# DISTRICT OF COLUMBIA <br> + + + + + <br> ALCOHOLIC BEVERAGE CONTROL BOARD <br> + + + + + <br> MEETING 

| IN THE MATTER OF: | $:$ |
| :--- | :--- |
|  | $:$ |
| Trestle Corporation | $:$ |
| Limited | Fact-Finding |
| 6401 Davis Industrial | $:$ Hearing |
| Parkway, Suite A | $:$ |
| Solon, OH 44139 | (Review of Game of Skill |
| ( |  |
| Multi-Game System) | $:$ |

Wednesday
August 5, 2020
The Alcoholic Beverage Control Board met via video teleconference, Chairperson Donovan W. Anderson, presiding.

## PRESENT:

DONOVAN W. ANDERSON, Chairperson BOBBY CATO, JR., Member RAFI ALIYA CROCKETT, Member EDWARD S. GRANDIS, Member JENI HANSEN, Member JAMES SHORT, JR., Member REMA WAHABZADAH, Member

ALSO PRESENT:
THOMAS CASSIDY, Applicant's Counsel
CHUCK BROOKS, Witness
MATTHEW PHILLIPS, Witness
P-R-O-C-E-E-D-I-N-G-S

CHAIRPERSON ANDERSON: Good morning, everyone. I would like to welcome you to the regular scheduled meeting of the District of Columbia, Alcoholic Beverage Control Board. Today is Wednesday, August 5th, 2020 and the time is 10:33 a.m.

This meeting is being conducted pursuant to guidance made available by the District of Columbia's Office of Open Government regarding electronic meetings held by public bodies during the public health emergency. Pursuant to this guidance, notice of today's meeting was provided 48 hours in advance of the meeting on ABRA's website and on the District's central meeting calendar. The notice included the time, date, agenda, and call-in or log-in information for public participation.

This electronic meeting is being hosted by a WebEx account provided by the District of Columbia Government. Please address any questions or complaints to the OOG at opengovoffice@dc.gov.

My name is Donovan Anderson and I'm
the Chairman of the Board. I would like to introduce the members of the Board -- of the ABC Board who are also participating electronically pursuant to Mayor's Order 2020-054. Please respond when I announce your name. Mr. James Short.

MEMBER SHORT: Mr. James Short present.

CHAIRPERSON ANDERSON: Mr. Bobby Cato. MEMBER CATO: Bobby Cato present. CHAIRPERSON ANDERSON: Ms. Rafi Crockett.

## MEMBER CROCKETT: Rafi Crockett

 present.CHAIRPERSON ANDERSON: Ms. Jeni Hansen.

MEMBER HANSEN: Jeni Hansen present. CHAIRPERSON ANDERSON: Mr. Ed Grandis. MEMBER GRANDIS: Ed Grandis present. CHAIRPERSON ANDERSON: The Board has six members in attendance for the conduct of business today and that constitutes a quorum.

Our first order of business today is our calendar. We have a fact-finding hearing, Trestle. It's a request to install Trestle's
electronic game of skill at an ABC licensed premises.

Now as I said, our first order of business today is a fact-finding hearing to gather additional information on a proposal from Trestle Corporation who is a manufacturer of an entertainment device characterized as a game of skill. Trestle is represented by Mr. Thomas Patrick Cassidy, esquire.

Mr. Cassidy, please introduce yourself for the record. And please introduce your colleagues who are also here for the hearing and who I understand will be offering testimony. We can't hear you, sir. Turn your microphone on.

MR. CASSIDY: Hello, good morning. Good morning, Chairman and the rest of the Board. My name is Thomas Cassidy. I'm an attorney in Washington D.C. I've practiced law in the city for 40 years. I started out working for a legendary Board Member, James O'Day. So throughout my career, I've interacted with the Agency. I also wanted to thank Simone Andrews for doing a great job walking me through the process to be able to do this today.

With me today is Matt Phillips and
he's a game developer for Trestle. So I think he can shed some light on the issues that you might have. I also have Chuck Brooks who's the distributor of the machines who will be working closely to develop the relationships throughout the city to make sure that the games are, you know, properly run and all of that. So those are the two that might be able to provide testimony. But Matthew from Trestle is the subject matter expert.

CHAIRPERSON ANDERSON: Okay, thank you. All right, based on information submitted by Trestle prior to today's hearing, the Board is aware that the manufacturer is seeking to install its video game terminals in ABC licensed establishments throughout the District. The manufacturer has described the game as a game of skill and not a game of chance, which would run afoul of the District and federal laws regarding gambling.

While the Board is not the primary gambling regulator, Trestle's request potentially implicates compliance with Title 25 of the DC Official Code. Specifically if the machines qualify as gambling devices, licenses may be in
violation of the District's gambling and alcohol laws.

Additionally, to qualify as a game of skill in the District, a mechanical or electronic gaming device must meet the requirements of DC Act 23.259; the Games of Skill Consumer Protection Temporary Amendment Act of 2020. Furthermore, if these devices are not gambling devices and permitted by DC Act 23.259, they still may trigger the substantial change statute which requires Board approval before the installation and use of the devices in an ABC licensed establishment.

The Board is in receipt of a one-pager from Trestle, as well as a report from Nick Farley and Associates who conducted a review and examination of the game of skill multi-game system version 12.2.6. Based on our review of the materials provided by Mr. Cassidy, we are also aware that Trestle is requesting that the Board finds these devices in compliance with District law.

With that being said, let's hear from Mr. Cassidy regarding Trestle's product and presentation they would like to make. And then
the Board will follow up with questions. So what I'll ask -- Mr. Cassidy, whatever presentation you'd like to make, you can go ahead. If someone else is speaking, prior to speaking, please identify yourself for the record please.

MR. CASSIDY: Right. I think what's going to be important to get the Board to agree with our proposition and that of our expert report, $I$ think it's important for Matt Phillips who developed the game and has a long history developing these games of skill. I think if Matthew can pick it up from here to describe -talk about the expert report. And then what he plans on potentially installing with your approval. Matthew?

MR. PHILLIPS: Good morning. My name is Matthew Phillips and I'm one of the founders of Trestle Corporation. Also the head game developer for these games of skill. We started this company over a decade ago. And what we do is we go around to different jurisdictions and we work with entities like yourselves and different state governments such as like the Georgia Lottery Commission down here to make sure that we're in compliance with all the regulations.

And what we've done with our games of skill for the District of Columbia is we eliminate the element of chance. Okay? The player is allowed to play our games and is directly in control of how much they can functionally win. And at any given point, they can always win back their original play. Okay? So the game technically could be in our terms, always upside down. Therefore, not making any money. It could lose money. Okay? And basically with regards to that, there is no chance. And with the player having to physically select symbols and also physically use a timing mechanism button too, that is really based on skill. There is not a-- There is not an algorithm with regards to, you know, if you touch it here, it's going to move over to here. With the winnings, it's based on the final timing.

