Inn
SDCG Lic. # 0596-RT

DEFENDANT

RECITALS

A complaint was filed against the Defendant on January 18, 2022, by Angela Wilkerson, an enforcement agent for the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Deputy Executive Secretary and the Defendant on February 17, 2022.

I

The complaint filed on January 18, 2022, alleged that the Defendant engaged in conduct constituting grounds for disciplinary action by failing to inspect recording equipment daily and maintain a written record of the inspection per ARSD 20:18:29:14. For November and December of 2021 the applicant failed to review surveillance for 50 days. In January 2022 the licensee failed to review surveillance for 11 days.

II

The Defendant answered the complaint on or about January 27, 2022. In the licensee's answer Mr. Lonnie Strong managing partner, stated that the alleged violation in the complaint was correct.

III

The South Dakota Commission on Gaming recognizes the Operator had some computer issues that lasted a couple of days, which were not reported to our office in violation of ARSD 20:18:29:07. With the correction of the computer issues there was no system failure that prevented video images from being recorded and maintained as required by ARSD 20:18:29:14.

It has been determined that the violations in the initial complaint were the direct result of an SDCG employee finding the actions and the Operator was in violation of the following South Dakota Commission on Gaming rule and regulation:

20:18:29:07. Surveillance equipment malfunctions. A licensee must immediately notify the executive secretary of surveillance equipment malfunction. Any failure notification system capable of providing notification of a recording failure must be activated. Any surveillance system in operation on the effective date of this rule which is later changed or replaced must be capable of providing notification of any recording failure within 15 minutes. The equipment malfunction must be repaired within 24 hours. If the repair cannot be made within 24 hours, the licensee must promptly submit a written report to the executive secretary setting forth the reason for the delay and giving an estimated date of repair.

Source: 19 SDR 195, effective June 21, 1993; 35 SDR 184, effective February 2, 2009; 41 SDR 218, effective July 1, 2015.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(2)(11)(13).

ARSD 20:18:29:14. Quality review of recorded surveillance video images. To ensure that the quality of video images recorded on the surveillance system complies with § 20:18:29:02, a licensee must inspect the recording equipment daily to ensure the equipment is operating correctly and review a portion of all recorded surveillance images each week.

The licensee must document this inspection and review on a form provided by the executive secretary. If any problems or malfunctions of the surveillance system, equipment, or video images are discovered during the review, the licensee must report them to the commission within 24 hours after the discovery.

Source: 21 SDR 98, effective November 30, 1994; 35 SDR 184, effective February 2, 2009; 38 SDR 213, effective June 18, 2012.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7 42-7B-11 (2)(11)(13).

Cross-Reference: Surveillance equipment malfunctions, § 20:18:29:07.

The Executive Secretary imposes a monetary penalty of \$2500.00. The monetary penalty is to be paid no later than March 4, 2022.

Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

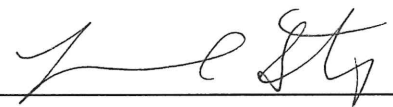
V


The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Deadwood, South Dakota, the 17th day of February 2022 .



Mark Heltzel
Deputy Executive Secretary
South Dakota Commission on Gaming
2/17/22

By 

Its 

Willy's Wild West, Inc.
Dba Gold Country Inn



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

February 9, 2022

Willy's Wild West, Inc. dba Gold Country Inn
William Whelchel
2707 Lazelle Street
Sturgis, SD 57785-2934

RE: SDCG Complaint 22-01-012-AW

Dear Mr. Whelchel,

Your response to the initial complaint delivered to you on or about January 21, 2022, has been received. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for February 17, 2022, at 2 PM MST on 2022 at the South Dakota Commission on Gaming office located at 87 Sherman Street, Deadwood, SD.

Sincerely,

Mark Heltzel
Deputy Executive Secretary

1 Enclosure

CC:

Angela Wilkerson e-mail
Susan Christian e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

Return of Service

I, Mark Heltzel, Deputy Executive Secretary for the South Dakota Commission on Gaming, hereby certify and return that the following annexed papers **Informal Consultation** came into my hands for service on the 9 day of February, 2022. That I served the same on **Lonnie Strong** defendant personally by delivering to and leaving a true copy thereof with Lonnie Strong in the city of Deadwood, County of Lawrence, State of South Dakota, on the 10 day of February, 2022.

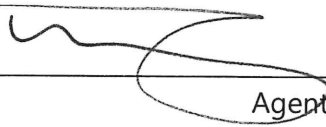
ANNEXED PAPERS

- ___ Subpoena
___ Initial Complaint
___ Notice of Suspension of License
___ Notice of Hearing
X Notice of Informal Consultation

Dated at Deadwood, South Dakota, this 11 th day of February, A.D. 2022.

