

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

NORTH METRO HARNESS INITIATIVE
LLC d/b/a RUNNING ACES,

Plaintiff,

v.

KEITH ANDERSON; MICHAEL BEATTIE;
CRAIG BEAULIEU; RAYMOND
BRENNY; SHELLEY BUCK;
CONSTANCE CAMPBELL; MICHAEL
CHILDS JR.; LORI COLLING; ASHLEY
CORNFORTH; REBECCA CROOKS-
STRATTON; DON DAMOND; LEANA
DEJESUS; LEE DILLARD; ALISON
FOGARTY; TIM GENIA; IAN GORRIE;
SCOTT HANSON; MICHAEL HEAVNER;
ANGELA HEIKES; ROXANNE
HEMMING; MICHAEL JANKOVIK;
GRANT JOHNSON; JOHNNY JOHNSON;
RONALD JOHNSON; DUSTIN GOSLIN;
NOAH HIRSCH; KYLE KOSSOL; RYAN
MCGRATH; KEVIN MCNAIR,
VALENTINA MGENI; COLE MILLER;
JOE NAYQUONABE, JR.; SHAWN
O'KEEFE; LON O'DONNELL; DAYNA
PEARSON; KYLE PETERSON; SAM
ROOK; ROBERT SAWYER; LES
SCHMOLKE; CHARLES VIG; DENNIS
WALKER; RONDA WEIZENEGGER, all in
their individual and official capacities,

Defendants.

Case No. 0:24-cv-01369 (JWB/LIB)

AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL

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North Metro Harness Initiative LLC d/b/a Running Aces (“Running Aces”) alleges as follows.

INTRODUCTION

1. Running Aces operates a casino, racetrack, and restaurant in Minnesota. Its casino lawfully offers various common casino card games, such as blackjack, Three Card Poker, and Ultimate Texas Hold’Em, but it does not offer video games of chance, such as video slots, because such gaming activities are prohibited by Minnesota law.

2. Running Aces is a relatively modest casino for the State of Minnesota. The dominant casinos in Minnesota are: Mystic Lake Casino and Little Six Casino, owned by the Shakopee Mdewakanton Sioux Community (“Shakopee”); Grand Casino Hinckley and Grand Casino Mille Lacs, owned by the Mille Lacs Band of Ojibwe (“Mille Lacs”); and Treasure Island Resort & Casino, owned by the Prairie Island Indian Community (“Prairie Island”). These five casinos—defendants’ casinos—generate more than one billion dollars in gaming revenue annually on gaming floors that are many times bigger than Running Aces’.

3. And defendants’ casinos fight to preserve their dominance. On one side, they have long tried to block Running Aces’ efforts to lawfully expand its gaming operations. For example, the Shakopee and the Mille Lacs have been vigorously opposing Running Aces’ request to the Minnesota Racing Commission (“MRC”) for permission to incrementally increase the number of “dealer assist” table games in its casino. On the other side, and in contrast to Running Aces’ conscientious regard for the legal limitations on its gaming operations, defendants’ casinos have vastly expanded their own gaming operations in blatant disregard of clear criminal prohibitions.

4. Under the Indian Gaming Regulatory Act of 1988 (“IGRA”), 25 U.S.C. §§ 2701 *et seq.*, any gaming on Indian lands within Minnesota is subject to Minnesota gaming law unless

it is conducted consistent with IGRA's requirements. IGRA specifies that class III gaming activities—such as video games of chance and casino card games—are “lawful on Indian lands *only if* Minnesota “permits such gaming for any purpose by any person” *and* such activities are “conducted in conformance” with a tribal-state gaming compact “that is in effect.”

5. Defendants' casinos have been conducting class III gaming activities without complying with IGRA and in violation of Minnesota criminal law and federal law.

6. Defendants' casinos have been offering class III video games of chance, such as slots. But Minnesota criminal law categorically prohibits such gaming—as the tribes well know. For example, during the controversy over Running Aces' request to increase its dealer-assist table games, the Shakopee told the MRC, “Video games of chance are not permitted in Minnesota,” and then informed the Minnesota Court of Appeals of “Minnesota's statutory prohibition against the operation of video games of chance.” Likewise, the Mille Lacs told the MRC and the governor of Minnesota that “a video game of chance under Minnesota law ... is ... prohibited.” Therefore, notwithstanding that the Shakopee, the Mille Lacs, and the Prairie Island have tribal-state gaming compacts covering video games of chance, defendants' casinos' offering of such gaming has been unauthorized under IGRA and instead has been in violation of Minnesota criminal law.

7. The two Grand Casinos have been offering not only blackjack, consistent with the Mille Lacs' tribal-state gaming compacts, but also other class III card games, such as Three Card Poker and Ultimate Texas Hold'Em, which are not covered by their tribal-state gaming compacts. The same was true of the Treasure Island Resort & Casino until October 2023, when the Prairie Island's gaming compact was amended to cover class III card games other than blackjack. Minnesota criminal law prohibits class III card gaming except at a card room attached

to a licensed parimutuel racetrack, which defendants' casinos do not have. Therefore, by offering class III card games other than blackjack, these casinos have engaged in gaming that was not authorized by IGRA but instead violated Minnesota criminal law (at least until October 2023 for Treasure Island).

8. These criminal gaming activities form the basis for defendants' violations of the federal Racketeer Influenced and Corrupt Organizations ("RICO") Act, 18 U.S.C. §§ 1961-1968, at issue here. Defendants are individuals most responsible for the illegal gambling activities at their casinos. They are or were the gaming, financing, and marketing leaders of their casinos. They have conducted, managed, supervised, directed, or financed the illegal gambling business at their casinos, in violation of 18 U.S.C. § 1955(a). And they have intentionally promoted, managed, established, carried on, facilitated the promotion, management, establishment, or carrying on of, or distributed the proceeds of their casinos' illegal gambling activities through the use of facilities in interstate commerce, in violation of 18 U.S.C. § 1952(a). These violations of federal criminal law constitute RICO predicate acts under 18 U.S.C. § 1961(1).