And also with regards to the ability to win every time, there is a secondary game where they actually have to use their brain to match certain symbols to win their initial play back. That's just where it comes in, it actually allows its interaction. The player has more
interaction with the game as opposed to just a slot machine if you will that you might see in casinos in Maryland. Okay? Where they just press a button and sit there, you know, slouching in a chair.

It provides a form of entertainment that's engaging to the patrons, especially for establishments that, you know, that serve liquor. And it keeps the players -- you know, the establishment's having fun and enjoying themselves. As opposed to just going in, having a couple of beers and then just leaving for the night. Okay?

That's essentially in a nut shell what we have and that's what we would be working with Chuck and his company and Mr. Cassidy to be able to put out and place machines -- these amusement skill games in your District.

CHAIRPERSON ANDERSON: That's the extent of your presentation? Anything else you want to bring to our attention?

MR. PHILLIPS: Well we also have a machine here that we would like to show you with regards to -- because this is a little -- our first time being on one of these --

MR. BROOKS: Not live.
MR. PHILLIPS: -- not live, in-person. So we do have an amusement machine here that we could show you the functionality of what is in Mr. Farley's report. Okay?

CHAIRPERSON ANDERSON: Well if you're able to do that, then that would be helpful.

MR. PHILLIPS: Okay.
CHAIRPERSON ANDERSON: Because I read the report and it's -- sometimes it's difficult to picture what this machine is by reading the report. So if you're able to show the machine and the functionality -- if you're able to do that. I'm not sure if the technology allows that, but if you're able, that would work.

MR. PHILLIPS: We can. So what we're going to do is we're going to maneuver this computer here a little bit just over to the left and we're going to show you what the skill game looks like. And then go through the functions to show you that it's not a game of chance, it's a game of skill. Okay?

CHAIRPERSON ANDERSON: All right.
MR. PHILLIPS: And then we'll go with that.

CHAIRPERSON ANDERSON: All right.
MR. BROOKS: And look, if you don't mind -- if you can't see somebody, please speak up and tell us so $I$ can adjust it.

MEMBER SHORT: Who's speaking, Mr.
Chair? Who is speaking?
MR. BROOKS: This is Chuck Brooks, I apologize.

CHAIRPERSON ANDERSON: All right. We have a court reporter, so that's the one of the reasons why when you're speaking, just identify who is speaking please. Okay?

MR. BROOKS: Yes, sir. I apologize.
MR. PHILLIPS: So essentially what we have here is an amusement device. Okay? And at the top, we do label it games of skill. Okay? So it is -- functionally we're identifying the machine as a game of skill. Okay? And in the report, what we have is we have two games -- two games. And essentially you can insert currency into -- down here. Just like any other video game and you will see the currency put on here. Okay?
We don't use any dollar signs or anything else to try to entice people to play.

It just comes in that they're allowed to pick one of the games. It will load on the machine. It takes a couple seconds. And right here, they're allowed to play their entries or their credits. So right now, they're going to play 100 credits. Okay? And what we'll do then is we're going to play the game. And the customer -- the player has to choose a symbol to make a match. Okay?

Now on this aspect, they didn't win. And I'll get to that in just a moment. I want to show you a winner first. All right? So what we have here is we have some cherries and some ducks. And what we're going to do is we have a flashing symbol that helps the player understand what symbol to pick. I know it's hard to see right now, but this symbol is actually flashing for the player. So the player picks it. Now it wins. So we have to -- We won 120 credits.

The player is in charge of actually getting that 120 credits. And it can actually win more than 120 -- actually another extra 10 percent or it can only win 55 percent. So the player is in 100 percent control of the credits. Now right there, I only had 95 percent and I only ended up winning 114 credits out of the 120. So
it really comes down to the physical timing -- of the skill of that individual player that's playing. Okay?

Now what we end up doing now is that we're going to still play another dollar -- well, 100 credits, okay, if you will. And we're going to show you how the player can win -- always win their money back if they don't -- if they don't make the match. Okay? So we're going to pick one here. Now (audio interference), but at the bottom it says -- if you read the report, it would say, "Touch here to follow through." And what we're going to have is a basic Simon followme feature where the player is going to match six symbols in a row. And he's going to be able to win an extra six credits. He's going to win his money back, plus an extra six credits. Okay? So you'll see it flash. I'm going to pick right here. Okay? And it will be here two more, then a short break, and then another three. So this changes every time, so it's not the same thing. So it still has interaction where the player does have to memorize the sequence. Okay? It's going to say this one, this one, that one, and then one more.

So what we now know is that because we didn't make a match on the first initial game, we completed that game and we actually had another winner. Okay? You could call it a winner, but at least the customer always has that chance to be able to make his play back -- his credits back. And essentially that's what comes on. And the games will -- they all function the same way. Okay? There's just different graphics. Okay? So even if it -there are bonuses that will come in. Even if you pick the wrong one, you can still win your money back. All right? The games cannot be manipulated. The customers can't go and -there's no pattern to always -- to cheat the games with regards to electronic devices or whatever. Essentially it's just providing entertainment for the patrons in the bars and restaurants in your District.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Do you have any questions about --

CHAIRPERSON ANDERSON: I have a lot of questions that I'm going to ask, but I'm going to ask the questions after you do the presentation.

I have a different series of questions. So maybe if you -- if you're done with the presentation, then I can ask you --

MR. PHILLIPS: Yeah.
CHAIRPERSON ANDERSON: -- the
questions. Then maybe you can interact with the -- with the game. Mr. Cato, I have a lot of questions to ask. However, as you are aware, I am not a video game person. So please feel free if you so desire to jump in. I'm not trying to pick on you, but I know that when we had the fact-finding hearing the previous time because you're a little bit more familiar with video games than I am. And I have no clue what is going on.

MEMBER CATO: All right, will do.
CHAIRPERSON ANDERSON: All right. All right. All right, so the present -- the representatives that I have today, they're here representing the manufacturers. There's no representative of the licensee.

MR. CASSIDY: Correct.
CHAIRPERSON ANDERSON: All right. And that's Mr. Cassidy speaking. Okay.

MR. CASSIDY: Yes.

CHAIRPERSON ANDERSON: All right. What other states does Trestle Corporation currently operate in?

MR. PHILLIPS: We currently operate in -- Do you want an entire list?

CHAIRPERSON ANDERSON: I'm just curious where do you operate? And who is speaking?