Mark Heltzel
Deputy Executive Secretary

Signature of Recipient

By: 
Agent
2/11/22
Date

Date Ret'd 2/11/22



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 20, 2022

Willy's Wild West, Inc. dba Gold Country Inn
William Whelchel
2707 Lazelle Street
Sturgis, SD 57785-2934

RE: South Dakota Commission on Gaming vs. Willy's Wild West, Inc. dba Gold Country Inn
SDCG Lic# 0596-RT
SDCG Complaint 22-01-012-AW

Dear Mr. Whelchel,

This is to inform you that a complaint has been filed against Willy's Wild West, Inc. dba Gold Country Inn, by Angela Wilkerson, an enforcement agent of the South Dakota Commission on Gaming. The complaint alleges that licensee did not complete the required daily inspection and review of the surveillance system during the months of November 2021, December 2021, and January 2022. This is in direct violation of ARSD 20:18:29:14.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA
Executive Secretary
Telephone : (605) 773-6051 Pierre office
E-mail susan.christian@state.sd.us

1 Enclosure

CC: Angela Wilkerson by e-mail
Mark Heltzel by e-mail
Mike Shaw by e-mail

20:18:29:14. Quality review of recorded surveillance video images. To ensure that the quality of video images recorded on the surveillance system complies with § 20:18:29:02, a licensee must inspect the recording equipment daily to insure the equipment is operating correctly and review a portion of all recorded surveillance images each week.

The licensee must document this inspection and review on a form provided by the executive secretary. If any problems or malfunctions of the surveillance system, equipment, or video images are discovered during the review, the licensee must report them to the commission within 24 hours after the discovery.

Source: 21 SDR 98, effective November 30, 1994; 35 SDR 184, effective February 2, 2009; 38 SDR 213, effective June 18, 2012.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-7, 42-7B-11(2)(11)(13).

Dated this 18th day of January, 2022,

Name of complainant: Angela Wilkerson
Address: 87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

The following witness could give testimony about the complaint.

Angela Wilkerson
South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

NOTICE TO:

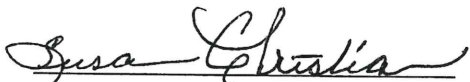
William Whelchel
2707 Lazelle Street
Sturgis, SD 57785-2934

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary, Susan Christian
445 E Capitol Avenue
Pierre, SD 57501

Dated the ____ day of January, 2022

A handwritten signature in cursive script, appearing to read "Susan Christian", written over a horizontal line.

Susan Christian
Executive Secretary
South Dakota Commission Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

TO: Commissioners and Mike Shaw
FROM: Susan Christian, Executive Secretary
SUBJECT: Stipulation and Assurance of Voluntary Compliances

DATE: March 23, 2022

Informal Consultations were held with DHIH, LLC dba as Hickok's and DBUH, LLC dba the Bullock to resolve initial complaints in violation of SDLC 42-7B -66. Licensees entered into gaming contracts selling ownership shares without submitting the contracts to the South Dakota Commission on Gaming for review and approval. These contracts were discovered by Enforcement Staff during a background investigation for a sports wagering services providers applications.

DHIH, LLC dba as Hickok's and DBUH, LLC dba The Bullock are properties of the same company. There were four (4) contracts entered into, one (1) by DHIH, LLC and three (3) by DBUH, LLC dba the Bullock. The Parent Company, SRK, provided the South Dakota Commission on Gaming with thirty two (32) additional contracts which staff has provided to South Dakota Commission on Gaming legal counsel for review.

This is the second violation for DHIH, LLC dba a Hickok's in violation of SDLC 42-7B -66. DHIH, LLC dba as Hickok's was assessed a penalty of \$500.00 for that violation.

Based on the prior assessment, DHIH, LLC dba a Hickok's is assessed a penalty of \$500.00 and DBUH, LLC is assessed a penalty of \$1,500.00.

Staff is recommending that the Commission accept the Stipulation and Assurance of Voluntary Compliances.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

DHIH, LLC dba Hickok's
SDCG License #11965-RT

SDCG Case #22-01-013-MH

DEFENDANT

RECITALS

A complaint was filed against the Defendant on January 19, 2022 by, Mark Heltzel, the Deputy Executive Secretary of the South Dakota Commission on Gaming.

The parties wish to resolve the complaint by a Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on March 8, 2022.

I

The complaint filed on January 19, 2022 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that on March 1, 2021, the Defendant entered into a contract in which an individual purchased shares in DHIH, LLC in violation of SDCL 42-7B-66.

SDCL 42-7B-66. Copies of all proposed gaming contracts to the executive secretary.