9. Through these RICO predicate acts, defendants have been conducting or participating in the affairs of various enterprises that have been engaged in, or whose activities have affected, interstate or foreign commerce—namely, the gaming and broader commercial enterprises of which defendants' casinos are a part—in violation of 18 U.S.C. § 1962(c). Defendants have also conspired to commit such acts in violation of 18 U.S.C. § 1962(d).

10. Defendants' RICO violations have proximately harmed Running Aces' business. These RICO violations have given defendants' casinos illegal and unfair competitive advantages over Running Aces. By offering class III video games of chance and card games other than blackjack, defendants' casinos have been able to attract many patrons who would otherwise have

played card games at Running Aces, thereby depriving Running Aces of substantial revenue and profits—both from lost card gaming and from lost accompanying spending on horse racing and food and beverages.

11. Therefore, Running Aces is entitled to treble damages for the harm to its business caused by defendants' illegal activities and an injunction against such illegal activities in the future. Such relief is necessary to place defendants' casinos on a level and lawful playing field with Running Aces.

PARTIES

12. Plaintiff North Metro Harness Initiative LLC d/b/a Running Aces is a business incorporated under the laws of the State of Minnesota. Its principal place of business is in Columbus, Minnesota, where it owns and operates a casino, horse racetrack, and restaurant.

13. Defendant Cole Miller resides in or near Prior Lake, Minnesota.

14. Defendant Keith Anderson resides in or near Prior Lake, Minnesota.

15. Defendant Charles Vig resides in or near Prior Lake, Minnesota.

16. Defendant Ashley Cornforth resides in or near Prior Lake, Minnesota.

17. Defendant Rebecca Crooks-Stratton resides in Prior Lake, Minnesota.

18. Defendant Angela Heikes resides in Prior Lake, Minnesota.

19. Defendant Don Damond resides in Golden, Colorado.

20. Defendant Tim Genia resides in Rosemount, Minnesota.

21. Defendant Noah Hirsch resides in Prior Lake, Minnesota.

22. Defendant Kyle Peterson resides in Prior Lake, Minnesota.

23. Defendant Sam Rook resides in Prior Lake, Minnesota.

24. Defendant Lee Dillard resides in Prior Lake, Minnesota.

25. Defendant Kyle Kossol resides in Minneapolis, Minnesota.

26. Defendant Dennis Walker resides in Shakopee, Minnesota.
27. Defendant Lori Colling resides in Arlington, Minnesota.
28. Defendant Alison Fogarty resides in Prior Lake, Minnesota.
29. Defendant Joe Nayquonabe, Jr., resides in or near Onomia, Minnesota.
30. Defendant Leana DeJesus resides in or near Onamia, Minnesota.
31. Defendant Michael Beattie resides in or near St. Paul, Minnesota.
32. Defendant Ronda Weizenegger resides in or near Onamia, Minnesota.
33. Defendant Lon ODonnell resides in or near Zimmerman, Minnesota.
34. Defendant Raymond Brenny resides in or near Onamia, Minnesota.
35. Defendant Robert Sawyer resides in or near Onamia, Minnesota.
36. Defendant Scott Hanson resides in or near Onamia, Minnesota.
37. Defendant Craig Beaulieu resides in or near Onamia, Minnesota.
38. Defendant Les Schmolke resides in or near Hinckley, Minnesota.
39. Defendant Shawn O'Keefe resides in or near San Leandro, California.
40. Defendant Dustin Goslin resides in or near Onamia, Minnesota.
41. Defendant Roxanne Hemming resides in or near Hinckley, Minnesota.
42. Defendant Ryan McGrath resides in or near Minneapolis, Minnesota.
43. Defendant Dayna Pearson resides in or near Baxter, Minnesota.
44. Defendant Grant Johnson resides in or near Cottage Grove, Minnesota.
45. Defendant Johnny Johnson resides in or near Welch, Minnesota.
46. Defendant Ronald Johnson resides in or near Welch, Minnesota.
47. Defendant Shelley Buck resides in St. Paul, Minnesota.
48. Defendant Valentina Mgeni resides in or near Maplewood, Minnesota.

49. Defendant Michael Childs Jr. resides in or near Welch, Minnesota.
50. Defendant Constance Campbell resides in Red Wing, Minnesota.
51. Defendant Michael Jankoviak resides in or near Welch, Minnesota.
52. Defendant Ian Gorrie resides in Minnesota.
53. Defendant Michael Heavner resides in or near Cottage Grove, Minnesota.
54. Defendant Kevin McNair resides in Minnesota.

JURISDICTION AND VENUE

55. This case arises under the federal Racketeer Influenced and Corrupt Organizations (“RICO”) Act, 18 U.S.C. §§ 1961-1968. The Court has subject-matter jurisdiction under 28 U.S.C. § 1331 and 18 U.S.C. § 1964. The Court has supplemental subject-matter jurisdiction over the state-law claims under 28 U.S.C. § 1367(a).

56. Plaintiffs’ requests for declaratory and injunctive relief are authorized by 28 U.S.C. §§ 2201-2202, RICO, Federal Rules of Civil Procedure 57 and 65, and the Court’s inherent powers.

57. Venue lies in this district pursuant to 28 U.S.C. § 1391(b)(2)-(3) and 18 U.S.C. § 1965 because a substantial part of the events or omissions giving rise to the claims occurred here, one or more defendants reside, are found, or transact their affairs here, and one or more defendants are subject to personal jurisdiction here.

LEGAL BACKGROUND

I. MINNESOTA GAMING LAW

58. Under Minnesota law, “[l]awful gambling is the operation, conduct or sale of bingo, raffles, paddlewheels, tipboards, and pull-tabs.” Minn. Stat. § 349.12 subd. 24. All other gambling is criminalized, with one exception discussed below.

59. In particular, Minnesota law criminalizes: “mak[ing] a bet”; “permit[ting] a

structure or location ... to be used as a gambling place,” i.e., “a location or structure ... wherein ... betting is permitted or promoted ... or a gambling device is operated”; “maintain[ing] or operat[ing] a gambling place”; “possess[ing] a gambling device”; “set[ting] up for use for the purpose of gambling, or collect[ing] the proceeds of, any gambling device”; and “intentionally participat[ing] in the income of a gambling place.” Minn. Stat. §§ 609.75 subd. 5, 609.755, 609.76 subd. 1.