MR. PHILLIPS: Excuse me. I'm Matthew Phillips with Trestle.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Yeah, so we operate in Georgia, North Carolina, Virginia, Pennsylvania, Ohio, Illinois, Wisconsin, Iowa, Nebraska, Missouri, Kansas, Florida, Texas, Wyoming, also Utah as well.

CHAIRPERSON ANDERSON: You provided -you currently operate in a significant portion of the states.

MR. PHILLIPS: That's correct, yes.
CHAIRPERSON ANDERSON: And does this -- Which states features this particular game of skill -- this particular game that you -- that you're trying to introduce in D.C.? Those same states or is it different states?

MR. PHILLIPS: This specific game, we are running in Nebraska.

CHAIRPERSON ANDERSON: I'm sorry, where?

MR. PHILLIPS: The state of Nebraska.
CHAIRPERSON ANDERSON: In Nebraska.
MR. PHILLIPS: The identical games of skill. We run different versions of skill based on state law such as here in Georgia. But this identical games of skill version that Mr. Farley tested is running in Nebraska.

CHAIRPERSON ANDERSON: So how long has the game been operating in Nebraska?

MR. PHILLIPS: Almost three years now.
CHAIRPERSON ANDERSON: Almost three years now?

MR. PHILLIPS: Yes.
CHAIRPERSON ANDERSON: And so why is it that only Nebraska -- why is it not in the other states -- this particular game?

MR. PHILLIPS: Well the state of Nebraska requires that -- just like the District of Columbia requires that the skill -- it's predominantly a game of skill. It eliminates the element of chance. Okay? And so we just have to
abide by what, you know, the state government in Lincoln tells us to do. It's party of the Lottery Commission over there as well.

CHAIRPERSON ANDERSON: All right. So you're saying, this is a game -- So this game -this particular game in Nebraska has been run by the Lottery?

MR. PHILLIPS: No. No, it's not run by the Lottery. It's run by operators. The operators have to -- for each location have to do an application and pay a stamp tax fee per device that is put into operation.

CHAIRPERSON ANDERSON: Now the reason I'm asking -- the reason I'm asking whether or not -- because I know here in D.C., you're coming to the ABC Board for us to determine whether or not it's a game of skill or a game of chance. And so I was just trying to find out in say for Nebraska -- and I'm not familiar with the way Nebraska operates -- who did you apply to have this game -- to have this game in Nebraska?

MR. PHILLIPS: So the Revenue Department is in charge of the Lottery Commission and the Charitable Gaming Division and the Amusement Device Division is all under the

Revenue Department in the state of Nebraska. So that's just the channel that we had to go. And our customers such as Chuck, they would have to go and apply -- it's just part of the channels that you have to go to in the state of Nebraska. CHAIRPERSON ANDERSON: That's fine. Now aren't there similar games currently on the market? And if there are, can you name them? MR. PHILLIPS: Where?

CHAIRPERSON ANDERSON: Just are you aware of any similar games of skill to this machine? That's what I'm just saying. Do you know if there are any games similar to this one that you're trying to bring to the District? MR. PHILLIPS: So let me clarify that. You're asking if -- whether or not they are like identical --

CHAIRPERSON ANDERSON: Like similar. MR. PHILLIPS: Well yeah, there are many similar games of skill out there, but they may not truly eliminate the chance on the game. So there's many companies out there that will -you know, that have software that is deemed compliant i.e. down here in Georgia, okay, where they don't require the complete elimination of
chance if you will. Okay? So I can give you those names of those companies if you'd like.

CHAIRPERSON ANDERSON: No, no. I was just trying to find out if there are similar games on the market that you could let us -- All right, now based on the material submitted to the Agency, the device you intend to introduce will offer two games; the Duck Game and Diamond Dogs. Can you describe the devices and the games?

MR. PHILLIPS: Okay, I'll describe the device first.

CHAIRPERSON ANDERSON: All right.
MR. PHILLIPS: The device first is a wooden shell arcade cabinet that is about 6-feet tall by about 27 to 30 inches wide. It weighs about 150 pounds. Okay? It has a 32-inch LCD touch-screen on the front -- Would you like me to show you this while we talk?

CHAIRPERSON ANDERSON: Yeah, you can do that please. Yeah. If you're able to do that, yes.

MR. PHILLIPS: So basically you have a 6-foot tall wooden arcade cabinet by 23-inch wide cabinet, 150 -pounds all together. It has a 32-inch LCD touch-screen on it. Okay? All
right? Inside, what we have first here is a bill unit acceptor and a thermal ticket printer. This will print out a ticket with the name of the establishment on it and how many credits and the time. We'll be able to print out a ticket for you in just a moment. Okay?

Inside the machine, what you have here is -- this is the bill acceptor unit where the money goes in. And then you would take the money out from the bottom. Here is the roll of paper that the ticket prints out on. Inside what we have here is a power supply that drives the amusement game, basically computer if you will. Okay? But it's not a traditional computer in that sense. It specifically -- this unit right here is specifically for this machine. Okay? And then inside of it, we have different cables that hook up the peripherals i.e., the bill acceptor, the printer, the touch-screen, and the power. Okay?

Inside what we have here is that -- we have our games of skill and we have the Duck Game. Okay? And what you already saw about how there are basically 25 lines. And then what they end up doing, is this goes back to -- you press
play and if there isn't a winner -- there isn't one, we can always win our initial play back, which I demonstrated earlier.

I'm just going to -- I'm going to lose on purpose, so we don't have to go through it again.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Okay?
CHAIRPERSON ANDERSON: One of things I'm asking is what's the difference between like Duck Game and the Diamond Dogs Game?

MR. PHILLIPS: Right. So basically -Basically the difference is they're just different -- Okay, we didn't make it. All right? Yeah, it's just the graphics that are different. Okay? So you'll see that it's a different type of graphics as opposed to -- So what we have here, you can see that it's different. Is just looks different.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: But it has the same functionality.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Okay?
CHAIRPERSON ANDERSON: So why would I
play --
(simultaneous speaking)
MR. PHILLIPS: I'm sorry, go ahead.
CHAIRPERSON ANDERSON: Yeah. Why would I play one game, rather than the other?

MR. PHILLIPS: Why do you drive a blue car versus a red car?

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Just some people like one aspect of the game as opposed to the other one. Okay? The functionalities of the game are identical. All right. It's just that they have a little bit -- They have different symbols, but the game play is the same.

CHAIRPERSON ANDERSON: Okay, all right. I'm not sure if you had answered this before. But will the device be connected to the internet or of a form of mobile communication or will they be unnetworked?

MR. PHILLIPS: No, they're unnetworked. These are stand-alone systems. Okay? There is no -- If you look right here -let's go to the back of the machine -- there is only a power cable going into the back of the machine. That is it.