A person shall submit copies of all proposed gaming contracts to the executive secretary. The executive secretary or the commission may approve or deny gaming contracts and require changes in the contracts before participation by the licensee is allowed. The executive secretary or the commission may require a licensee to terminate participation in a gaming contract.

Source: SL 1993, ch 321, § 12.

II

The Defendant answered the complaint on or about February 23, 2022. The licensee's answer did not contest the conduct alleged in the complaint.

III

The South Dakota Commission on Gaming recognizes licensee is a newcomer to the casino industry and has taken full responsibility for the conduct that was in violation of §42-7B-66. The Defendant has provided the Commission's legal counsel all contracts that have been entered into for review and consideration of approval.

In order to resolve this matter pursuant to the authority set forth in ARSD 20:18:10:04, the Executive Secretary hereby imposes the stipulated monetary penalty of Five Hundred Dollars (\$500.00). The monetary penalty is to be paid no later than March 25, 2022. Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

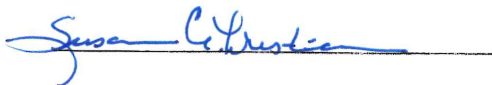
The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

DATED at Deadwood, South Dakota, the 8th day of March 2022 .

DHIH, LLC DBA Hickok's
Defendant



SUSAN CHRISTIAN, CIA
Executive Secretary
South Dakota Commission on Gaming

By 

Its A Horney



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

SENT VIA USPS CERTIFIED MAIL

February 23, 2022

DHIH, LLC dba Hickoks and DBUH, dba The Bullock
Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE:

South Dakota Commission on Gaming vs. DHIH, LLC dba Hickoks SDCG License Number
11965-RT, SDCG Case # 22-01-013-MH

South Dakota Commission on Gaming vs. DBUH dba The Bullock's SDCG Lic. # 11985-RT
SDCG Case #22-01-014-MH
SDCG Case #22-01-015-MH
SDCG Case #22-01-016-MH

Ms. Soucek,

DHIH, LLC dba Hickoks' and DBUH dba the Bullock's response to the initial complaints delivered to you on or about January 25, 2022 has been received. In the response from your legal counsel, Nick Moser, states that the facts stated in the initial complaint are true. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 4:00 p.m. CDT on March 3, 2022 at the law offices of May, Adams, Gerdes & Thompson LLP located at 503 S Pierre St, Pierre, SD.

Sincerely,

Mark Heltzel
Deputy Executive Secretary

One enclosure

CC: Susan Christian by e-mail
Mike Shaw by e-mail
Doug Abraham by e-mail
Nick Moser by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 20, 2022

DHIH, LLC dba Hickoks
Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE: South Dakota Commission on Gaming vs. DHIH, LLC dba Hickoks SDCG Lic# 11965-RT
SDCG Complaint 22-01-013-MH

Dear Ms. Soucheck,

This is to inform you that a complaint has been filed against DHIH, LLC dba Hickoks, by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that in March of 2021, DHIH, LLC received payment to secure a 1% ownership interest of DHIH, LLC prior to the Commission approving the gaming contract and before the Commission made a determination of the required licensing of the purchasing individuals. This is in direct violation of SDCL 42-7B-66.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA

Executive Secretary

Telephone : (605) 773-6051 Pierre office

E-mail susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail

Mike Shaw by e-mail

Tim Rutjes

The following witness could give testimony about the complaint:

Angela Wilkerson
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Notice to:

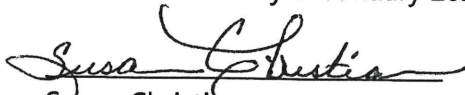
Becky Soucek
PO Box 1080
Yankton, SD 57078

(DEFENDANT)

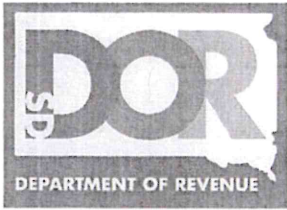
You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 19th day of January 2022

A handwritten signature in cursive script, appearing to read "Susan Christian", written over a horizontal line.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

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SOUTH DAKOTA COMMISSION
ON GAMING,

PLAINTIFF

STIPULATION AND ASSURANCE

VS.

OF VOLUNTARY COMPLIANCE

DBUH, LLC dba The Bullock
SDCG License #11985-RT

SDCG Complaint #22-01-014-MH
SDCG Compliant #22-01-015-MH
SDCG Compliant #22-01-016-MH

DEFENDANT

RECITALS

Three (3) complaints were filed against the Defendant on January 20, 2022 by, Mark Heltzel, the Deputy Executive Secretary of the South Dakota Commission on Gaming.

The parties wish to resolve the three (3) complaints with one (1) Stipulation of Assurance and Voluntary Compliance.

