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Catania Gaming Consultants

Breaking News Alert (U.S.- 2012)

Breaking News-- The Eastern District of New York has ruled that Texas Hold'Em is a game of skill

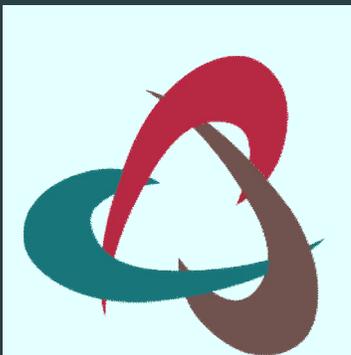
US DISTRICT COURT FINDS POKER A GAME OF SKILL FOR PURPOSES OF US LAW

In a very well-reasoned and thorough opinion, Senior US District Judge Jack Weinstein of the Eastern District of New York has ruled that Texas Hold'Em poker constitutes a game in which skill predominates for purposes of the federal Illegal gambling Business Act (IGBA).

The case arose as a result of a federal prosecution for a poker game which was admittedly a violation of New York law, which prohibits forms of gambling in which chance is a material element. In reversing the defendant's conviction, the Court held that while a violation of state law is necessary for an IGBA violation, the state law violation must also involve a form of gambling in which chance *predominates*. Poker, the Court found, is predominantly a game of

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**Frank Catania, Esq.,
President**

skill.

This decision is also important insofar as it was based on expert evidence and testimony regarding the role of skill in poker, and held that the nature of poker - as a game of skill or chance - constitutes a question of *law* for the Court, not a question of *fact* for a jury.

In short, this is one of the most significant decisions regarding poker and federal law ever rendered. If it is upheld on appeal, it would mean that offering poker online could not constitute a violation of IGBA, regardless of whether poker was a violation of the law of the state in which a player resided.

You can find a copy of the decision at our website-
www.cataniagaming.com

**We look forward to seeing friends and colleagues at G2E
2012 in Las Vegas (October 1-4)**

Please feel free to contact us with any licensing and gaming compliance needs. Our law firm, Catania & Ehrlich, is also available for any of your gaming law needs.

Sincerely,

Frank Catania, Gary Ehrlich and Keith Furlong
Catania Consulting Group, Inc.

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as Catania Gaming
Consultants (CGC), offers a
full service international
gaming consultancy. CGC
provides a variety of services*

to all sectors of the gaming industry, including governments, casino operators, game manufacturers, software providers, lotteries, payment processors and the horseracing industry.

Our goal is to provide clients with the information, experience, and contacts necessary to develop, regulate and operate both casinos and ancillary companies. The governments for which CGC has previously provided assistance in drafting gaming regulations and establishing gaming regulatory structures include the following: The Mohawk Territory of Kahnawake, located just outside Montreal; the United States Virgin Islands; Antigua and Barbuda; the Philippines; and the Canadian Provinces of Prince Edward Island and Nova Scotia.

Combined, the partners and associates of CGC listed below have over 75 years of gaming experience.

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