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NGC 22-02

STATE OF NEVADA
BEFORE THE NEVADA GAMING COMMISSION

NEVADA GAMING CONTROL BOARD,)
Complainant,)
vs.)
WILLIAM HILL U.S. HOLDCO, INC.,)
AMERICAN WAGERING, INC.,)
BW SUB CO.,)
WILLIAM HILL NEVADA I,)
WILLIAM HILL NEVADA II,)
WH NV III, LLC, and)
BRANDYWINE BOOKMAKING, LLC;)
Respondents.)

STIPULATION FOR SETTLEMENT
AND ORDER

The State of Nevada, on relation of its NEVADA GAMING CONTROL BOARD (BOARD), Complainant herein, filed a Complaint in case No. NGC Case No. 22-02, against WILLIAM HILL U.S. HOLDCO, INC., AMERICAN WAGERING, INC., BW SUB CO., WILLIAM HILL NEVADA I, WILLIAM HILL NEVADA II, WH NV III, LLC, and BRANDYWINE BOOKMAKING, LLC, RESPONDENTS herein, alleging certain violations of the Nevada Gaming Control Act and Regulations of the Nevada Gaming Commission.

IT IS HEREBY STIPULATED AND AGREED to by the BOARD and RESPONDENTS that the Complaint, NGC Case No. 22-02, filed against RESPONDENTS in the above-entitled case, shall be settled on the following terms and conditions:

1. RESPONDENTS admit each and every allegation set forth in the Complaint, NGC Case No. 22-02.
2. RESPONDENTS fully understand and voluntarily waive the right to a public hearing on the charges and allegations set forth in the Complaint, the right to present and cross-examine witnesses, the right to a written decision on the merits of the Complaint,

1 which must contain findings of fact and a determination of the issues presented, and the
2 right to obtain judicial review of the Nevada Gaming Commission's (Commission) decision.

3 3. RESPONDENTS agree to pay a fine in the total amount of ONE HUNDRED
4 THOUSAND DOLLARS and NO CENTS (\$100,000.00) electronically transferred to the
5 *State of Nevada-Nevada Gaming Commission* on the date this Stipulation for Settlement
6 is accepted by the Commission. Interest on the fine shall accrue in accordance with Nevada
7 Revised Statute (NRS) 17.130 on any unpaid balance computed from the date payment is
8 due until payment is made in full.

9 4. In consideration for the execution of this settlement agreement, RESPONDENTS,
10 for themselves, their heirs, executors, administrators, successors, and assigns, hereby
11 release and forever discharge the State of Nevada, the Commission, the BOARD, the
12 Nevada Attorney General and each of their members, agents, and employees in their
13 individual and representative capacities, from any and all manner of actions, causes of
14 action, suits, debts, judgments, executions, claims, and demands whatsoever known or
15 unknown, in law and equity, that RESPONDENTS ever had, now have, may have, or claim
16 to have against any and all of the persons or entities named in this paragraph arising out
17 of, or by reason of, the investigation of the allegations in the Complaint and this
18 disciplinary action, NGC Case No. 22-02, or any other matter relating thereto.

19 5. In consideration for the execution of this settlement agreement, RESPONDENTS
20 hereby indemnify and hold harmless the State of Nevada, the Commission, the BOARD,
21 the Nevada Attorney General, and each of their members, agents, and employees in their
22 individual and representative capacities against any and all claims, suits and actions,
23 brought against the persons named in this paragraph by reason of the investigation of the
24 allegations in the Complaint, filed in this disciplinary action, NGC Case No. 22-02, and all
25 other matters relating thereto, and against any and all expenses, damages, charges and
26 costs, including court costs and attorney fees, which may be sustained by the persons and
27 entities named in this paragraph as a result of said claims, suits and actions.

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1 6. RESPONDENTS enter into this Stipulation for Settlement freely and voluntarily
2 and with the assistance of legal counsel. RESPONDENTS further acknowledge that this
3 Stipulated Settlement is not the product of force, threats, or any other form of coercion or
4 duress, but is the product of discussions between RESPONDENTS and the attorney for the
5 BOARD.

6 7. RESPONDENTS affirmatively represent that if RESPONDENTS, this
7 Stipulation for Settlement and Order, and/or any amounts distributed under this
8 Stipulation for Settlement and Order are subject to, or will become subject to, the
9 jurisdiction of any bankruptcy court, the bankruptcy court's approval is not necessary for
10 this Stipulation for Settlement and Order to become effective, or that the bankruptcy court
11 has already approved this Stipulation for Settlement and Order.