60. Under Minnesota law, a bet is “a bargain whereby the parties mutually agree to a gain or loss by one to the other of specified money, property or benefit dependent upon chance although the chance is accompanied by some element of skill.” Minn. Stat. § 609.75 subd. 1.

61. Poker and casino card games, e.g., blackjack, Ultimate Texas Hold’Em, Mississippi Stud, Three Card Poker, Four Card Poker, Let It Ride, I Luv Suits Poker, and Pai Gow, involve betting and are therefore illegal under Minnesota law.

62. Under Minnesota law, a gambling device is “a contrivance [whose] purpose ... is that for a consideration a player is afforded an opportunity to obtain something of value, other than free plays, automatically from the machine or otherwise, the award of which is determined principally by chance, whether or not the contrivance is actually played.” Minn. Stat. § 609.75 subd. 4. “Gambling device ... includes a video game of chance.” *Id.* Video games of chance are: (a) “a game or device that simulates one or more games commonly referred to as poker, blackjack, craps, hi-lo, roulette, or other common gambling forms, though not offering any type of pecuniary award or gain to players”; or (b) “any video game having one or more of the following characteristics: (1) it is primarily a game of chance, and has no substantial elements of skill involved; [or] (2) it awards game credits or replays and contains a meter or device that records unplayed credits or replays.” Minn. Stat. § 609.75 subd. 8.

63. Casino video games of chance, e.g., video poker, video blackjack, video keno, video slots, video craps, video roulette, Big Six Wheel, and Dai Bacc involve betting and are gambling devices, and are therefore illegal under Minnesota law.

64. Minnesota law includes a limited exception to its general prohibition on gambling. It allows a State-licensed person to operate a racetrack that offers parimutuel betting on horse racing, and then allows that person to also operate a card club at that racetrack wherein it may offer card games (card playing services) if conducted pursuant to a plan of operation approved by the Minnesota Racing Commission (“MRC”). Minn. Stat. §§ 240.30, 240.07 subd. 3(b); Minn. Stat. § 609.75 subd. 3(7).

II. FEDERAL INDIAN GAMING LAW

65. Under federal law, “the criminal laws” of the State of Minnesota “have the same force and effect within ... Indian country as they have elsewhere within the State.” 18 U.S.C. § 1162(a).

66. Further, under federal law, “all [Minnesota] laws pertaining to the licensing, regulation, or prohibition of gambling, including but not limited to criminal sanctions applicable thereto, ... apply in Indian country in the same manner and to the same extent as such laws apply elsewhere in the State.” 18 U.S.C. § 1166(a); *see also id.* § 1166(b). However, federal law excludes from the definition of “gambling” gaming activity conducted in accordance with the requirements of the Indian Gaming Regulatory Act of 1988 (“IGRA”), 25 U.S.C. §§ 2701 *et seq.* 18 U.S.C. § 1166(c).

67. IGRA defines three classes of gaming and specifies different conditions under which each class is authorized on Indian lands.

68. Under IGRA, “[c]lass III gaming activities shall be lawful on Indian lands only if such activities are ... [i] located in a State that permits such activities for any purpose by any

person, organization, or entity, *and* ... [ii] conducted in conformance with a Tribal-state gaming compact entered into by the Indian tribe and the State ... that is in effect.” 25

U.S.C. § 2710(d)(1). A tribal-state gaming compact “take[s] effect only when notice of approval by the Secretary [of the Interior] of such compact has been published by the Secretary in the Federal Register.” *Id.* § 2710(d)(3)(B).

69. Class III includes “any banking card games” (a.k.a. “banked card games”), “slot machines,” and “electronic or electromechanical facsimiles of any game of chance.” 25 U.S.C. § 2703(7)(A)-(B), (8); 25 C.F.R. § 502.4.

70. A banked card game is “any game of chance that is played with the house as a participant in the game, where the house takes on all players, collects from all losers, and pays all winners, and the house can win.” 25 C.F.R. § 502.11. The house, or bank, is ordinarily, but not necessarily, the casino. As the National Indian Gaming Commission and tribal gaming regulatory authorities have recognized, any player in the game can serve as the bank, and thus “player banked card games are Class III games.”

71. Class III card games are generally the kinds of card games played at casinos, including blackjack (or “21”), baccarat, chemin de fer, Mississippi Stud, Three Card Poker, Four Card Poker, Let It Ride, and Ultimate Texas Hold’Em. 25 C.F.R. § 502.4(a)(1); *see* 25 U.S.C. § 2703(7)(B)(i). Mississippi Stud, Three Card Poker, Four Card Poker, Let It Ride, and Ultimate Texas Hold’Em are banked variants of traditional poker, which is unbanked and may therefore be a class II game. *See* 25 U.S.C. § 2703(7)(A)(ii).

72. Electronic or electromechanical games of chance are any “game played in an electronic or electromechanical format that replicates a game of chance by incorporating all the characteristics of the game.” 25 C.F.R. § 502.8. Such games are generally the kinds of video

games of chance played at casinos, including video poker, video blackjack, video keno, video slots, video craps, video roulette, Big Six Wheel, and Dai Bacc.

FACTUAL BACKGROUND

I. THE MYSTIC LAKE AND LITTLE SIX CASINOS

A. The SMSC Businesses

73. The Shakopee is a federally recognized Indian tribe in Minnesota.

74. The Shakopee Business Council is responsible for running the day-to-day operations of the Shakopee's commercial enterprises ("SMSC Commercial Enterprises").

75. SMSC Commercial Enterprises is a large operation active in four lines of business: recreation & entertainment, accommodations, shops & services, and energy & environment. These business activities are conducted on and off tribal lands and are conducted in and substantially affect interstate or foreign commerce.

76. SMSC Commercial Enterprises' recreation & entertainment line of business includes SMSC Gaming Enterprise, which operates Mystic Lake Casino and Little Six Casino, both in Prior Lake, Minnesota. Mystic Lake Casino opened in 1992; Little Six Casino opened in 1987. Each casino operates 24 hours per day, seven days per week, year-round. On information and belief, the two casinos host hundreds of thousands of customers annually and generate hundreds of millions of dollars in gambling revenue annually.

