

**VERIFIED AMENDED COMPLAINT  
EXHIBIT A**



*Proudly Presents*

**PLCB APPROVED**

**"Skill Game Program"**

**For**

**PA LICENSED ESTABLISHMENTS**

November 2007

For Additional Info: Marty Caplan (267) 303 9650 (cell)

PA Office:

334 Melvin Court North

Morrisville, PA 19067

(215) 428 3667

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1146 South Delsea Drive

Vineland, NJ 08360

(856) 794 8641

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## **THE FACTS:**

1. **PLCB permits “games of skill” in licensed establishments.**
2. **Double D Gaming has permission in writing from the PLCB for the use of “games of skill” in licensed establishments.**
3. **Video poker is considered a game of chance & thus gambling.**
4. **PLCB Regulations prohibit gambling on licensed premises.**
5. **Licensees are permitted to sponsor and hold “events, contests, & tournaments” subject to sections 5.30 – 5.32 Regulations.**
6. **You must follow the guidelines to avoid a citation or violation.**
7. **You are permitted to award cash or merchandise prizes up to \$500.00 maximum for each single event, contest or tournament.**
8. **You are permitted to award up to \$5,000.00 in prizes weekly.**
9. **Awards can be in cash or merchandise, no alcohol, tobacco, firearms or weapons of any type.**
10. **You must record the name and address of all persons who receive awards on an approved form.**
11. **Records of all awards must be kept on premises for a period of 2 years.**
12. **In the event the games are prohibited by authorities for any reason, the manufacturer may be cited, the licensee will not be cited if they follow the State Regulations.**

## **About The Game:**

- 1. The machine is a (5) five-reel skill stop game.**
- 2. The title of the game is “Keystone Hold Em”.**
- 3. The game is based on a poker theme.**
- 4. The game is 100% skill, controlled by the player’s actions.**
- 5. Players must stop all (3) three reels to achieve an award.**
- 6. Lack of player input results in a losing outcome.**
- 7. There is no “random number generator” to determine the outcome of play.**
- 8. Outcomes are not pre-determined or influenced by the machine, programming or the location operator.**
- 9. Every player of every game has the opportunity to achieve the top award without limits or controls or of any type.**
- 10. The games are certified and tested by a State approved testing laboratory with a written report.**
- 11. The games are exempted by the New Jersey Casino Control Commission as “Amusement Devices”.**
- 12. The games are exempted by the New Jersey Division of Gaming Enforcement as “Amusement Devices”**
- 13. The games are approved by the New Jersey Legalized Games of Chance Control Commission as “Amusement Devices”**
- 14. The games are currently in use in arcades in New Jersey, Maryland and Florida.**
- 15. We strongly suggest you do not allow minors to play the game.**



**Keystone Hold'em Skill Stop Reel Game**

## **Playing the Game:**

- 1. Player inserts currency or selects one to three play credits**
- 2. Upon registration of the credits, a spin button is illuminated**
- 3. The player depresses the spin button to initiate play of the game.**
- 4. The two top reels will select two cards at random and announce their value.**
- 5. Player observes the cards and determines the maximum award based on the selected cards and the award schedule displayed on the game.**
- 6. Players are afforded the opportunity to select three additional cards.**
- 7. Player has the opportunity to employ alternative strategy for winning combinations based on each additional selection.**
- 8. Player must actively stop all three reels in order to achieve a winning outcome.**
- 9. Failure of the player to stop all three reels in the allotted time will result in a loss regardless of visual outcome.**
- 10. Only the highest award combination is awarded.**
- 11. Malfunctions void all awards.**

### **Note:**

- 1. Games are programmed in two different versions**
  - a. Redemption version is 840% (higher hits / lower value)**
  - b. Charity version is 87% (lower hits / higher value)**

## **The Game Program:**

- 1. Double D Gaming will supply games at no cost to the operator.**
- 2. Double D Gaming, through their registered PA corporate entity, Culinary Services of Delaware Valley Inc, will service the games at no cost to the operator.**
- 3. Operator will be responsible for the physical security of the games and will obtain an insurance rider to cover the value of the games in the event of loss or damage, other than ordinary wear and tear.**
- 4. Games will be serviced and revenue collected on a weekly basis.**
- 5. Operator and Culinary will enter into a revenue share lease agreement on an annual basis and split net revenues 50% to operator / 50% to Culinary Services.**
- 6. Culinary Services will retain title and ownership of all games furnished to location operators.**
- 7. The lease may be cancelled by either party upon (30) thirty days written notice by certified mail to a legal address.**
- 8. The lease will terminate immediately should the games be prohibited by authorities for any reason.**
- 9. Operator will certify that there is no conflict with any existing contract or agreement with any existing vendors of equipment.**
- 10. Culinary Services will notify local law enforcement authorities as to the proposed placement of games in the municipality.**
- 11. Culinary Services will bear all responsibility for any legal ramifications and expenses associated with the machines.**
- 12. Operator will bear all responsibility for any legal ramifications and expenses as a result of failing to follow State Regulations.**