CHAIRPERSON ANDERSON: Okay. Now if it -- And you maybe answered this, I don't recall. But is it possible for the player to win every play?

MR. PHILLIPS: Yes. It's possible for them to win every play no matter what. So even if the first game -- let's say The Duck Game, they have the shutters open and they make the wrong nudge, they can always win i.e. the matching game, always.

CHAIRPERSON ANDERSON: Okay. Now what are the range of prices that will be offered in D.C. now and in the future?

MR. BROOKS: This is Chuck Brooks. Can you ask that question again please, sir?

CHAIRPERSON ANDERSON: Yes, sir. What are the range of prices -- what are the range of prices that will be offered in D.C. now and in the future? What is it -- is it just cash, gift cards, what is it you're offering?

MR. BROOKS: The paperwork that we read on that from the Mayor's order was saying it was cash pay-outs.

CHAIRPERSON ANDERSON: So you're issuing cash?

MR. BROOKS: Yes, sir.
CHAIRPERSON ANDERSON: So you're basically -- you're only issuing vouchers that you can take for cash. Right?

MR. BROOKS: Yes, sir.
CHAIRPERSON ANDERSON: Okay. Now how are the size of the prizes or pay-outs determined? Is it random, they are subject to chance, or is it consistent?

MR. PHILLIPS: Yes, they're actually -- each game has a pay table on it. And it is subject to that pay table on each game.

CHAIRPERSON ANDERSON: All right. Now is there any -- you're saying at least for this particular game, it's been operated in Nebraska. So do the operators lose money? How do they make money? How do the operators make money on these games?

MR. PHILLIPS: Well the fact of the matter is, is that certain people will not play the second game to win their money back. Okay? The follow-through function, the matching game.

CHAIRPERSON ANDERSON: Explain that to me again please.

MR. PHILLIPS: So you know, what it
is, is you remember there's two games we just showed you.

CHAIRPERSON ANDERSON: Right.
MR. PHILLIPS: Okay? You've got the one and then you make the nudge. And then if you don't make the nudge, then you can play the second game to win your money back. All right? Some people just don't do it. I don't know -- I mean, we're sitting here in this conference and some people just don't -- won't do it.

MR. CASSIDY: Chairman, if I may, this
is Cassidy. Some of these machines are really lost leaders. But if you're losing money on the machine, those customers there are, you know, having some appetizers and maybe having a nice expensive IPA. So it's really in the owner's interest to have this machine there so that the patrons can do something in their downtime until their friends show up at the establishment. So I've heard from numerous operators that it's a way to bring in some customers and add a little excitement. And if they're upside down, they're upside right with the martinis and the IPA that they're selling.

CHAIRPERSON ANDERSON: Okay, thank you

Cassidy. Now all right, you're saying that this particular game operates in Nebraska. So are you aware of how much prize money that this machines gives out a month? And do you have any idea what's the average or usual part that's given? And is there like a highest that you're aware that this machine has ever given out to Nebraska?

MR. PHILLIPS: I am unaware on what our customers make because that is not Trestle's business. That is up to that operator and that's confidentiality with their business. However though, the operator is able to set --

CHAIRPERSON ANDERSON: No, not -- the customer. I mean I'm just trying to find like -Do you know what the most amount of money someone who has ever played at this machine wins? That's what I'm trying to find out.

MR. PHILLIPS: Oh yes, yes. Okay, right. So we can show you on the machine real quick where the -- you can set the jackpot/the highest amount of win -- the location can set that. It's a range.

CHAIRPERSON ANDERSON: What's the range? What's the range and are you aware of whether or not anyone has ever won that -- the
jackpot?
MR. BROOKS: This is Chuck. We usually set our jackpots no higher than \$2,500 unless there's just somebody that, you know, begs and begs and really pushes us to do it. We try to stay no higher than $\$ 2,500$.

CHAIRPERSON ANDERSON: Okay. So has anyone ever won the jackpot?

MR. BROOKS: Yes, sir.
CHAIRPERSON ANDERSON: Okay. In the Nick Farley and Associates report, the nudge feature section indicates that after a player hits play that the reels will spin and stop automatically or the patron will hit a button to stop the reels. Please describe the reels -what is described on the reels and their role and impact on the game.

MR. PHILLIPS: Okay. The reels actually we can see on that -- you're on Page 2 of 15. If you look at, they can be displayed as shutters as well. So we use shutter/spinning reels. We use shutters on the game for (audio interference). And what that is, is -- Let me show you again. This essentially if you can call it, this whole part of the screen right here
would be the shutter for reels. So when we press play, there's your shutters right here. And then your symbols are behind the shutter -- sorry, it's a tongue twister. Yeah. This would be -this would be a reel or shutter here.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: Okay?
CHAIRPERSON ANDERSON: All right.
MR. PHILLIPS: Does that make sense?
CHAIRPERSON ANDERSON: All right so --
But what's the impact on the game -- the reels? Tell me again please.

MR. PHILLIPS: That's just -- it
doesn't have an impact on the game. Okay, excuse me. It's the next -- it's the play of the game actually.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: The functionality of the game, yes.

CHAIRPERSON ANDERSON: Okay. All right, now when automatically stopping, does the reel land on different symbols randomly?

MR. PHILLIPS: Yeah. The symbols do change, yes. You can see the symbols do change. CHAIRPERSON ANDERSON: Okay.

MR. PHILLIPS: They're going to be different every time, yes. There's not a pattern. However, the winner to match the symbol is completely in the power of the player.

CHAIRPERSON ANDERSON: Okay. Now when a player hits stop, is there any control over which symbols appears on the reel?

MR. PHILLIPS: Excuse me?
CHAIRPERSON ANDERSON: When a player hits stop, is there any control over which symbol appears on the reel? If I'm playing and you hit stop, do you control what symbol appears on the reel?

MR. PHILLIPS: Not here, but you control -- No, not on this reel. You do control (audio interference) win, which we can show you here in a moment.

CHAIRPERSON ANDERSON: All right.
MR. PHILLIPS: Which we will right here. The player cannot control this screen, but they're controlling this symbol. And then what happens now is that the player is 100 percent in control of retrieving his win or not winning enough or winning more than the original win. So we're going to hit stop. I'm going to try to get

110 and $I$ didn't get it. $I$ only got 95 percent out of 100.

CHAIRPERSON ANDERSON: All right. All right, the report also indicates that -(Telephonic interference.) -- play will contain a possible winning outcome, which is on Page 3. May the player skip all games where no winning outcome is possible and play again without losing credits or do they lose credits every time they hit play?

MR. PHILLIPS: So the answer to your question is the player can play and lose credits every time. However, they can play a secondary game to win that credit back every time.