77. Mystic Lake is Minnesota's largest casino and entertainment complex. It includes a 150,000-square foot casino—the largest in Minnesota. It also includes a 766-room hotel—one of the largest hotels in Minnesota—seven restaurants, the Mystic Lake Center (an event center for conferences and banquets), the Meadows at Mystic Lake golf course, and a spa. And it includes several venues—a showroom, ballroom, comedy club, and amphitheater—for hosting nationally known touring entertainers.

78. Mystic Lake solicits and attracts patrons for gaming, lodging, and entertainment from Minnesota, other States, and Canada. To do so, Mystic Lake promotes itself extensively throughout the Midwest region and beyond, including on billboards, by direct mail, and through advertisements in print, on television, and on various websites, including social media. Correspondingly, Mystic Lake competes for gaming patrons with other casinos in Minnesota and in nearby States.

79. Little Six Casino includes a 25,000-square foot casino and a restaurant.

80. Little Six solicits and attracts gaming patrons from Minnesota, other States, and Canada. To do so, Little Six Casino promotes itself extensively throughout the Midwest region and beyond, including on various websites, such as social media. Correspondingly, it competes for gaming patrons with other casinos in Minnesota and in nearby States.

81. Many people who have been employed by or associated with SMSC Commercial Enterprises or SMSC Gaming Enterprise have conducted, managed, supervised, directed, established, carried on, and facilitated the management, establishment, and carrying on of SMSC Commercial Enterprises' and SMSC Gaming Enterprise's gaming business activities at their two casinos ("SMSC Gaming Leaders"), including:

a. Cole Miller, Shakopee Business Council, Chairman (2024) and former Vice-Chairman (2020-2024). He is responsible for overseeing the day-to-day operations of SMSC's Commercial Enterprises.

b. Keith Anderson, Shakopee Business Council, former Chairman (2020-2024). He was responsible for overseeing the day-to-day operations of SMSC's Commercial Enterprises.

c. Charles Vig, Shakopee Business Council, former Chairman (2016-2020).

He was responsible for overseeing the day-to-day operations of SMSC's Commercial Enterprises.

d. Ashley Cornforth, Shakopee Business Council, Secretary and Treasurer (2024); SMSC Gaming Enterprise Board of Directors, Chairwoman. She is responsible for the day-to-day operations of SMSC's Commercial Enterprises, and for setting policy and overseeing daily operations at Mystic Lake and Little Six Casino.

e. Rebecca Crooks-Stratton, Shakopee Business Council, former Secretary and Treasurer (2018-2024). She was responsible for overseeing the day-to-day operations of SMSC's Commercial Enterprises.

f. Angela Heikes, SMSC Gaming Enterprise, President and Chief Executive Officer (since 2016). She oversees the SMSC Gaming Enterprise casinos, including business, strategy, marketing, and finance.

g. Don Damond, SMSC Gaming Enterprise, former Vice President and General Manager (since 2013). He was responsible for strategic planning, overall profitability, financial budgeting, marketing strategy, customer service strategy, food and beverage operations, and state and federal regulatory compliance.

h. Tim Genia, SMSC Gaming Enterprise, Director of Gaming Operations; Mystic Lake, Director of Gaming Operations (since at least 2020). He oversees all SMSC gaming operations and strategy.

i. Noah Hirsch, Mystic Lake, Vice President of Operations & General Manager (since 2022). He oversees Mystic Lake's day-to-day operations and is responsible for analyzing casino operations to increase patronage.

j. Kyle Peterson, Mystic Lake, Gaming Operations Manager (since 2013).

He oversees Mystic Lake's gaming operations and strategy.

k. Sam Rook, Little Six Casino, Vice President and General Manager (since 2021). He oversees Little Six Casino's day-to-day operations and is responsible for analyzing casino operations to increase patronage.

82. Many people who have been employed by or associated with SMSC Commercial Enterprises or SMSC Gaming Enterprise have financed, distributed the proceeds of, established, and facilitated the promotion, management, establishment, and carrying on of SMSC Commercial Enterprises' and SMSC Gaming Enterprise's gaming business activities at their two casinos ("SMSC Finance Leaders"), including:

- a. Keith Anderson (identified above).
- b. Charles Vig (identified above)
- c. Cole Miller (identified above).
- d. Rebecca Crooks-Stratton (identified above).
- e. Ashley Cornforth (identified above).
- f. Angela Heikes (identified above).
- g. Don Damond (identified above).
- h. Lee Dillard, SMSC Gaming Enterprise, Vice President of Finance and Chief Financial Officer (since 2021). He is responsible for managing all aspects of the finances for SMSC Gaming Enterprise, developing budgets, coordinating with the operations team to achieve financial targets, and directing the financial strategy.
- i. Kyle Kossol, SMSC Gaming Enterprise, former Vice President of Finance and Systems (until 2021). He was responsible for managing finances for SMSC Gaming Enterprise, including strategic planning, financial reporting, and budgeting.

j. Dennis Walker, SMSC Gaming Enterprise, Director of Casino Finance (since 2010). He is responsible for managing finances for SMSC Gaming Enterprise, including financial planning, financial reporting, budgeting, and ensuring revenue targets are met.

k. Lori Colling, Mystic Lake, Director of Casino Finance (since 2017). She is responsible for managing finances for the casino, including financial planning, financial reporting, budgeting, and ensuring revenue targets are met.

83. Many people who have been employed by or associated with SMSC Commercial Enterprises or SMSC Gaming Enterprise have promoted and facilitated the promotion of SMSC Commercial Enterprises' and SMSC Gaming Enterprise's gaming business activities at their two casinos ("SMSC Marketing Leaders"), including:

- a. Keith Anderson (identified above).
- b. Charles R. Vig (identified above)
- c. Cole Miller (identified above).
- d. Rebecca Crooks-Stratton (identified above).
- e. Ashley Cornforth (identified above).
- f. Angela Heikes (identified above).
- g. Don Damond (identified above).
- l. Alison Fogarty, Mystic Lake, Vice President of Marketing (since 2015).

She is responsible for developing, managing, and strategically planning marketing campaigns for Mystic Lake.

m. Sam Rook (identified above), Mystic Lake, Director of Marketing (2017-2021). He was responsible for developing, managing, and strategically planning

marketing campaigns for Mystic Lake.