An Informal Consultation was held between the Executive Secretary and the Defendant on March 8, 2022.

I

The complaints filed on January 20, 2022 alleged that the Defendant engaged in conduct constituting grounds for disciplinary action in that on February 9, 2021, March 3, 2021, and March 4, 2021, the Defendant entered into contracts in which individuals purchased shares in DBUH, LLC in violation of SDCL 42-7B-66.

SDLC 42-7B-66. Copies of all proposed gaming contracts to the executive secretary.

A person shall submit copies of all proposed gaming contracts to the executive secretary. The executive secretary or the commission may approve or deny gaming contracts and require changes in the contracts before participation by the licensee is allowed. The executive secretary or the commission may require a licensee to terminate participation in a gaming contract.

Source: SL 1993, ch 321, § 1

II

The Defendant answered the complaint on or about February 23, 2022. The licensee's answer did not contest the conduct alleged in the complaints.

III

The South Dakota Commission on Gaming recognizes licensee is a newcomer to the casino industry and has taken full responsibility for the conduct that was in violation of §42-7B-66. The Defendant has provided the Commission's legal counsel all contracts that have been entered into for review and consideration of approval.

In order to resolve this matter pursuant to the authority set forth in ARSD 20:18:10:04, the Executive Secretary hereby imposes the stipulated monetary penalty of One Thousand Five Hundred Dollars (\$1,500.00). The monetary penalty is to be paid no later than March 25, 2022. Please remit penalty payment to:

South Dakota Commission on Gaming
87 Sherman Street
Deadwood, SD 57732

IV

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance will be made a public record.

V

The Defendant recognizes that this Stipulation of Assurance and Voluntary Compliance is subject to the approval of the South Dakota Commission on Gaming and that execution of this document does not prohibit the Commission from re-opening this matter for further investigation which could lead to an administrative hearing before the Commission and further disciplinary action against the Defendant.

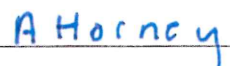
DATED at Deadwood, South Dakota, the 8th day of March 2022 .

DBUH, LLC dba The Bullock
Defendant



SUSAN CHRISTIAN, CIA
Executive Secretary
South Dakota Commission on Gaming

By 

Its 

SENT VIA USPS CERTIFIED MAIL

February 23, 2022

DHIH, LLC dba Hickoks and DBUH, dba The Bullock
Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE: South Dakota Commission on Gaming vs. DHIH, LLC dba Hickoks SDCG License Number 11965-RT
SDCG Case # 22-01-013-MH

South Dakota Commission on Gaming vs. DBUH dba The Bullock's SDCG Lic. # 11985-RT
SDCG Case #22-01-014-MH
SDCG Case #22-01-015-MH
SDCG Case #22-01-016-MH

Ms. Soucek,

DHIH, LLC dba Hickoks' and DBUH dba the Bullock's response to the initial complaints delivered to you on or about January 25, 2022 has been received. In the response from your legal counsel, Nick Moser, states that the facts stated in the initial complaint are true. Per ARSD 20:18:10:03 it has been determined that the complaint has merit for disciplinary action. A copy of ARSD 20:18:10:03 is enclosed.

An informal consultation to resolve this matter is scheduled for 4:00 p.m. CDT on March 3, 2022 at the law offices of May, Adams, Gerdes & Thompson LLP located at 503 S Pierre St, Pierre, SD.

Sincerely,

Mark Heltzel
Deputy Executive Secretary

Telephone: (605) 578-3074 Deadwood office

One enclosure

CC: Susan Christian by e-mail
Mike Shaw by e-mail
Doug Abraham by e-mail
Nick Moser by e-mail



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

20:18:10:03. Informal consultation. If the executive secretary considers the complaint to have merit for disciplinary action, the executive secretary may consult with the licensee and the parties affected in an effort to resolve the matter satisfactorily without a formal hearing. The executive secretary must notify in writing the complainant, the licensee complained against, and affected parties of the results of the informal consultation. The informal consultation does not prevent the commission from conducting a formal hearing.

Source: 16 SDR 57, effective October 1, 1989.

General Authority: SDCL 42-7B-7.

Law Implemented: SDCL 42-7B-1, 42-7B-2, 42-7B-3, 42-7B-7, 42-7B-11, 42-7B-18, 42-7B-19, 42-7B-20, 42-7B-21, 42-7B-22, 42-7B-24, 42-7B-25, 42-7B-26.