CHAIRPERSON ANDERSON: All right. Now what control, if any, does the player have to avoid reels with non-winning outcomes?

MR. PHILLIPS: They will play the secondary game to win an extra 6 percent of their original play.

CHAIRPERSON ANDERSON: Okay. Now it says that a player -- a player that fails to obtain a winning outcome after spinning a reel is directed to the follow-through feature. Before this feature is activated, what skill can a
player use to avoid not obtaining a winning outcome?

MR. PHILLIPS: They can choose the wrong symbol.

CHAIRPERSON ANDERSON: Okay. All right, the game also indicates that the retailer or manufacturer -- the retailer or manufacturer can activate the penny features that awards one cent regardless of outcome. Nevertheless, when this feature is activated, the player can obtain games where no winning outcome is possible and the player will only be rewarded one cent credit. Is this correct?

MR. PHILLIPS: Yes, but we have that turned off.

CHAIRPERSON ANDERSON: Okay.
MR. PHILLIPS: That's just a -- That setting is standard on all of our games in the United States. We just -- it's either on or off and it's turned off here.

CHAIRPERSON ANDERSON: Okay. Now let's talk about a little bit about The Duck Game. The Duck Game contains a bonus feature where six bubble icons are displayed that contain a multiplier or a boom. Can the player see the
multiplier or the boom before they select the bubble or are they hidden? And if hidden, how is the selection of a multiplier or boom not random and subject to chance?

MR. PHILLIPS: Yeah, $I$ need to -- Just
a second. Can you repeat the question again please?

CHAIRPERSON ANDERSON: Now it says -This is for The Duck Game. The Duck Game contains a bonus feature where six bubble icons are displayed that contain a multiplier or a boom. Can the player see the multiplier or the boom before they select the bubble or are they hidden? And if hidden, how is the selection of a multiplier or boom not random and subject to chance?

MR. PHILLIPS: So the answer is -they cannot see the six bubble icons before they hit their bonus. However, we do have the -- So on the preview function on our game, it allows the player to see the upcoming value of the win. So therefore, the player knows essentially how much -- if he chooses to, he could find out how much he's going to win before he enters the next play.

CHAIRPERSON ANDERSON: Now regarding --
(simultaneous speaking)
MR. PHILLIPS: Therefore taking out the element of chance even further.

CHAIRPERSON ANDERSON: Regarding the Diamond Dogs game -- Describe the normal Diamond Dogs game. Is the pattern and amount of diamonds always the same? And how is the pattern and amount of diamonds selected? Is there a script or is it random?

MR. PHILLIPS: Well the diamonds that will come up, there's a feature of the game that when it comes up, it's going to be similar bonus as before. Okay? So it's not -- it's not going to be different random diamonds all the time.

CHAIRPERSON ANDERSON: All right. During the diamond bonus feature, the dog symbols reveal blank spaces or diamonds. Are the number of blank spaces or diamonds set by script or random? And what control does the player have over the appearance of blank spaces or diamonds? And how is this feature not random and completely by chance?

MR. PHILLIPS: It's because of the
fact that -- how do I -- the symbols that will come up on the screen are random. However though, the ability for the player to make that choice on the winning symbol is based on skill and has nothing to do with chance. Okay? So just for instance as any video game that -Galactica for instance, though, is -- you know, the random bugs flying across the screen. It's the same deal. It's still up to the player to be able to shoot the right bugs to be able to win the game.

CHAIRPERSON ANDERSON: Now during the double bonus feature, is it always possible to align the color bars?

MR. PHILLIPS: The answer would be not always possible.

CHAIRPERSON ANDERSON: So what determines the alignment of the bars?

MR. PHILLIPS: It's going to be based on whether or not the player picks the right symbol. So if the player picks the wrong symbol, then he will force the loss.

CHAIRPERSON ANDERSON: Then how is this portion of the game not random or completely by chance?

MR. PHILLIPS: Because at the end of the day is that when the player takes his winnings, he still has to use his skill to be able to obtain his winnings. Okay? Also, the fact that if he picks the wrong symbol, all right? He's still going to go back to the follow-through feature that allows him to always win his initial play back. Therefore it's -there's no chance in those aspects of the game.

CHAIRPERSON ANDERSON: All right. Now the report also includes that when the skill feature is activated, the probability of the game will fluctuate as game play progresses over time. Describe how it fluctuates and what causes it to fluctuate.

MR. PHILLIPS: So what fluctuates as any game for instance though will -- this is where the -- I guess this goes into what you're saying about how does the operator make money. And you know, Mr. Cassidy talked about this being a loss leader. Is that the game will hold X percent, okay? But by having the follow-through feature, all right, you can change that percentage to make it an upside game and be a loss leader for the establishment.

CHAIRPERSON ANDERSON: All right. The report also indicates that a source code review reveals that game play outcomes that are displayed by the game scenes are randomly selected by the device via an internal random number generator. The outcome is then displayed on the patron via the game scene display. Your report further illustrates that each play initiated on the system displays a random selected game outcome on the reels. If this is so, how does this spec not render the game one of chance and not skill?

MR. CASSIDY: That's a great question. So basically in game development, there's two forums -- two engines if you will. Okay? There's a finite engine and then there's a RNG engine. Okay? Basically you have a diesel car -- diesel engine or regular unleaded combustible engine. Okay? So essentially a finite engine would be your Power Ball, your lottery type of engine where the game pulls numbers i.e. symbols in this case from a finite pool of numbers. Okay? Now you might have a million or two, well that actually, believe it or not, it's still random. Okay?

Ours, by being -- ours being a random number generator actually implies that yeah, the symbols get pulled from a random number generator. However though, it provides entertainment to the clientele. All right? And it's just putting symbols on the screen.

It's the same thing as a finite math engine. Okay? And therefore with a finite math engine, believe it or not, is that the players can end up manipulating the game because they end up having patterns. All right? Whereas ours, there isn't a pattern. It's fun. And then at the end of the day, by having the skill of feature and the follow-through feature, it eliminates the chance. Because the game can always pay back more money than what was inserted into the game.

CHAIRPERSON ANDERSON: Now can the player engage in any skill that overrides the random selection of the random number generator?

MR. PHILLIPS: Yes.
CHAIRPERSON ANDERSON: How can they do that, if you're aware?

MR. PHILLIPS: That is because of the fact that they can always play the follow-through
feature and always win 106 percent of its original money -- original play. And therefore if you were -- technically you could play this game, you could lose every time on the first play, and if you -- you can always win the secondary game. And if there was $\$ 1,000$ put in the machine, it actually -- would have actually paid out \$60. Okay?

CHAIRPERSON ANDERSON: All right? Now
is this -- How can this be possible that -- How can this possibly be a game of skill if the device contains and uses a random number generator?