84. SMSC Commercial Enterprises' recreation & entertainment line of business also includes Dakotah! Sport and Fitness and Dakotah! Ice Center, both in Prior Lake.

85. Besides Mystic Lake, SMSC Commercial Enterprises' accommodations line of business includes the JW Marriott Hotel at Mall of America, in Bloomington, Minnesota—the largest mall in the Western Hemisphere—and Dakotah Meadows RV Park, in Prior Lake. The hotel and the RV park attract and serve interstate and international travelers.

86. SMSC Commercial Enterprises' shops & services line of business includes the Mystic Lake Store at Mall of America, as well as Dakota Convenience Stores, a recycling facility, a water-bottling facility, and a mini storage facility in Prior Lake.

87. On information and belief, SMSC Commercial Enterprises and SMSC Gaming Enterprise invest the proceeds from their casinos' gaming activities into their various business ventures, including the casinos and associated hotels, restaurants, and entertainment venues, and the JW Marriott Hotel at Mall of America.

B. The Shakopee's Tribal-State Gaming Compacts

88. The Shakopee have entered into (or "concluded," in the language of IGRA) two tribal-state gaming compacts purportedly allowing certain class III gaming activities on tribal lands.

89. In 1989, the Shakopee and the State of Minnesota entered into a tribal-state gaming compact to allow the Shakopee to operate "video games of chance within the federally recognized boundaries of the Community" ("Shakopee Video Game Compact," attached as Ex. 1). The Secretary of the Interior approved and published the Shakopee Video Game Compact shortly thereafter.

90. The Shakopee Video Game Compact defines "video games of chance" as

“electronic or electromechanical video devices that simulate games commonly referred to as poker, blackjack, craps, hi-lo, roulette, line-up symbols and numbers, or other common gambling forms, which are activated by the insertion of a coin, token, or currency, and which award game credits, cash, tokens, or replays, and contain a meter or device to record unplayed credits or replays.”

91. In 1991, the Shakopee and the State of Minnesota entered into another tribal-state gaming compact to allow the Shakopee to offer the class III card game blackjack (or 21) “within the Reservation” (“Shakopee Blackjack Compact,” attached as Ex. 2). The Secretary of the Interior approved and published the Shakopee Blackjack Compact shortly thereafter.

92. The Shakopee Blackjack Compact defines “blackjack” as “a banking card game which involves the use of one or more decks of playing cards, the purpose of which is to reach the number ‘21’ (or as close thereto as possible without exceeding the number ‘21’) through the cumulative addition of cards dealt to the players and the house.”

93. There have never been any other approved tribal-state gaming compacts between the Shakopee and the State of Minnesota in effect.

94. On March 13, 2024, however, the Department of the Interior published notice in the Federal Register of its approval of an amendment to the Shakopee Blackjack Compact that “permits ... the operation of Class III card games” on Shakopee lands. As amended, the compact defines “Class III Card Game” to mean “any Banking Card Game” (attached as Ex. 3)

95. Pursuant to IGRA, the Shakopee adopted a gaming ordinance in 1993. The Shakopee amended the ordinance in 2012 and 2013.

96. As amended, the ordinance established the Shakopee Community Gaming Commission to oversee and enforce gaming regulatory matters under Shakopee law. The

ordinance grants the Gaming Commission the power and duty to promulgate regulations regarding tribal gaming, to issue gaming licenses, and to ensure compliance with applicable laws, including IGRA and tribal-state gaming compacts.

97. As amended, the ordinance states that “each separate facility, place, or location shall require a separate license, issued specifically for that place, facility, or location.” On information and belief, the Gaming Commission issued separate licenses to Mystic Lake Casino and Little Six Casino to conduct gaming.

C. Illegal Gambling at Mystic Lake

98. Since 2020, Mystic Lake Casino has continuously offered various class III video games of chance, e.g., slots, blackjack, keno, baccarat, craps, roulette, Big Six Wheel, and Dai Bacc.

99. Notwithstanding the Shakopee tribal-state gaming compacts, offering such class III video games of chance violates Minnesota criminal law and violates IGRA because Minnesota law categorically prohibits such gaming activity.

100. Mystic Lake’s offering of class III video games of chance violates Minnesota law and in turn violates IGRA because such gaming involves making bets, the video games of chance are gambling devices, the casino is a gambling place, and the casino’s operations involve possessing a gambling device, permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, setting up a gambling device for use for the purpose of gambling or collecting the proceeds thereof, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

101. Mystic Lake has promoted its illegal class III gaming activities through the mail or facilities in interstate commerce. For example, its website highlights “Video Craps,” “Video

Baccarat,” and various video slots. It also uses mobile and web-based “social casino gaming” applications to promote gaming at the casino, announcing to patrons: “Visit your favorite casino right from home.” And as described above, it advertises throughout the Midwest region and beyond through direct mail, on television, and on the internet.

102. Mystic Lake obtains gaming devices, equipment, and other materials from suppliers outside Minnesota. For example, it acquires video games of chance from, among others, IGT (based in Nevada and Italy), Aristocrat (based in Australia), Incredible Technologies (ITS) (based in Illinois), and Light & Wonder (based in Nevada).

103. Since 2020, Mystic Lake has operated as an illegal gambling business under 18 U.S.C. § 1955(b). Specifically:

- a. Mystic Lake is a gambling business.
- b. By offering class III video games of chance, Mystic Lake’s gambling business has been continuously violating Minnesota criminal law in multiple ways, as described above. *See* Minn. Stat. §§ 609.75, 609.755, 609.76.
- c. Mystic Lake’s gambling business has involved five or more persons who conduct, finance, manage, supervise, or direct all or part of such business, including all the SMSC Gaming Leaders and SMSC Finance Leaders.
- d. Mystic Lake’s gambling business has continuously offered its illegal gaming activities for more than 30 days.
- e. On information and belief, Mystic Lake’s gambling business has had gross revenue of \$2,000 or more on single days.

104. In violation of 18 U.S.C. § 1955(a), each SMSC Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually conducted, managed,

supervised, and directed all or part of Mystic Lake's illegal gambling business.