12 8. RESPONDENTS and the BOARD acknowledge that this settlement is made to
13 avoid litigation and economize resources. The parties agree and understand that this
14 Stipulation for Settlement is intended to operate as full and final settlement of the
15 Complaint filed against RESPONDENTS in the above-entitled disciplinary case, NGC
16 Case No. 22-02.

17 9. RESPONDENTS and the BOARD recognize and agree that the Commission has
18 the sole and absolute discretion to determine whether to accept this Stipulated Settlement
19 agreement. RESPONDENTS and the BOARD hereby waive any right they may have to
20 challenge the impartiality of the Commission to hear the above-entitled case on the matters
21 embraced in the Complaint if the Commission determines not to accept this Stipulated
22 Settlement agreement. If the Commission does not accept the Stipulation for Settlement,
23 it shall be withdrawn as null and void and RESPONDENTS' admissions, if any, that
24 certain violations of the Nevada Gaming Control Act and the Regulations of the
25 Commission occurred shall be withdrawn.

26 10. RESPONDENTS and the BOARD agree and understand that this settlement
27 agreement is intended to operate as full and final settlement of the Complaint filed in NGC
28 Case No. 22-02. The parties further agree and understand that any oral representations

1 are superseded by this settlement agreement and that only those terms memorialized in
2 writing herein shall be effective.

3 11. RESPONDENTS agree and understand that although this settlement, if
4 approved by the Commission, will settle the Complaint filed in NGC Case No. 22-02, that
5 the allegations contained in the Complaint filed in NGC Case No. 22-02 and the terms of
6 this settlement agreement may be considered by the BOARD and/or the Commission, with
7 regards to any and all applications by RESPONDENTS that are currently pending before
8 the BOARD or the Commission, or that are filed in the future with the BOARD.

9 12. RESPONDENTS and the BOARD shall each bear their own costs incurred in
10 this disciplinary action, NGC Case No. 22-02.

11 13. RESPONDENTS, by executing this Stipulation for Settlement, affirmatively
12 waive all notices required by law for this matter including, but not limited to, notices
13 concerning consideration of the character or misconduct of a person (NRS 241.033), notices
14 concerning consideration of administrative action against a person (NRS 241.034), and
15 notices concerning hearings before the Commission (NRS 463.312). Regardless of the
16 waiver of legal notice requirements, the BOARD and Commission will attempt to provide
17 reasonable notice of the time and place of the hearing. Further, in negotiating this
18 Stipulation for Settlement, RESPONDENTS acknowledge that the BOARD has provided
19 RESPONDENTS with the date and time of the Commission hearing during which the
20 BOARD anticipates the Commission will consider approving this settlement.

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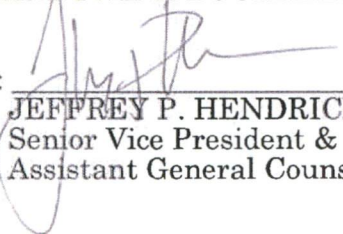
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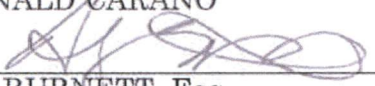
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1 14. This Stipulated Settlement agreement shall become effective immediately upon
2 approval by the Commission.

3 DATED this 17 day of August, 2022.

4 WILLIAM HILL U.S. HOLDCO, INC.
5 AMERICAN WAGERING, INC.
6 BW SUB CO.
7 WILLIAM HILL NEVADA I
8 WILLIAM HILL NEVADA II
9 WH NV III, LLC
10 BRANDYWINE BOOKMAKING, LLC

11 By: 
12 JEFFREY P. HENDRICKS, Esq.
13 Senior Vice President &
14 Assistant General Counsel

15 MCDONALD CARANO
16 By: 
17 A.G. BURNETT, Esq.
18 Attorneys for RESPONDENT

NEVADA GAMING CONTROL BOARD


J. BRIN GIBSON, Chair


PHILIP KATSAROS, Member


BRITTNIE WATKINS, PhD, Member

Submitted by:

AARON D. FORD
Attorney General

19 By: 
20 MICHAEL P. SOMPS
21 Senior Deputy Attorney General
22 Gaming Division
23 5420 Kietzke Lane, Suite 202
24 Reno, Nevada 89511
25 Telephone: (775) 687-2124

26 **ORDER**

27 IT IS SO ORDERED in NGC Case No. 22-02.

28 DATED this ^{22nd} September day of _____, 2022.

NEVADA GAMING COMMISSION

JENNIFER TOGLIATTI, Chairwoman