MR. PHILLIPS: So it's the same thing is that -- if you're using, again -- if you're driving a diesel engine or you're driving an unleaded car. Okay? They're both cars. Okay? So it's just the fact that this is putting symbols on the screen.

In our definition, and in my opinion, if a game can never be upside down i.e. never be profitable, then it's not a game of chance. Okay? Because essentially, a game of chance means you're taking consideration and it's holding money. And therefore, they're taking
money away from the player. Okay? The followthrough feature always gives money back, therefore it eliminates the element of chance with the RNG.

CHAIRPERSON ANDERSON: All right. Now why do you expect this game to be legal in the District of Columbia when the reports you submitted states that the system incorporates a random number generator. Through the review of the source code, it has been revealed that the potential game outcomes for each of these game scenes are randomly selected by the random process? That's on Page 11 of the report.

MR. PHILLIPS: Right. The reason why we deem it will be legal is because of the fact that, one, the player is in charge with the skill of function. How much he will make on his winnings if you will, all right, between 55 and 110 percent of play -- First, to get to that, he has to use skill. Okay? He has to use his brain to get to that point. And even if he does not, he is able to choose the follow-through feature which therefore allows him to win 106 percent of his initial play, therefore negating any chance.

The one thing that $I$ want to reiterate
about the difference between a random number generator and a finite math pool, okay, is the Power Ball, is that -- therefore, is that not gambling? I mean essentially because they use a finite pool. It's not any different than us using a random number generator. It's just how math engines are built. Yeah, the verbiage of the programming, if you will.

CHAIRPERSON ANDERSON: We can't hear you, Mr. Cassidy. Mr. Cassidy, we can't hear you. Go ahead, Mr. Cassidy.

MR. CASSIDY: Yeah, in light of that -- because I've seen the random number generator in numerous case law that I've kind of explored in preparation for this. So I had a conversation with the reports expert, Mr. Farley. And he cleared it up. And his ultimate conclusion was that it is a game of skill, so that -- and we can supply something to the Board to make you more comfortable around that subject.

But it's -- and we can -- if you keep the record open for a few days, we can address that in a more proper fashion with our independent expert. That was also used I believe by others approaching the Board. So if that
would be helpful.
CHAIRPERSON ANDERSON: Yeah, you can provide it to us because the ultimate arbiter will be the Office of Attorney General. They'll make a legal determination --
(simultaneous speaking)
MR. CASSIDY: Right.
CHAIRPERSON ANDERSON: And then depending on their recommendation to us, then we'll make a determination whether or not we believe it's a game of skill or a game of chance.

Now going back, so do you agree that the determination of an automatic win is completely random and by chance? That's referenced on Page 12 of the report.

MR. PHILLIPS: Page 12, I'm sorry.
CHAIRPERSON ANDERSON: Yeah.
MR. PHILLIPS: Is it completely
random? No, the customer has to -- not the customer -- the player has to choose the correct symbol when it appears.

CHAIRPERSON ANDERSON: Okay. All
right. I'm sorry, this is a question for Mr. Cassidy. You said you might provide some information later on --

MR. CASSIDY: Right.
CHAIRPERSON ANDERSON: -- but off the top, are you aware of any D.C. or federal authority that would indicate your game is one of skill and legal in the District of Columbia?

MR. CASSIDY: Well yeah, based on Mr. Farley's report and how I've sized it up and I've had some conversations with Mr. James at the Attorney General's Office. But I feel rather comfortable in the analysis I've done today in relying on the experts is that this is a game of skill.

CHAIRPERSON ANDERSON: All right. And Mr. Cassidy, are you confident that the devices comply with the Federal Johnson Act, which is 15 USC Section 1171 and other federal laws regarding gambling?

MR. CASSIDY: Yes, I do. And I find it interesting that most of the case law that we look at is prior to the Home Rule Act. And they are from 1938 and 1944. And I'd like to see Mr. James and others really analyze these games of skill based on a later decision that came out of California. And that was a 1977 decision.

And there's been some good work more
recent that I think we can use in helping us try to really analyze kind of the misnomer around the random nature of generating (audio interference) the numbers and more of the finite.

In the finite world, there's really the possibility of real mischief. And the random, it sounds -- the term itself leads one to draw a conclusion that's really not applicable. So I feel comfortable in the analysis. I believe that in my discussions with AG James that -- you know, I'm sure we'll have a robust discussion about some of the more recent analysis that has been done in this area.

As Mr. Cato, you know, I guess he's kind of the expert on gaming. There's so much going on in that world with E-games. I know that Events DC has made an investment in it. There's so much going on. So I know you want to get it right. I know the Board gets things right. That's why you have the analysis that you do. But I feel pretty comfortable that at the end of the day, hopefully we'll be able to you know, convince Mr. James and have him look favorably upon the game.

CHAIRPERSON ANDERSON: Now I'm not
sure who can answer this question. This is -how do you ensure that revenues actually reported for purpose of taxation?

MEMBER SHORT: Yeah.
MR. BROOKS: This is Chuck Brooks.
Excuse me. Well, we have -- the game itself will have a-- it's got certain set-ups where you can do a-- you can run like an odometer -- remember the old odometers in cars before they went digital? They had basically the little reel that just spun the numbers. All of our cabinets start out with those in them. And the game board itself has a software that logs what we call a soft reading. So you'll have the hard meter -the odometer out of the car type set-up. And you compare it to the soft meter every week. That way if one of those ever breaks, you've got the backup.

But on top of that, we also have -you know, other different ways. Like we're talking about using a player's card in some of these locations just as one more form to audit, as well. So you know, once you guys start setting the taxes, you know, that's a conversation we could have down the road with
certain, you know, systems that we could implement to help you guys monitor the income or the revenue of these as well to make sure you're getting paid all the money that the District is, you know, wanting the tax set at.

CHAIRPERSON ANDERSON: Okay.
MR. BROOKS: So that's a conversation that -- you know, in the regulated markets that we're in, that we could, you know, tell you guys and turn you on to people and you know, the way they do things -- what worked and what didn't. And help you with that as well.

CHAIRPERSON ANDERSON: All right. Now -- Okay. Now if these games are not categorized as gambling devices, does this mean that persons under the age of 18 can play them and win cash prizes?

MR. BROOKS: Every jurisdiction we're in, whatever the limit is -- whatever the age is to play the lottery, if you're under that age, we put signs up and tell everybody, that person is not able to play. And that's why we feel so much more comfortable in the alcohol establishments because you're supposed to be 21 to be in there anyway. So that makes --
(Simultaneous speaking.)
MEMBER SHORT: Supposed to be.
MR. BROOKS: Supposed to be. Yes, sir. Yes, sir.