105. In violation of 18 U.S.C. § 1955(a), each SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually financed all or part of Mystic Lake's illegal gambling business.

106. In violation of 18 U.S.C. § 1952(a), each SMSC Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, Mystic Lake's illegal gaming activities, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity.

107. In violation of 18 U.S.C. § 1952(a), each SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote, establish, carry on or facilitate the promotion, management, establishment, or carrying on of unlawful activity, namely, Mystic Lake's illegal gaming activities, and thereafter did or attempted to establish or facilitate the promotion, management, establishment, or carrying on of such activity.

108. In violation of 18 U.S.C. § 1952(a), each SMSC Marketing Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote or facilitate the promotion of unlawful activity, namely, Mystic Lake's illegal gaming activities, and thereafter did or attempted to promote or facilitate

the promotion of such activity.

109. In violation of 18 U.S.C. § 1952(a), each SMSC Gaming Leader and SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to distribute the proceeds of an unlawful activity, namely, Mystic Lake’s illegal gaming activities, and thereafter did or attempted to distribute such proceeds.

D. Illegal Gambling at Little Six Casino

110. Since 2020, Little Six Casino has continuously offered various class III video games of chance, e.g., slots and roulette.

111. Notwithstanding the Shakopee tribal-state gaming compacts, offering such class III video games of chance violates Minnesota criminal law and violates IGRA because Minnesota law categorically prohibits such gaming activity.

112. Little Six’s offering of class III video games of chance violates Minnesota law and in turn violates IGRA because such gaming involves making bets, the video games of chance are gambling devices, the casino is a gambling place, and the casino’s operations involve possessing a gambling device, permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, setting up a gambling device for use for the purpose of gambling or collecting the proceeds thereof, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

113. Little Six Casino has promoted its illegal class III gaming activities through the mail or facilities in interstate commerce. For example, its website highlights various video slots. And as described above, it advertises throughout the Midwest region and beyond through the

internet.

114. Little Six obtains gaming devices, equipment, and other materials from suppliers outside Minnesota. For example, on information and belief, it acquires video games of chance from, among others, IGT (based in Nevada and Italy), Aristocrat (based in Australia), Incredible Technologies (ITS) (based in Illinois), and Light & Wonder (based in Nevada).

115. Since 2020, Little Six Casino has operated as an illegal gambling business under 18 U.S.C. § 1955(b). Specifically:

- a. Little Six Casino is a gambling business.
- b. By offering class III video games of chance, Little Six's gambling business has been continuously violating Minnesota criminal law in multiple ways, as described above. *See* Minn. Stat. §§ 609.75, 609.755, 609.76.
- c. Little Six Casino's gambling business has involved five or more persons who conduct, finance, manage, supervise, or direct all or part of such business, including all the SMSC Gaming Leaders and SMSC Finance Leaders.
- d. Little Six Casino's gambling business has continuously offered its illegal gaming activities for more than 30 days.
- e. On information and belief, Little Six Casino's gambling business has had gross revenue of \$2,000 or more on single days.

116. In violation of 18 U.S.C. § 1955(a), each SMSC Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually conducted, managed, supervised, and directed all or part of Little Six Casino's illegal gambling business.

117. In violation of 18 U.S.C. § 1955(a), each SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually financed all or part

of Little Six Casino's illegal gambling business.

118. In violation of 18 U.S.C. § 1952(a), each SMSC Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, Little Six Casino's illegal gaming activities, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity.

119. In violation of 18 U.S.C. § 1952(a), each SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote, establish, carry on or facilitate the promotion, management, establishment, or carrying on of unlawful activity, namely, Little Six Casino's illegal gaming activities, and thereafter did or attempted to establish or facilitate the promotion, management, establishment, or carrying on of such activity.

120. In violation of 18 U.S.C. § 1952(a), each SMSC Marketing Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote or facilitate the promotion of unlawful activity, namely, Little Six Casino's illegal gaming activities, and thereafter did or attempted to promote or facilitate the promotion of such activity.

121. In violation of 18 U.S.C. § 1952(a), each SMSC Gaming Leader and SMSC Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has

continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to distribute the proceeds of an unlawful activity, namely, Little Six Casino’s illegal gaming activities, and thereafter did or attempted to distribute such proceeds.

II. THE GRAND CASINOS

A. The MLCV Businesses

122. The Mille Lacs is a band, or affiliate, of the Minnesota Chippewa, which is a federally recognized tribe in Minnesota.

123. The Mille Lacs’ Corporate Commission oversees the Mille Lacs’ business activities. The Corporate Commission is led by the Commissioner of Corporate Affairs, who is advised by the Board of Directors.

124. Joe Nayquonabe, Jr., has been the Mille Lacs’ Commissioner of Corporate Affairs since 2012.

125. The Mille Lacs’ Corporate Commission conducts the Mille Lacs’ business activities as Mille Lacs Corporate Ventures (“MLCV”), which operates like a holding company.

126. MLCV is active in four lines of business: gaming, hospitality, government contracting, and investing in businesses on Mille Lacs tribal lands. MLCV’s business activities are conducted on and off tribal lands and are conducted in and substantially affect interstate or foreign commerce.

127. MLCV’s gaming line of business includes two Grand Casinos on tribal lands: Grand Casino Hinckley, in Hinckley, Minnesota, and Grand Casino Mille Lacs, in Vineland, Minnesota. Both casinos opened in the early 1990s. These casinos are two of the largest entertainment destinations in Minnesota. Each casino operates 24 hours per day, seven days per week, year-round. On information and belief, the two casinos host hundreds of thousands of

customers annually and generate hundreds of millions of dollars in gambling revenue annually.

128. Grand Casino Hinckley includes a 70,000-square foot casino, almost 900 rooms of lodgings (spread across a hotel, an inn, and chalets)—possibly the largest lodging complex in Minnesota—an RV park, several restaurants, and various entertainment options, including a golf course, an amphitheater, a spa, and an arcade. Grand Casino Hinckley promotes itself as an “iconic venue” and “a cornerstone of live entertainment in the Midwest,” where it hosts nationally known touring entertainers.