## **How Are Games Used or Promoted?**

- 1. Games may be used daily as “contests of skill” provided the top award for a single event, contest or tournament does not exceed \$500.00 and weekly records are kept of all awards, not to exceed \$5,000.00 in any consecutive (7) day weekly period.**
- 2. Games may be used daily as “amusement devices” without awards to enable players to sharpen their skills for future events.**
- 3. Awarded points may be accumulated for redemption for merchandise awards provided the amount of points earned is recorded upon award on the weekly prescribed form and does not exceed \$500.00 per event, contest or tournament and does not exceed \$5,000.00 weekly in total.**
- 4. Selected merchandise may be displayed and offered as an award for participation in an “Event, Contest or Tournament”.**
- 5. A daily contest may be held and an award given for the high scoring player.**
- 6. High scores may be posted and an award offered for beating the previous top scorer.**
- 7. Contests or tournaments may be held at pre-selected times and awards offered and given to players who achieve the objective of the event, contest or tournament.**
- 8. Upon nearing or reaching the \$5,000.00 weekly award limit:**
  - a. Shut off the games until the next weekly cycle begins OR**
  - b. Clearly post the games to reflect “No Awards Paid” AND**
  - c. Ensure your weekly records are complete & math correct**

## **About Double D Gaming:**

- 1. Double D Gaming is a licensed corporation in good standing in the State of New Jersey.**
- 2. Double D Gaming has permanent licensing pending with the New Jersey Casino Control Commission.**
- 3. Double D Gaming is licensed by the New Jersey Division of Gaming Enforcement as an approved slot storage warehouse.**
- 4. Double D Gaming is registered with the U.S. Department of Justice as a dealer of gaming devices.**
- 5. Double D Gaming is an approved manufacturer of Amusement Devices by the New Jersey Legalized Games of Chance Control Commission.**
- 6. Double D Gaming does not manufacture gambling devices.**
- 7. Double D Gaming has not been cited for any violations of gambling statutes, or any other violation, in any jurisdiction.**
- 8. Double D Gaming management has held liquor licenses in both PA and NJ and is familiar with applicable regulations.**
- 9. Double D Gaming does not provide legal advice and suggests you communicate with a licensed attorney and / or the PLCB to verify all information provided by Double D Gaming.**

### **Note:**

- 1. Copies of licensing and lab reports available upon request.**

## **Attachments**

<b>PLCB written permission for "Games of Skill"</b>	<b>3 pages</b>
<b>BLCE Regulations for "Events, Contests &amp; Tournaments"</b>	<b>1 page</b>
<b>PLCB Advisory Notice #14 addressing "Games of Skill"</b>	<b>2 pages</b>
<b>Title 40 PA Code RE: "Events, Tournaments &amp; Contests"</b>	<b>3 pages</b>
<b>BLCE Record of Prizes Awarded (sample)</b>	<b>1 page</b>

**From:** "LB, Legal" <ra-lblegal@state.pa.us>  
**To:** <ddgaming@comcast.net>  
**CC:** "Shaffner, Zachery" <zshaffner@state.pa.us>  
**Subject:** FW: This is the response of the PLCB  
**Date:** Wednesday, June 20, 2007 2:08:03 PM

-  
**Subject:** This is the response of the PLCB

ddgaming@comcast.net

**(Attachments successfully scanned for viruses.)**

**Attachment 1:** (application/msword)

June 19, 2007

Telephone: (717) 783-9454  
FAX: (717) 787-8820

Martin Caplan  
Double D Gaming  
1146 South Delsea Drive  
Vineland, New Jersey 08360  
VIA E-MAIL: [ddgaming@comcast.net](mailto:ddgaming@comcast.net)

**RE: Games of Skill**

Dear Mr. Caplan:

This office is in receipt of your e-mail inquiry dated May 22, 2007 on behalf of Double D Gaming. You ask "What is the procedure to have a game of skill approved for use in licensed establishments." After reviewing your website, [www.ddgaming.com](http://www.ddgaming.com), it appears that you sell/rent slot machine-type devices.