CHAIRPERSON ANDERSON: So you wouldn't have a problem if a condition that it's only available to 18 slash twenty -- to areas of 18 slash 21?

MR. BROOKS: I would be okay with that. I would even say 21. If you were asking my judgement on it, I would go ahead and set it at 21.

CHAIRPERSON ANDERSON: Okay. Now was this -- was this specific machine ever in Charlottesville, Virginia?

MR. BROOKS: Not with that level of skill.

MR. PHILLIPS: Not with that level of skill. And we have probably, I think between 500 or 600 skill games through different operators in the state of Virginia. Okay?

CHAIRPERSON ANDERSON: But I guess what I'm trying to find out, was this game or some semblance of this game asked -- was ordered to be removed from the city of Charlottesville?

PARTICIPANT: Can't answer that.
MR. PHILLIPS: No, not to my
knowledge.
CHAIRPERSON ANDERSON: Are you aware, Mr. Cassidy?

MR. CASSIDY: No, I'm not aware of that. No.

CHAIRPERSON ANDERSON: Okay.
MR. BROOKS: Okay. I can tell you, I've never had to remove that game from Charlottesville. I can say $I$ have not, but I don't know if anybody else has.

CHAIRPERSON ANDERSON: Okay, all right. Thank you. Now I guess the -- you stated before, $I$ guess the licensee makes money off the machine based on the people hanging around and eat more, drink more. Is that how you believe -that's how the licensee makes money off the machines?

MR. BROOKS: One source.
CHAIRPERSON ANDERSON: Now what type of -- what type of compensation packages do you offer -- are being offered to retailers for them to have your machines if that's something you can discuss.

MR. CASSIDY: For the location -- the actual location licensee?

CHAIRPERSON ANDERSON: Yes.
MR. CASSIDY: That all depends on who we're actually dealing with and what level of -you know, what do they want? You know, do they want us to you know, bring the machines and let them handle everything? Or do they want us to bring the machines and supply, you know, all this other stuff that goes with it -- this ancillary, like ATM machines and such as that. That depends on the location.
(Simultaneous speaking.)
MR. CASSIDY: Go ahead, sir.
CHAIRPERSON ANDERSON: No, you finish please.

MR. CASSIDY: I was going to say the standard answer to that would be it's a 50/50 percentage. You know, today whatever the revenue leftover is, we would make half of that and the store owner would make half of that. So whereas once the District starts doing that taxation on it, we would take the taxation off the top and us and the location would split what is left.

CHAIRPERSON ANDERSON: All right. Now
explain to me -- Okay, I want this machine. What services do you provide? What services can you provide? I think you're talking about, depending on what they need. So what are the ranges of this?

MR. CASSIDY: And you know, a lot of that's going to be whatever the customer wants. You know, for example if $I$ came into your bar. Mr. Anderson, I'd like to put a couple of game machines in here. And $I$ will put this game in here. This is how it functions. And you and I will split the profits from it. When the District starts doing the taxes, the taxes will come off the top and you and $I$ split what's left. CHAIRPERSON ANDERSON: I'm sorry. This is Mr. --

MR. BROOKS: This is Mr. Brooks. I'm sorry, sir.

CHAIRPERSON ANDERSON: -- Mr. Brooks.
MR. BROOKS: I apologize.
CHAIRPERSON ANDERSON: Yeah, remember

MR. BROOKS: This is my first time.
CHAIRPERSON ANDERSON: -- we have a court reporter. So I'm being told that we need
to make sure that when you speak, that you please identify yourself. I appreciate that.

All right, no because you're saying -so what type -- I know you're talking about ATMs and so who provides that? Because that's what I'm saying. When the machines have been -- yeah.

MR. BROOKS: Yeah. So you know, when -- if, by for example --

CHAIRPERSON ANDERSON: I'm sorry. Who's speaking again?

MR. BROOKS: This is Chuck Brooks. I apologize again. This is Chuck Brooks. I'm sorry.

CHAIRPERSON ANDERSON: All right.
MR. BROOKS: So for example, you might say well Mr. Brooks, since you're going to bring me two of these games of skill, 1 might want you to go ahead and put me a pool table or jukebox or a basketball machine or a boxing machine or whatever that amount of equipment you request. And at that point, you might say but if you're going to get all of my business, I want 55 percent of the revenue and you keep 45 percent. Well that's a conversation you and I have at that time.

CHAIRPERSON ANDERSON: All right. So what control, if any, over the device does the retailer have?

MR. BROOKS: What type of control does the retailer have as far as --

CHAIRPERSON ANDERSON: Win percentage, difficulty, I mean, yeah --

MR. BROOKS: No, we don't allow them access to the settings because that could create a whirlwind. As Cassidy's report said earlier, mischief.

MR. CASSIDY: This is Cassidy speaking, Chairman Anderson. Chuck's company provides a lot of ancillary services. They service it. They have round the clock technicians. He was prepared to move people here. I've tried to make introductions to him to local disadvantaged businesses in the cities.

I think it is an opportunity if this is a new burgeoning industry. I would like to see, as a 40-year DC resident, as a Howard Law graduate, and as a clerk to Luke Moore at DC Superior Court, I have seen too many opportunities in the city bypass the people that should be served in the city.

So from the day I met Brooks, that is what I've talked about to him. And this could be an opportunity for technician jobs, for us to work with some of the schools. There's numerous things that could be an off road from this. So that is what I've been talking about and not just talking about trying to move on that.

There's opportunities. There's some security aspect. But that's -- there's too many jobs just in that space. But I met with a local DC businessman who got an E-gaming program with some of the schools.

So I think that if this does grow out as an industry, as the Mayor has been supportive of, and some of the Councilmembers, $I$ do believe there's an opportunity if people's feet are held to the fire, that some good can come out of this. And we can see -- and I'll think a lot better if at the next meeting I go into, nobody looks like me in the room. I'll feel that my job was done.

CHAIRPERSON ANDERSON: Okay, thank you. Now what are the retailers supposed to do if they're in a dispute over a repair or technical problem or other issues regarding the machines?

MR. BROOKS: For any kind of technical problems, they'll have a service line to call. They'll call and we'll have somebody there -Johnny on the spot. We have a maximum 24-hour turnaround on service.

CHAIRPERSON ANDERSON: And who's speaking again?

MR. BROOKS: I apologize again. This is Mr. Brooks. I apologize again, sir.

CHAIRPERSON ANDERSON: Don't worry, Mr. Brooks. I'll make sure that you -- I have been told that I need to make sure that everyone identifies themselves.

MR. BROOKS: No, I apologize once again. This Zoom -- $\operatorname{l}$ call it all Zoom. It's a little awkward.