129. Grand Casino Mille Lacs includes a 70,000-square foot casino, a 494-room hotel, several restaurants, and various entertainment options, including a museum, a movie theater, and a concert venue. Grand Casino Mille Lacs promotes itself as an “iconic venue” and “a cornerstone of live entertainment in the Midwest,” where it hosts nationally known touring entertainers.

130. Both Grand Casinos solicit and attract patrons for gaming, lodging, and entertainment from Minnesota, other States, and Canada. MLCV presents the two casinos as “premier gaming and entertainment destinations in ... the greater Midwest.” Each casino promotes itself extensively throughout the Midwest region and beyond, including on billboards, by direct mail, and through advertisements in print, on television, and on various websites, including social media. Correspondingly, each casino competes for gaming patrons with other casinos in Minnesota and in nearby States.

131. Many people who have been employed by or associated with MLCV or the Grand Casinos have conducted, managed, supervised, directed, established, carried on, and facilitated the management, establishment, and carrying on of MLCV’s and Grand Casinos’ gaming business activities at their casinos (“ML Gaming Leaders”), including:

a. Joe Nayquonabe, Jr., MLCV, Chief Executive Officer and Chair of the Board (since 2012). He is responsible for overseeing MLCV's business activities and identifying new business opportunities.

b. Leana DeJesus, MLCV, Director. She is responsible for overseeing MLCV's business activities and identifying new business opportunities.

c. Michael Beattie, MLCV, Chief Operating Officer (since 2023) and former General Counsel (2014-2023). As the Chief Operating Officer, he is responsible for leading MLCV's strategy planning, execution and performance, and communications.

d. Ronda Weizenegger, Grand Casinos, Chief Executive Officer (since 2023) and former Chief Operating Officer (2017-2023), Chief Financial Officer (2014-2017), and General Manager (2003-2014). As Chief Executive Officer and Chief Operating Officer, she has overseen the MLCV casinos, including operations, strategy, marketing, and finance.

e. Lon ODonnell, Grand Casinos, Vice President of Gaming Strategy (since 2023) and Vice President of Gaming Operations (since 2022). He is responsible for shaping the gaming vision and strategic initiatives for the MLCV casinos. He leads efforts to optimize the casinos' gaming operations, elevate the player experience, and pinpoint growth prospects. He is responsible for crafting strategies that ensure the casinos remain competitive and innovative.

f. Raymond Brenny, Grand Casinos, Senior Vice President of Gaming Operations. He is responsible for developing budgets, coordinating with the operations team to achieve financial targets, and developing policy and strategy for MLCV's casinos and their gaming.

- g. Robert Sawyer, Grand Casinos, Vice President of Gaming (2020-2021).

He was responsible for MLCV's casinos' gaming operations.

- h. Scott Hanson, Grand Casinos, Corporate Vice President of Table Games

(since 2000). He is responsible for MLCV's casinos' table gaming operations.

- i. Craig Beaulieu, Grand Casinos, Director of Gaming (since 2021). He is

responsible for MLCV's casinos' gaming operations.

- j. Les Schmolke, Table Games Manager (since 1992). He is responsible for

MLCV's casinos' table gaming operations.

132. Many people who have been employed by or associated with MLCV or the Grand Casinos have financed, distributed the proceeds of, established, and facilitated the promotion, management, establishment, and carrying on of MLCV's and Grand Casinos' gaming business activities at their casinos ("ML Finance Leaders"), including:

- a. Joe Nayquonabe, Jr. (identified above).

- b. Leana DeJesus (identified above).

- c. Michael Beattie (identified above).

- d. Ronda Weizenegger (identified above).

- e. Shawn O'Keefe, MLCV, Chief Financial Officer (since 2019). He is

responsible for finance, treasury, accounting, compliance, resource allocation, financial and capital planning and analysis, M&A, business strategy, and financial direction to meet growth and investment objectives for MLCV's companies.

- f. Dustin Goslin, MLCV, Vice President of Business and Economic

Development (since 2019). He is responsible for researching and analyzing potential

businesses and investments for MLCV, and obtaining capital from a variety of public and

private sources.

g. Roxanne Hemming, Grand Casinos, VP Finance and Chief Financial Officer (since 2009). She is responsible for developing budgets, coordinating with the operations team to achieve financial targets, and developing policy and strategy for MLCV's casinos.

133. Many people who have been employed by or associated with MLCV or the Grand Casinos have promoted and facilitated the promotion of MLCV's and Grand Casinos' gaming business activities at their casinos ("ML Marketing Leaders"), including:

a. Joe Nayquonabe, Jr. (identified above).

b. Leana DeJesus (identified above), Grand Casinos, Director of Entertainment and Promotions. She is responsible for developing the casinos' promotional offers.

c. Michael Beattie (identified above).

d. Ronda Weizenegger (identified above).

e. Ryan McGrath, MLCV, Executive Vice President of Digital and Marketing Innovation (since 2022) and former Vice President of Digital Innovation (2021-2022). He is responsible for developing and executing marketing campaigns for the MLCV casinos, with a focus on digital and technological marketing.

f. Dayna Pearson, Grand Casinos, Vice President of Marketing (since 2023) and former Director of Marketing (2020-2023). She leads marketing in both traditional and digital media, including website operations, mobile applications, social media, and streaming for MLCV's casinos. She is responsible for budget and spending decisions for marketing, and for developing market strategies for MLCV's casinos.

134. The MLCV's Gaming Business also includes Slotco Capital, a firm whose mission is to improve slot-machine performance at tribal casinos around the country. Slotco leases slot machines, supplies data-science resources, and makes capital investments in tribal casinos nationwide.

135. MLCV's hospitality line of business includes three large hotels off tribal lands in the Twin Cities metro area of Minnesota: the InterContinental Saint Paul Riverfront, the DoubleTree by Hilton Downtown Saint Paul, and the DoubleTree by Hilton Minneapolis-Park Place. MLCV's hospitality line of business also includes the Embassy Suites Will Rogers Airport in Oklahoma City, Oklahoma, which is also off tribal lands. And this line of business includes Maadaadizi Investments, which develops, acquires, and manages various hospitality properties, including in Minnesota and Oklahoma.