Initially, please be advised that it is the Pennsylvania State Police, Bureau of Liquor Control Enforcement ("Bureau"), and not the Pennsylvania Liquor Control Board ("Board"), that enforces the liquor laws in Pennsylvania. This office is authorized to issue legal opinions to licensees of the Board which are binding on the Bureau. Since you are not a Board licensee, the following is offered for your guidance and information only.

There is nothing in the Liquor Code or the Board's Regulations that makes it illegal for patrons or customers of a Board-licensed establishment to play games of skill, as long as the game does not constitute unlawful gambling. Licensees are not permitted to allow unlawful gambling on their premises. [See 47 P.S. § 4-471; 18 Pa. C.S. § 5513]. There are three (3) elements necessary to constitute unlawful gambling: (1) consideration or payment to play (fee to enter), (2) an element of chance, and (3) a reward or prize. If one (1) or more of these elements is missing, then there is no unlawful gambling. Should your proposed device not be

June 19, 2007

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considered illegal gambling and in fact a game of skill, its use could be considered an event, tournament or contest subject to sections 5.30 – 5.32 of the Board's Regulations. [40 Pa. Code §§ 5.30 – 5.32]. Under these sections, daily prizes may not exceed five hundred dollars (\$500.00).

Because gambling falls under the Crimes Code, this office is not authorized to determine whether a particular activity constitutes unlawful gambling. Such inquiries should be addressed to the state police, local police, or District Attorney's Office in the counties of Pennsylvania in which you would like to do business.

Please note that even if the slot machine-type device is lawful, a Board licensee can prohibit such devices in its licensed premises. Licensees are permitted to make "house rules" for their premises, as long as those rules are not discriminatory against protected groups (such as gender, race, national origin, and the like). Even though your slot machine-type device might be considered lawful, a licensee might choose to make a house rule prohibiting the device to avoid possible risk of citations from misuse. In addition, the use of your slot machine-type device could be construed as the operation of another business by each licensee using the device which is prohibited by the Board's Regulations. [40 Pa. Code § 3.52].

Should you have any further questions or concerns regarding this matter, please do not hesitate to contact this office.

Very truly yours,

FAITH S. DIEHL  
CHIEF COUNSEL

By: \_\_\_\_\_  
MICHAEL R. ROLAND  
Assistant Counsel

zcs



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### Events, Tournaments and Contests

Section 5.32 of the Pennsylvania Liquor Control Board Regulations [40 PA. Code §5.32] allows certain types of licenses to conduct self-sponsored (paid for and carried by the licensee) events, tournaments, and contests as long as they do not involve elements of unlawful gambling. An event/tournament/contest is defined as a competitive endeavor involving skill, speed, strength or endurance. The term includes competitive endeavor involving attributes of contestants. This section of the Pennsylvania Liquor Control Board Regulations provides all the restrictions and exceptions to conducting an event, tournament or contest.

The following is a guideline regarding unlawful gambling and events, tournaments or contests:

If skill is involved, a consideration can be assessed. If chance is involved, a consideration can not be assessed, e.g. Playing cards (game of chance) for money is not permitted if players have to pay to compete (see Poker/Texas Hold 'Em Tournaments below).

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Pennsylvania  
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# Pennsylvania Liquor Control Board

## ADVISORY NOTICE NO. 14

July 10, 2008

SUBJECT: EVENTS, TOURNAMENTS OR CONTESTS

TO: All retail and wholesale licensees and manufacturers

Section 5.32 of the Pennsylvania Liquor Control Board Regulations [40 Pa. Code §5.32], which formerly prohibited events, tournaments, contests and the awarding of prizes on licensed premises, has been amended effective May 11, 1996. Hotels, restaurants, clubs, privately-owned public golf courses, privately-owned private golf courses, municipal golf courses, brew pubs, and malt beverage eating place retail dispensers may now conduct self-sponsored (paid for and carried out by the licensee) events, tournaments and contests. A copy of section 5.32 is included with this advisory notice.