CHAIRPERSON ANDERSON: Okay.
MR. CASSIDY: Chairman Anderson, this is Cassidy again. And it is confusing the way I mangle the English language and then we have Mr. Brooks. So hopefully your interpreter is multilingual.

CHAIRPERSON ANDERSON: Well I have not been -- I have not been informed that there has been a problem as of yet. All I've been told is
that we need to identify ourselves. So that's fine. I just have probably two more questions -(Simultaneous speaking.) MEMBER SHORT: Mr. Chair?

CHAIRPERSON ANDERSON: Yes, Mr. Short?
MEMBER SHORT: Maybe if Mr. Brooks took the gum out of his mouth, we could understand him better. We could hear his name better.

MR. BROOKS: This is Mr. Brooks. And I think Mr. Short is actually telling me that I'm smacking. I apologize.

CHAIRPERSON ANDERSON: What type of inducements, discounts, or other payments are generally offered to retailers to have your machines?

MR. BROOKS: We have offered none of that. We usually don't offer inducements to do business with people. If I have to pay you to do business with me, I'd rather not do business together.

CHAIRPERSON ANDERSON: All right. My last question is you indicated in the materials that the game operates on a set script. Is there only one script that sets the pattern of the
dragons, color, et cetera or does the machine contain multiple scripts that change the game from play sessions to play sessions? And if so, how is that selected? And how many (audio interference) the multiplier?

MR. BROOKS: This is Mr. Brooks and you're talking about the wrong game, Chairman.

CHAIRPERSON ANDERSON: So this game doesn't have any outside scripts?

MR. BROOKS: This is not the Dragons Game, sir.

CHAIRPERSON ANDERSON: All right. Well thank you for -- thank you for distinguishing your game from Dragons of Descent. All right.

MR. BROOKS: Yes, sir.
CHAIRPERSON ANDERSON: I don't have any other questions.

I'm sorry. Are there any specific questions by any of the Board Members?

No? You know, every time I'm the one asking all the questions. And I'm relying on the Board Members to help me. Oh by the way, we actually have seven Board Members. So Ms. Rema Wahabzadah, she has joined our meeting. Welcome,

Ms. Wahabzadah.
MEMBER WAHABZADAH: Good morning, everyone.

MEMBER GRANDIS: Mr. Chairman?
CHAIRPERSON ANDERSON: Yes, Mr.
Grandis?
MEMBER GRANDIS: I would like to offer Mr. Cato to maybe help me be more enlightened if he had some thoughts during this presentation. Not to put you on the spot, Mr. Cato, but I understand you may have more experience with this than some of us.

CHAIRPERSON ANDERSON: I think this is quite -- when we had the Dragons, basically the game came in -- they did a presentation similar to this, but they actually brought the game in and gave us an opportunity to play the game. And I'm -- since I'm not a video game player, I didn't have any experience with that. Mr. Cato, he enjoys these type of games. So that was where -- but we're not trying to put Mr. Cato on the spot. I don't believe he has any questions, so he doesn't have to speak if he doesn't want to.

MR. BROOKS: This is Mr. Brooks.
CHAIRPERSON ANDERSON: Yes?

MR. CATO: I think Chairman Anderson asked some great questions.

CHAIRPERSON ANDERSON: That was Mr. Cato. Go ahead, Mr. Brooks.

MR. BROOKS: This is Mr. Brooks again. I was going to say, one thing that we didn't add being the time's weighing, this game of skill is a single player game. And we can set it, you know, to six to 10 foot or whatever that requirement is for the social distancing.

CHAIRPERSON ANDERSON: All right, let me just -- I didn't ask a question -- I didn't ask a question before. How many games -- how many machines -- typically how many machines would you put in an establishment?

MR. BROOKS: That would depend -- This
is Chuck Brooks again, I apologize. That would depend on the establishment. You know, I've got the locations that have already applied for the games of skill to be installed, who was wanting six in each location.

CHAIRPERSON ANDERSON: Okay.
MR. BROOKS: But you know, the
District has yet to give us a number album. But these are single player games and there are some
machines out there in the market that -- or actually one machine, but can have multiple players on it. These do not have that. These are single player games. So one machine is one machine.

CHAIRPERSON ANDERSON: All right. It doesn't appear that there are any other questions by any of the Board Members. Are there any final comments that any of the parties wish to make?

MR. CASSIDY: No. This is Cassidy, Chairman. No, it was a pleasure to present today. We hope to provide you -- we will provide you with some additional information that we think might be pertinent. I don't know if that should be directed to your General Counsel Jenkins or to the Board. But we look forward to doing that. And hopefully you know, get a -- get a good decision. And basically hopefully be able to add to the city and particularly now where some of these establishments need a shot in the arm, this might do it for them.

So I think the idea that the Mayor had prior to COVID, people, you know, are wondering about it. But it really looks like a great idea now with a lot of these businesses really
suffering. So we look forward to hopefully getting engaged and being a part of the city.

CHAIRPERSON ANDERSON: Right. You can provide -- you can provide the information to our General Counsel. But when -- approximately what timeline do you believe that you can provide us this information?

MR. CASSIDY: Oh, this is going to be back to you by I would imagine the end of the week or by Monday. I know this is, you know, your timeline is rather tight. So we'll provide that to you as quickly as possible.

CHAIRPERSON ANDERSON: All right, that's fine. Any other comments by anyone prior to me closing this hearing?

MR. CASSIDY: Now is Ms. Hansen still on?

CHAIRPERSON ANDERSON: Yes. All the Board Members are on.

MR. CASSIDY: Oh, all the Board Members -- Yeah, I'd be remiss if I didn't mention, her grandmother is just -- I've read a little bit about it and just an absolutely amazing story of a business woman here in the city who some of her work is over at the African

American Museum. So I wanted to -- it's surprising $I$ have never run into her in my 40 years. But just an amazing background. Not that the rest of you don't have an amazing background. But I just wanted to personally say hello to Ms. Hansen and say hi to her Grandma from me.

MEMBER HANSEN: Hi. Thank you so much.

MR. CASSIDY: Yes. And I'll forgive you that you went to Boston College.

CHAIRPERSON ANDERSON: That was Ms. Hansen responding to Mr. Cassidy's comment. Well if there's nothing further, then Mr. Brooks, Mr. Cassidy, and Mr. Phillips, I want to thank you for your presentation. The Board will take this matter under advisement. And we'll issue a determination accordingly. So thank you very much for your --

MR. BROOKS: Great. Thank you.
MR. PHILLIPS: Have a good day. Byebye.
(Whereupon, the above-entitled matter was concluded at 11:46 a.m.)

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Before: DCABRA

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