

**ORDER 2023-88  
IN RE SETTLEMENT AGREEMENT**

**BETMGM, LLC  
d/b/a ROAR DIGITAL  
23-ROAR-02**

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 15<sup>th</sup> DAY OF JUNE, 2023.**

**THE INDIANA GAMING COMMISSION:**

  
Milton Thompson, Chair

ATTEST:

  
Charles Cohen, Commissioner

STATE OF INDIANA  
INDIANA GAMING COMMISSION

IN RE THE MATTER OF:	)	
	)	SETTLEMENT
BETMGM, LLC	)	23-ROAR-02
d/b/a ROAR DIGITAL	)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and BetMGM, LLC d/b/a Roar Digital (“Roar Digital”), (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 27-2-16(d) provides except as outlined in this section, occupational licensing of an employee, independent contractor, agent or subagent of a sports wagering operator shall be governed by IC 4-33-8 and 68 IAC 2-3.
2. 68 IAC 2-3 provides the licensing requirements for occupational licensees in Indiana.
3. 68 IAC 2-3-9(a) provides all occupational licensees have a continuing duty to maintain suitability for licensure. An occupational license does not create a property right, but is a revocable privilege granted by the state contingent upon continuing suitability for licensure.
4. 68 IAC 13-1-1(b)(2) and (3) provides the Commission may initiate an investigation or a disciplinary action, or both, against a licensee if the Commission has reason to believe the licensee is not complying with licensure conditions or is not complying with this Act or this title.
5. On March 16, 2020, the Commission offered relief to Gaming Entities due to the Covid-19 pandemic and would not require fingerprints for applications that were critical to operations for thirty (30) days. The Commission, however, required acknowledgement that the notarized pages and fingerprints would be provided when available for each incomplete application.
6. On June 1, 2020, the Commission advised Gaming Entities if they had applications which could not be notarized or fingerprints were unavailable in their area, the Commission would still accept and process their applications. The Commission advised Gaming Entities that they must include a cover letter or e-mail communication (with an electronic copy of the application) that explained the circumstances around the incomplete application, and acknowledgement that the notarized pages and fingerprints would be provided when available.

7. On May 14, 2021, the Commission notified Gaming Entities that as of July 1, 2021, the Commission would require all pending fingerprints to be sent to the Commission, and from that date forward applications will be considered incomplete if they are submitted without fingerprints. Individuals who submitted applications without notarizations do not have to provide notarizations, unless specifically requested by the Commission.
8. BetMGM expressed to the Commission that it may experience delays in being able to submit all required materials in a timely manner. During this period of 2021, BetMGM's offices remained closed due to COVID-19 and several fingerprint cards needed to be submitted for employees overseas. All outstanding materials were ultimately submitted prior to the end of 2022.
9. One hundred and one (101) individuals were licensed with the Commission and failed to submit fingerprints in a timely manner.

### **TERMS AND CONDITIONS**

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

Roar Digital shall pay to the Commission a total of \$1,500 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, Roar Digital agrees to promptly remit payment in the amount of \$1,500 and 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.

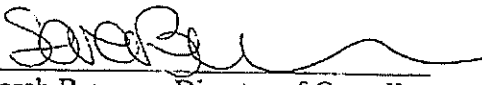
This Agreement may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by 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 Roar Digital.

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

  
\_\_\_\_\_  
Greg Small, Executive Director  
Indiana Gaming Commission

6/15/2023  
Date

  
\_\_\_\_\_  
Sarah Brennan, Director of Compliance  
Bet MGM, LLC d/b/a Roar Digital

June 8, 2023  
Date