The holding of events, tournaments and contests may often involve elements of gambling. The easing of restrictions on events, tournaments and contests does not permit any form of unlawful gambling. Inquiries concerning gambling laws should be addressed to state and local police or the District Attorney where the licensed premises is located. The following questions and answers should further your understanding of this regulatory change:

**1. Who other than the above licensees can sponsor events, tournaments and contests on licensed premises? Can distributors or manufacturers be sponsors at retail establishments?**

The regulation specifically restricts sponsorship to bona fide charitable organizations, governing bodies of certain sports (golf, skiing, tennis, bowling and pocket billiards), and the State Athletic Commission. Other classes of licenses and non-licensee sponsors are not included under the amended regulation. If any other entity desires to participate with the licensee in sponsoring events, tournaments or contests, it is strongly recommended that a request be submitted for the Board's review and for the issuance of a legal opinion pursuant to section 211.1 of the Liquor Code as to sponsorship permissibility. [47 P.S. §2-211.1]. It should be noted that distributors and importing distributors are not prohibited from holding events, tournaments or contests on their own premises.

**2. May distributors, importing distributors or manufacturers provide prizes to retail licensees to award in the retail licensees' self-sponsored events?**

No, because the prize must be paid for by the retail licensee to constitute self-sponsorship. Moreover, section 13.51(a) of the Board's regulations prohibits licensees from directly or indirectly contributing to or accepting from licensees of a different class anything of value by means of advertisement, contributions, purchase, sale of tickets, donations, or by any device, for any purpose. [40 Pa. Code §13.51(a)].

**3. Are drawings for prizes that are conducted by the retail licensee legal?**

Yes, but once again licensees are cautioned concerning unlawful gambling. Three elements are necessary to constitute gambling; they are: consideration, chance and reward. For example, playing cards for money is not permitted if players have to pay to compete. However, a self-sponsored (paid for and carried out by the licensee) drawing, where no consideration is paid by participants in order to enter would be permitted.

**4. Is it permissible for retail licensees to award prizes to video game contestants?**

Yes, provided it is a competitive endeavor between players who are not required to pay in order to compete. It should be noted that many video poker machines and all slot machines not classified as antiques are considered "gambling devices per se." The mere possession of these devices constitutes a gambling violation. However, "games," defined in section 5.30 of the regulations, are permitted on the premises, where payment is required to play, as long as players can only win free plays.

**5. What are the limits on the value of prizes?**

Golf, skiing, tennis, bowling, pocket billiards, as well as events sanctioned by the State Athletic Commission have no prize value restrictions. Moreover, those organizations that hold a bingo and/or small games of chance license/permit and are eligible to conduct events, tournaments and contests as set forth in this regulation are subject to the prize limitations of the Local Option Small Games of Chance Act [10 P.S. §§311-327] and/or the Bingo Law [10 P.S. §§301-308.1]. All other permitted sponsors have a \$500 limit for any event, tournament or contest and the total value of all prizes awarded in any seven-day period may not exceed \$5,000.

**6. Does the amended regulation affect retail licensees' participation in manufacturers' sweepstakes?**

No. Retail licensees may continue to permit their premises to be used as a drop-off and pick-up point for manufacturers' sweepstakes, but not for conducting a drawing or the awarding of sweepstakes prizes.

**7. Is it permissible to conduct a "Wet T-Shirt contest" on licensed premises?**

Yes, however, particular attention should be paid to the Board's regulation prohibiting lewd, immoral or improper conduct by the licensee, its servants, agents, employees, patrons or event, contest or tournament participants. [40 Pa. Code §5.32(f)(1)].

**8. Are chugging or drinking contests allowed?**

No. The Board's regulations prohibit an event, contest or tournament which involves the consumption of alcoholic beverages by an event, tournament or contest participant. [40 Pa. Code §5.32(f)(3)]. In addition, it is illegal to award alcoholic beverages as a prize.

**9. May a charge for admission to an event, tournament or contest be assessed?**

Yes. A cover charge is permitted unless it is for admission to an event involving chance and reward. In addition, the price of a ticket or evidence of admission to an event, tournament or contest may not include a charge for alcoholic beverages, or entitle the holder thereof to receive an alcoholic beverage. Furthermore, a ticket purchased in order to gain admission to an event, tournament or contest may not be used in a drawing for door prizes.

**10. Does the regulatory change involve any additional record keeping for participating licensees?**

Yes. Licensees must maintain an itemized list of all prizes awarded, their value, and the name and address of the recipient on the licensed premises for a period of two years from the date of the event. [40 Pa. Code §5.32(f)(9)].

Sincerely,

JOHN D. W. REILEY

Secretary to the Board

## TITLE 40 PENNSYLVANIA CODE

### (Pennsylvania Liquor Control Board Regulations)

#### Sec. 5.30. Definitions.

\*\*\*\*

**Event/tournament/contest** —A competitive endeavor involving skill, speed, strength or endurance. The term includes a competitive endeavor involving physical attributes of contestants.