SOUTH DAKOTA COMMISSION ON GAMING

445 E. Capital Avenue • Pierre, SD 57501
(605) 773-6051 • dor.sd.gov/gaming

January 20, 2022

DBUH, LLC dba the Bullock Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE: South Dakota Commission on Gaming vs. DBUH, LLC dba the Bullock SDCG Lic# 11985-RT
SDCG Complaint 22-01-014-MH

Dear Ms. Souчек,

This is to inform you that a complaint has been filed against DBUH, LLC dba the Bullock, by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that in March of 2021 DBUH, LLC dba the Bullock received payment to secure a 1% ownership interest of DBUH, LLC dba the Bullock prior to the Commission approving the gaming contract and before the Commission made a determination of the required licensing of the purchasing individuals. This is in direct violation of SDCL 42-7B-66.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

You have 20 days from the receipt of this letter to answer the enclosed complaint. In your answer you may admit, deny, qualify or explain the allegations contained in the complaint. The answer must be in writing and mailed to the Executive Secretary of the South Dakota Commission on Gaming at the address printed above.

Sincerely,

Susan Christian, CIA

Executive Secretary

Telephone : (605) 773-6051 Pierre office

E-mail susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail

Mike Shaw by e-mail

Tim Rutjes

The following witness could give testimony about the complaint:

Angela Wilkerson
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Notice to:

Becky Soucek
PO Box 1080
Yankton, SD 57078

(DEFENDANT)

You are hereby notified that this complaint has been received by the Executive Secretary, Susan Christian. Pursuant to the rules, you have 20 (twenty) days to answer this complaint. The answer may admit, deny, qualify, or explain the allegations contained in the complaint. You must file an original response with the Executive Secretary of the South Dakota Commission on Gaming. Attach additional sheets of paper listing additional witnesses if necessary. Please mail response to the following address:

South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 19th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

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January 20, 2022

DBUH, LLC dba the Bullock Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE: South Dakota Commission on Gaming vs. DBUH, LLC dba the Bullock SDCG Lic# 11985-RT
SDCG Complaint 22-01-015-MH

Dear Ms. Souчек,

This is to inform you that a complaint has been filed against DBUH, LLC dba the Bullock, by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that in March of 2021 DBUH, LLC dba the Bullock received payment to secure a 1% ownership interest of DBUH, LLC dba the Bullock prior to the Commission approving the gaming contract and before the Commission made a determination of the required licensing of the purchasing individuals. This is in direct violation of SDCL 42-7B-66.

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Susan Christian, CIA

Executive Secretary

Telephone : (605) 773-6051 Pierre office

E-mail susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail

Mike Shaw by e-mail

Tim Rutjes



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

South Dakota Commission)	
on Gaming)	
)	
<i>Plaintiff,</i>	)	Initial Complaint Filed
	)	Pursuant to
Vs.	)	ARSD 20:18:10:01
)	
DBUH, LLC dba The Bullock)	
SDCG Lic. # 11985-RT	)	Complaint # 22-01-015-MH
)	
<i>Defendant.</i>)	

Generally, Licensee has engaged in conduct constituting grounds for disciplinary action. The conduct complained against is as follows:

While conducting a background investigation for licensure, the South Dakota Commission on Gaming came across a contract in which an individual purchased 1% of class A membership group into DBUH, LLC on March 3rd 2021. The South Dakota Commission on Gaming did not review this gaming contract. This is a violation SDCL 42-7B-66.

S.D.C.L. 42-7B-66. Copies of all proposed gaming contracts to the executive secretary.

A person shall submit copies of all proposed gaming contracts to the executive secretary. The executive secretary or the commission may approve or deny gaming contracts and require changes in the contracts before participation by the licensee is allowed. The executive secretary or the commission may require a licensee to terminate participation in a gaming contract.

Source: SL 1993, ch 321, § 12.

Dated this 19th day of January 2022

Name of complaint Mark Heltzel
Address 87 Sherman St
 Deadwood, SD 57732
 (605) 578-3074

The following witness could give testimony about the complaint:

Angela Wilkerson
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Notice to:

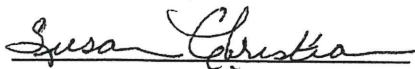
Becky Soucek
PO Box 1080
Yankton, SD 57078

(DEFENDANT)

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South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 19th day of January 2022

A handwritten signature in cursive script, appearing to read "Susan Christian", is written over a horizontal line.

Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051



SOUTH DAKOTA COMMISSION ON GAMING

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January 20, 2022

DBUH, LLC dba the Bullock Becky Soucheck, Registered Agent
PO Box 1080
Yankton, SD 57078

RE: South Dakota Commission on Gaming vs. DBUH, LLC dba the Bullock SDCG Lic# 11985-RT
SDCG Complaint 22-01-016-MH

Dear Ms. Soucek,

This is to inform you that a complaint has been filed against DBUH, LLC dba the Bullock, by Mark Heltzel, Deputy Executive Secretary, of the South Dakota Commission on Gaming. The complaint alleges that in February of 2021 DBUH, LLC dba the Bullock received payment to secure a 4% ownership interest of DBUH, LLC dba the Bullock prior to the Commission approving the gaming contract and before the Commission made a determination of the required licensing of the purchasing individuals. This is in direct violation of SDCL 42-7B-66.

