

**ORDER 2021-151
IN RE SETTLEMENT AGREEMENT**

**PALA INTERACTIVE, LLC
21-PI-01**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

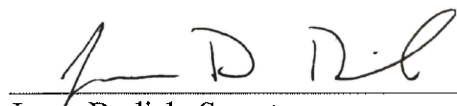
IT IS SO ORDERED THIS THE 29th DAY OF SEPTEMBER, 2021.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Jason Dudich, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
PALA INTERACTIVE, LLC.)	21-PI-01
)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and Pala Interactive, LLC (“Pala”), (collectively, the “Parties”) desire to enter into this settlement agreement (“Agreement”) prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

1. 68 IAC 27-11-1(a) provides in order to prevent unauthorized use of the Internet or a mobile device to place a sports wager when a patron is not within the state of Indiana, the sports wagering operator shall utilize a geofence system to reasonably detect the physical location of a patron attempting to access the online sports wagering system and place a wager, and to monitor and block unauthorized attempts to access the online sports wagering system in order to place a wager when a patron is not within the permitted boundary.
2. 68 IAC 2-2-5.3(4) provides the applicant must demonstrate a level of:
(A) skill;
(B) experience;
(C) knowledge; and
(D) ability;
necessary to supply the goods or services that the applicant seeks to provide.
3. On March 30, 2021, a Commission Sports Wagering (“SW”) Investigator received an incident report from Unibet, a Commission regulated mobile sportsbook. The incident report was from their platform provider Pala, which provides the player account management service to Unibet’s sportsbook and maintains the geolocation software used by Unibet to ensure mobile sports wagering occurs only within the state of Indiana. The incident report provided that a player account was found to have wagered without a successful geolocation transaction. The patron placed one (1) wager on March 13, 2021 and two (2) wagers on March 14, 2021 with no associated geolocation transactions. A geolocation transaction close to the wager timestamp which returned a failure showed the patron was inside the state of Indiana when placing the wagers.
4. On March 31, 2021, the SW Investigator requested additional information on the root cause and the fix for this. Pala provided that they were unable to find out how the player was able to circumvent the geolocation transaction. Pala also provided that a fix was

made to the platform updating the wallet service to ensure that no money is reserved for a wager unless there is a matching geolocation transaction.

5. On May 7, 2021, Pala was still unable to determine the root cause and identified that it was not reproducible.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Pala by and through its agents as described herein constitute a breach of IC 4-38 and/or 68 IAC. The Commission and Pala hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Pala.

Pala shall pay to the Commission a total of \$2,500 in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the Findings of Fact contained in this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Pala agrees to promptly remit payment in the amount of \$2,500 and shall waive all rights to further administrative or judicial review.

This Agreement constitutes the entire agreement between the Parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically as if the original had been received.

This Agreement shall be binding upon the Commission and Pala.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.

Greg Small

Greg Small, Executive Director
Indiana Gaming Commission

9/28/21

Date

Michael O'Malley

Michael O'Malley, COO
Pala Interactive, LLC

9-21-21

Date