**Game** —A device, such as a pinball, shuffleboard, bowling or video machine which provides the player with amusement and no other form of award excepting free plays.

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#### Sec. 5.31. Amusement permit.

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#### Sec. 5.32. Restrictions/exceptions.

(a) A licensee may not use or permit to be used inside or outside of the licensed premises a loudspeaker or similar device whereby the sound of music or other entertainment, or the advertisement thereof, can be heard on the outside of the licensed premises.

(b) A licensee may not maintain on the licensed premises a platform or stage level with or elevated above the floor and used by musicians or entertainers, if the platform or stage or the entertainment produced thereon can be seen from outside the licensed premises.

(c) A licensee may not permit an employe, servant, agent, event/ tournament/contest participant or a person engaged directly or indirectly as an entertainer in the licensed establishment or a room or place connected therewith, to be in contact or associate with the patrons in the establishment, room or place for a lewd, immoral, improper or unlawful purpose. A copy of this restriction shall be constantly and conspicuously displayed on the wall of the dressing room used by the entertainers, as well as in a conspicuous location visible to employes, servants, agents and event/tournament/contest participants.

(d) A licensee may not directly or indirectly employ a minor person under 18 years of age as an entertainer in the licensed establishment, or in a room or place connected therewith, nor may a licensee permit in the establishment, room or place, a minor person under 18 years of age to act as an entertainer.

(e) A hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub or malt beverage eating place licensee may not hold or permit to be held, on the licensed premises an event, tournament or contest; nor advertise, offer, award or permit the award on the licensed premises of trophies, prizes or premiums, for any purpose except as follows:

(1) A hotel, restaurant, club or malt beverage eating place licensee may permit to be held within the licensed premises an event sanctioned by the State Athletic Commission under 5 Pa.C.S. Part I Subparts A and B (relating to general provisions; and boxing) or under 5 Pa.C.S. Part I, Subpart C

(relating to the Wrestling Act). Only malt or brewed beverages, as generally permitted by the class of license involved, may be sold, served or delivered on that portion of the licensed premises where the event is held, and not sooner than 1 hour before, and not later than 1 hour after the event. Service of malt or brewed beverages at these events will be conducted only with the prior written approval of the State Athletic Commission filed with the Board. Drinks shall be dispensed in that portion of the licensed premises where the event is conducted only in paper or plastic cups.

(2) A hotel, restaurant, club or malt beverage eating place licensee may hold or permit to be held within the licensed premises or in a bowling alley immediately adjacent thereto as provided in sections 406(a)(1) and 442(b) of the Liquor Code (47 P. S. Secs. 4-406(a)(1) and 4-442(b)), a bowling tournament or bowling contest. Liquor and malt or brewed beverages, as generally permitted by the class of license involved, may be served, sold or delivered at the bowling tournament or bowling contest by the licensee.

(3) A hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub or malt beverage eating place licensee may permit the conduct of events on the licensed premises by groups constituting a league. Liquor and malt or brewed beverages, as generally permitted by the class of license involved, may be sold, served or delivered at the events on the licensed premises.

(4) Hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub or malt beverage eating place licensees may permit the conduct of tournaments and contests on the licensed premises for the benefit of, and officially sponsored by, bona fide charitable organizations.

(i) A charitable organization for the purposes of this section is defined as one qualified, approved by and registered with the Department of State and operated under 49 Pa. Code Part I, Subpart B (relating to charitable organizations).

(ii) Charitable organization functions shall be operated in accordance with the Solicitation of Funds For Charitable Purposes Act (10 P. S. Secs. 162.1—162.24) and, if applicable, the Local Option Small Games of Chance Act (10 P. S. Secs. 311—327), and the Bingo Law (10 P. S. Secs. 301—308.1).

(5) Hotel, restaurant, club, privately-owned public golf course, privately-owned private golf course, municipal golf course, brew pub and malt beverage eating place licensees may conduct self-sponsored tournaments, events or contests on their own licensed premises so long as the activities are in conformance with the applicable provisions of this subchapter.

(f) For an activity conducted under this subchapter, the following apply:

(1) There may not be lewd, immoral or improper conduct by the licensee, its servants, agents, employes, patrons or event, contest or tournament participants.

(2) There may not be unlawful gambling directly or indirectly associated with an activity on the licensed premises. A licensee will be held strictly liable for unlawful gambling on the licensed premises.