Copies of the regulations and statutes cited in the complaint are available at the Deadwood Public Library and are also available on the South Dakota Commission on Gaming website <https://dor.sd.gov/businesses/gaming/> and at the Deadwood office located at 87 Sherman Street.

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Sincerely,

Susan Christian, CIA

Executive Secretary

Telephone : (605) 773-6051 Pierre office

E-mail susan.christian@state.sd.us

1 Enclosure

CC: Mark Heltzel by e-mail

Mike Shaw by e-mail

Tim Rutjes

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87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Mark Heltzel
87 Sherman Street
Deadwood, SD 57732
(605) 578-3074

Notice to:

Becky Souchek
PO Box 1080
Yankton, SD 57078

(DEFENDANT)

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South Dakota Commission on Gaming
Executive Secretary
Susan Christian
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

Dated the 19th day of January 2022



Susan Christian
Executive Secretary
South Dakota Commission on Gaming
445 E Capitol Avenue
Pierre, SD 57501
(605) 773-6051

TO: Commissioners
Mike Shaw
Doug Abraham
FROM: Susan Christian, Executive Secretary
SUBJECT: Request to add USFL to Sports Wagering Events

DATE: March 23, 2022

A request was made to allow sports wagering on the United States Football League(USFL). Staff considered the following information in recommending approval of the request to add wagering on the USFL:

- The USFL is a new spring football league that is owned by National Spring Football League Enterprises Co, LLC (Fox Sports). Brian Woods, a co-founder of the new USFL, will serve as the league's President of Football Operations.
- Staff was unable to locate a 2022 official rule book. The information easily available regarding official rules was very general and stated, "it is 98% NFL rules with some tweaks".
- Sportradar will conduct bet monitoring and reporting as well as conduct an audit of the USFL's integrity policies, provide integrity-related educational services to players, coaches and staff, and perform annual due diligence reporting.
- The original USFL is suing the new USFL for trademark infringement, false advertising and false association related to their league name, logos and uniforms. On February 28, 2022, "The Real USFL, LLC," a group fronted by Larry Csonka (acting in his capacity as general manager of the original Jacksonville Bulls) and claiming to represent the interests of the owners of the former USFL franchises, filed suit to stop the current USFL from using the name or trademarks associated with the original league
- USFL has been approved for Colorado and Iowa.

20:18:35:05. Event category and wager type approval. Unless already approved by the commission, a licensee or sports wagering provider shall request approval from the commission in the form and manner prescribed by the commission, subject to the following:

(1) A request for approval of an event category involving sporting events must include the name of the sport's governing body and, to the extent known by the licensee or sports wagering services provider, a description of its policies and procedures regarding event integrity;

(2) A request for approval of an event category involving events other than professional and collegiate sporting events must include:

(A) A full description of the event category and the manner in which sports bets would be placed and winning sports bets would be determined;

(B) A full description of any technology that would be utilized to offer the event category;

(C) Assurance that the event category meets the requirements of subdivision (6);

(D) Any rules or voting procedures related to the event category; and

(E) Any other information the commission considers necessary.

(3) The commission may require an appropriate test or experimental period, under the terms and conditions the commission considers appropriate, before granting final approval to an event category or wager type. The commission may subject any technology that would be used to offer an event category or wager type to such testing, investigation, and approval as it considers appropriate.

(4) The commission may grant, deny, limit, restrict, or condition a request made pursuant to this rule for any cause. The commission may issue an order revoking, suspending, or modifying any approval of an event category or wager type granted under this rule for any cause.

(5) The commission shall notify all licensees and sports wagering services providers of any additions, deletions, or changes regarding authorized event categories and authorized wager types.

(6) A licensee or sports wagering services provider may only accept sports bets on events and wager types for which:

(A) The event can be effectively supervised by a sports governing body or other oversight body;

(B) There are integrity safeguards in place;

(C) The outcome can be documented and verified;

(D) The outcome can be generated by a reliable and independent process;

(E) The outcome is not affected by any wager placed;

(F) The event and acceptance of the wager type are conducted in conformity with all applicable laws; and

(G) Wagering on the event and acceptance of the wager type are consistent with the public policy of this state.

(7) The commission may use any information it considers appropriate, including, but not limited to, information received from a sports governing body, to determine whether to authorize or prohibit wagering on a particular event or a particular wager type.

Source: 48 SDR 14, effective August 22, 2021.

General Authority: SDCL [42-7B-7](#), [42-7B-11](#)(13).

Law Implemented: SDCL [42-7B-2.1](#)(1), [42-7B-43](#).

SOUTH DAKOTA COMMISSION ON GAMING

NEW LEAGUE, WAGER TYPE OR SPORTING EVENT SPORTS APPROVAL REQUEST FORM

PURSUANT TO

SDCL 42-7B AND ARSD 20:18:35:05

Licensee Name: Dakota Gaming Group/dba, BETKOTA
Licensee Representative Name: Garrett Gross
Type of Request:
Example: (New League) (New Event) (New Wager Type – specify for which league(s)/event(s))
Title of new league, new event, and/or new wager type: USFL Football (https://www.theusfl.com/)

Requests will be submitted to the commission for approval at the next regularly scheduled quarterly commission meeting.

- Provide a full description of the request being made and the way wagers would be placed, and winning wagers would be determined. This league launches in April and it is owned/operated by FOX Sports. Pro Football is the largest wagered sport in the industry and the public loves Pro Football. This is a top tier league and it will fill a void in the market during historically slower months. All appropriate bets would be identical to what is offered for NFL currently.
- Provide an explanation that addresses the method by which wagers will be posted, wagering limits, and at the date and time acceptance of wagers will cease. For new league or new event requests, provide the types of wagers to be offered and wager and payout limits. Identical to NFL

- Provide a full description of any technology which would be utilized to offer the league, event, or wager types. All the technology is already in place, the USFL owned by FOX and will be televised by NBC and they will follow NFL rules.
- Provide a description of the policies and procedures regarding the league, event, or wager's integrity. If this is a new league request, provide a copy of the league's integrity policy. The USFL is owned by FOX Sports, their ratings will be high as games will be on NBC, these than other sports in the catalog.
- Provide a listing of any known scandals, match fixing or point shaving investigations, criminal investigations, or other incidents that could possibly compromise the integrity of any players, teams, leagues, tournaments, or exhibitions. There are no known scandals in USFL Football, this league will have the same oversight as other Pro Football leagues.
- Provide a description of any communication or cooperation made or attempted between the licensee and the organizer or governing body, including a copy of any written responses from the organizer or governing body to the notification by the licensee. Here is the Press Release announcing the league <https://www.foxsports.com/presspass/latest-news/2021/06/03/united-states-football-league-returns-2022>

- Provide such other information or documentation which demonstrates that:
 - The event can be effectively supervised by a sport governing body or other oversight body.
 - There are integrity safeguards in place.
 - The outcome can be documented and can be verified.
 - The outcome is not affected by any wager placed; and
 - The event is conducted in conformity with all applicable laws and rules.
 - Wagering on the event and acceptance of the wager type are consistent with the public policy of this state.

- In what other jurisdiction(s) are the league(s), event(s), wager(s) approved? In what jurisdictions has approval been requested but not granted?

DO NOT INSERT A LINK TO OTHER JURISDICTIONS.

THE LEAGUE IS CURRENTLY BEING LOOKED AT BY STATES THAT ARE INDUSTRY LEADERS LIKE NEW JERSEY. THE LEAGUE KICKS OFF IN APRIL, THE NEXT SD COMMISSION MEETING IS MARCH 23RD, WE WILL KNOW BY THEN IF NJ APPROVES THE USFL.

- If existing South Dakota Commission on Gaming (SDCG) approved House Rules do not adequately address contingencies of the league, event, or wager type, the licensee must submit amended House Rules for approval. **Yes they do**

SDCG may require an appropriate test or experimental period and subject any technology that would be used to offer an event category or wager type to such testing, investigation, and approval.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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South Dakota Commission on Gaming Licensing

March 23, 2022

Key License

Jace Linderman
Brandi Martin
Brandon Flanagan
Jason Kimler
Sean Lyons
Lark Taylor
Jared Kerber
Lyndsey Lottes

Key License Renewal

Thomas Frank
Ashley Mack

Business License Approval

Staff would recommend approval of an operator's license (**12695-OP**) for the Dakota Gaming Group, Inc DBA BetKota.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: March 1, 2022
TO: South Dakota Commission on Gaming
FROM: Mark Heltzel
SUBJECT: Jace Linderman

Jace is currently employed at BetKota and the manager. Jace obtained a support license in 2021. Jace has been employed at BetKota since the beginning of 2022. Jace has worked in the gaming industry for 2019.

Concerns: past due student loans accounts, which are now in a repayment program.