(3) There may not be an event, contest or tournament which involves the consumption of alcoholic beverages by an event, tournament or contest participant.

(4) The price of a ticket or evidence of admission to an event, tournament or contest may not include a charge or assessment for alcoholic beverages or entitle the holder thereof to receive an alcoholic beverage anywhere on the licensed premises except for alcoholic beverages included in a meal package offering as provided for in Chapter 13 (relating to promotion).

- (5) A licensee or sponsoring charity may advertise an event, tournament or contest.
- (6) Hotel, restaurant, club, privately owned public golf course, privately- owned private golf course, municipal golf course, brew pub and malt beverage eating place licensees, as well as governing bodies of professional golf, skiing, tennis, bowling, pocket billiards and nonlicensee sponsors as provided in subsection (e) may award prizes to contestants or participants of events, tournaments or contests.
- (7) The total value of all prizes for any given event, tournament or contest may not exceed \$500. The total value of all prizes awarded in any seven day period may not exceed \$5,000.
- (8) Golf, skiing, tennis, pocket billiards or bowling events, tournaments, contests and events sanctioned by the State Athletic Commission are exempted from the prize value restrictions in this section.
- (9) Licensees shall maintain on the licensed premises for two years, from the date of the event, an itemized list of all prizes for each event, tournament, contest indicating each prize, its value and the name and address of the recipient.
- (g) The restrictions in this section may apply not only to the licensee, but to partners, officers, directors, servants, agents and employes of a licensee.

Return





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Vineland, NJ 08360  
(856) 794 8641  
[DDGaming@comcast.net](mailto:DDGaming@comcast.net)  
<http://www.Double-D-Gaming.com>  
<http://www.legal-slots.com/>

November 7, 2007

Cpl. Ricky L. Goodling  
C.A.G.E. Unit  
Pennsylvania State Police  
Bureau of Liquor Code Enforcement  
3655 Vartan Way  
Harrisburg, PA 17110

Re: PLCB Approval of Skill Games in Licensed Establishments

Dear Corporal Goodling,

As per our conversation of yesterday please find enclosed the brochure for a new Double D Game, Keystone Hold Em. Based on a submission to the California Gaming Control Board they took issue with the fact that the selection of one (1) reel will result in an outcome and appropriate award. The game, in their opinion, is based on 1/3 skill and 2/3 chance, It is therefore considered a gambling device.

As you have pointed out, New Jersey Regulations are different than those in other jurisdictions and bearing that in mind we modified the game to comply with California Regulations. It is my belief that the newly designed game is 100% skill based and will comply with Pennsylvania Regulations as well.

The game function and operation is more fully explained in the brochure, as well as the applicable regulations to be compliant in the State of Pennsylvania.

The main change to the game is as follows:

- Upon activation of the game two (2) cards are selected at random
- Three (3) buttons are illuminated to control the stop position of each individual reel
- Failure of the player to stop all three (3) reels in the allotted time will result in a voided game
- Voided games will not result in any award regardless of visual reel display
- The game is now 100% pure skill on the part of the player.

The game has been tested and certified by a licensed testing lab to ensure the integrity and operation of the device and programming. I have attached a copy of the lab report for your review that more fully explains the function and operation of the game.

The game is pending approval in New Jersey, is currently in use in Florida and Maryland.

I have spoken with the Chief of Police in Morrisville, Pa, Chief Jones, concerning the use of the game in his jurisdiction. He advised me that a license will have to be obtained from local zoning and his intention is to forward a copy of our brochure to the District Attorney and / or Prosecutor to obtain an opinion. He also advised me that the Allentown Office of the BLCE responds to PLCB complaints and issues in Morrisville, PA concerning Licensees.

I would appreciate any input or guidance from you concerning the contents of the brochure, applicable regulations and my understanding that our game is in compliance with all laws and requirements of the PLCB and BLCE.

Upon request, I will furnish any additional documentation and a physical game for your independent inspection and testing should you desire to perform your own analysis.

Should you require anything additional, please feel free to contact me at my home in Morrisville, PA by phone at (215) 428-3667, by cell at (267) 303-9650, by email at [ddgaming@comcast.net](mailto:ddgaming@comcast.net) or at the New Jersey office listed above.

Thank you for your time and assistance in this matter.

Sincerely,

Martin Caplan  
President  
Double D Gaming

Copy: Major John Lutz

Sent: USPS Certified # 7007 1490 0003 0832 6725