Recommendations: It is recommended that the applicant be approved for a Key Employee license. No derogatory information was discovered during this background investigation that would prevent the applicant from obtaining a license.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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MEMORANDUM

DATE: February 28, 2022
TO: South Dakota Commission on Gaming
FROM: S/A Angela J. Wilkerson
SUBJECT: Brandi R. Martin

Brandi Martin is presently employed as the Assistant Casino Manager at Tin Lizzie Gaming Resort in Deadwood, SD. She has been employed with Tin Lizzie since April of 2021.

Martin received a Support License with the South Dakota Commission on Gaming (SDCG) in April of 2021. Martin has never been licensed in any other gaming jurisdiction and has had no disciplinary actions since holding a Support License with the SDCG. She is applying for this license because of her recent promotion to Assistant Casino Manager.

Recommendation: Upon completion of this background investigation, it is recommended that Brandi Martin be **approved** for a Key License. There was nothing found during the course of this investigation that would preclude her from Key licensure in Deadwood.

Angela J. Wilkerson
SPECIAL AGENT – INVESTIGATIONS / ENFORCEMENT
SD COMMISSION ON GAMING



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 03/02/2022
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Brandon Dale Flanagan
LIC. #: 12530-21-KY

Applicant is currently employed as a County Commissioner for Lawrence County. He also plays in a band at bars on weekends. Applicant has had a support license in 1991 and 1992. Applicant is seeking a key license to be more marketable for a part time employment.

Concerns: None

Recommendation: Approval



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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MEMORANDUM

DATE: 03/01/2022
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Jason Courtney Kimler
LIC. #: 12592-21-KY

Applicant is currently employed as a cashier the Lodge at Deadwood as a Cashier and Drop Team Member. He has been employed at the Lodge since 2013. Applicant has held a support license since 2003 with a one-week suspension on his gaming license in 2009 for holding on to an unclaimed ticket. Applicant is seeking a key license for future promotions.

Concerns: None

Recommendation: Approval



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 03/01/2022
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Sean Robert Lyons
LIC. #: 12524-21-KY

The applicant is currently working for The Lodge at Deadwood as the Sportsbook Director. Applicant has been employed by The Lodge since 2010 working at the Hotel as Front Desk and Assistant General Manager. Applicant had a support license in 2010 with no derogatory action on his license. He is seeking a key license for his current position.

Concerns: None

Recommendation: Approval



SOUTH DAKOTA COMMISSION ON GAMING

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+

MEMORANDUM

DATE: 02/04/2022
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Lark Ellen Taylor
LIC. #: 12519-21-KY

Lark is currently employed at the Silverado Franklin as a player's club, front desk attendant, and cashier. Lark has had a support license since 2016 with no derogatory action on her license. Lark is seeking a key license for career advancement.

Concerns: None

Recommendation: Approval



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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MEMORANDUM

DATE: January 14, 2021
TO: South Dakota Commission on Gaming
FROM: Austin Wilson
SUBJECT: Jared Kerber
LIC. #: 12497-21-KY

The applicant is a Graduate of Lead-Deadwood Highschool. He was previously employed at All Net Connect for 8 years where he held a support license. He has never had any actions taken against his license. He is currently the CEO of Black Hills Tech

Concerns: None

Recommendation: Recommendation is for approval of Key license.



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: 12/15/2021
TO: South Dakota Commission on Gaming
FROM: Brandon Snyder
SUBJECT: Lyndsey Ellen Lottes
LIC. #: 12365-21-KY

Applicant is currently employed as Manager for Ernest Hospitality, General Manager for Diamond Hospitality, and Sales Manager for Highline Hospitality. Applicant has worked for the owner of these properties since 2009. Applicant does not currently have a support license and has never held a gaming license. Applicant is seeking a key license to continue working as a manger at Ernest Hospitality.

Concerns: None

Recommendation: Approval



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732
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March 11, 2022

2022 Key Renewals

Thomas Frank
Ashley Mack



SOUTH DAKOTA COMMISSION ON GAMING

87 Sherman Street • Deadwood, SD 57732

(605) 578-3074 • dor.sd.gov/gaming

MEMORANDUM

DATE: March 11, 2022
TO: South Dakota Commission on Gaming
FROM: Mark Heltzel
SUBJECT: Dakota Gaming Group Inc. DBA BetKota – 12695-OP

Dakota Gaming Group Inc. DBA BetKota is a start-up sports wagering cooperation that is owned by Jason Baskin (67.5% ownership), Greg Anderson (22.5% ownership) and HGH Holdings, LLC (10% ownership) which is equally co-owned by Garrett Gross and James “Basil” Hofer. This group received a Sport Wagering license and Route Operator license in February of 2022.

Concerns: None

Recommendations: It is recommended that Dakota Gaming Inc. DBA BetKota be approved for an Operator’s license. Nothing derogatory was found in the investigation that would prevent licensure.