136. MLCV's government-contracting business is conducted through Makwa Global. Makwa Global participates in the Small Business Administration's 8(a) contracting program and competes for federal contracts in several sectors, including security, information technology, professional services and staffing, logistics and procurement, and construction. Makwa Global, as its name indicates, has operations around the country (including in Minnesota, Virginia, Arizona, and Hawaii) and abroad (in Germany, the United Arab Emirates, and Kenya).

137. On information and belief, MLCV and Grand Casinos invest the proceeds from their casinos' gaming activities into the Grand Casinos, including the casinos and associated hotels, restaurants, and entertainment venues, as well as into MLCV's other businesses, including its hotels in Minnesota and Oklahoma, i.e., the InterContinental Saint Paul Riverfront, the DoubleTree by Hilton Downtown Saint Paul, the DoubleTree by Hilton Minneapolis-Park Place, and the Embassy Suites Will Rogers Airport.

B. The Mille Lacs' Tribal-State Gaming Compacts

138. The Mille Lacs has entered into two tribal-state gaming compacts purportedly allowing certain class III gaming activities on tribal lands.

139. In 1990, the Mille Lacs and the State of Minnesota entered into a tribal-state gaming compact to allow the Mille Lacs to operate “video games of chance within the Reservation” (“ML Video Game Compact,” attached as Ex. 4). The Secretary of the Interior approved and published the ML Video Game Compact shortly thereafter.

140. The ML Video Game Compact defines “video games of chance” as “electronic or electromechanical video devices that simulate games commonly referred to as poker, blackjack, craps, hi-lo, roulette, line-up symbols and numbers, or other common gambling forms, which are activated by the insertion of a coin, token, or currency, and which award game credits, cash, tokens, or replays, and contain a meter or device to record unplayed credits or replays.”

141. In 1991, the Mille Lacs and the State of Minnesota entered into another tribal-state gaming compact to allow the Mille Lacs to offer the class III card game blackjack (or 21) “within the Reservation” (“ML Blackjack Compact,” attached as Ex. 5). The Secretary of the Interior approved and published the ML Blackjack Compact shortly thereafter.

142. The ML Blackjack Compact defines “blackjack” as “a banking card game which involves the use of one or more decks of playing cards, the purpose of which is to reach the number ‘21’ (or as close thereto as possible without exceeding the number ‘21’) through the cumulative addition of cards dealt to the players and the house.”

143. There have never been any other approved tribal-state gaming compacts in effect between the Mille Lacs and the State of Minnesota, and no other class III games have been covered by the tribal-state gaming compacts in effect between the Mille Lacs and the State of Minnesota.

144. The Mille Lacs and the State of Minnesota agreed to amend the ML Blackjack Compact to allow limited forms of side bets on August 26, 2021, and agreed to amend that compact to allow additional forms of side bets on May 2, 2023. But neither amendment has been published in the Federal Register and therefore neither has ever taken effect. *See* 25 C.F.R. §§ 293.4 & 293.15.

145. Pursuant to IGRA, in 1995 the Mille Lacs adopted a gaming ordinance. The Mille Lacs amended the ordinance in 2003.

146. As amended, the ordinance established the Mille Lacs Gaming Regulatory Authority to oversee and enforce gaming regulatory matters under Mille Lacs law. The ordinance grants the Gaming Regulatory Authority the power and duty to promulgate regulations regarding tribal gaming, to issue gaming licenses, and to ensure compliance with applicable laws, including IGRA and the tribal-state gaming compacts.

147. As amended, the ordinance also states that “Class III Games” are “permitted” only if “licensed and conducted under the terms of” a gaming compact between the Mille Lacs and the State of Minnesota.

148. As amended, the ordinance defines Grand Casino Hinckley and Grand Casino Mille Lacs as separate “Gaming Enterprises” and requires that each casino be licensed separately and states that the Gaming Regulatory Authority must “issue a separate license to each place, facility, or location on Band Lands where the Band elects to allow class II or class III gaming.” On information and belief, the Gaming Regulatory Authority issued separate licenses to Grand Casino Hinckley and Grand Casino Mille Lacs to conduct class III gaming.

C. Illegal Gambling at Grand Casino Hinckley

149. Since 2020, Grand Casino Hinckley has continuously offered various class III video games of chance, e.g., slots, keno, poker, blackjack, Ultimate Texas Hold’Em, and Big Six

Wheel.

150. Notwithstanding the Mille Lacs tribal-state gaming compacts, offering such class III video games of chance violates Minnesota criminal law and violates IGRA because Minnesota law categorically prohibits such gaming activity.

151. Grand Casino Hinckley's offering of class III video games of chance violates Minnesota law and in turn violates IGRA because such gaming involves making bets, the video games of chance are gambling devices, the casino is a gambling place, and the casino's operations involve possessing a gambling device, permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, setting up a gambling device for use for the purpose of gambling or collecting the proceeds thereof, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

152. Since 2020, Grand Casino Hinckley has also continuously offered various class III card games. Grand Casino Hinckley has offered blackjack, in conformance with the Mille Lacs tribal-state gaming compacts. But the casino has also continuously offered various class III card games that have never been authorized by the Mille Lacs tribal-state gaming compacts, including side bets on blackjack (e.g., TriLux Bonus, Fortune Blackjack, Blazing 7s Four-Tier Progressive), Mississippi Stud, Three Card Poker, Let It Ride, and Ultimate Texas Hold'Em. Therefore, the casino's offering of such non-compact class III card games is subject to Minnesota law under IGRA.

153. And the casino's offering of such non-compact class III card games violates Minnesota law because it involves making bets, the casino is a gambling place, and the casino's operations involve permitting a structure or location to be used as a gambling place, maintaining

or operating a gambling place, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1). The casino has not offered those games pursuant to a plan of operation approved by the MRC in connection with parimutuel horse racing.

154. Grand Casino Hinckley has promoted its illegal class III gaming activities through the mail or facilities in interstate commerce. For example, its website states that it offers “Video Slots,” Video Poker,” “Ultimate Texas Hold’em, Mississippi Stud, Let it Ride, and Three Card Poker,” and various “Side bets.” And as described above, it advertises throughout the Midwest region and beyond through direct mail, on television, and on the internet.

155. Grand Casino Hinckley obtains gaming devices, equipment and other materials from suppliers in other States. For example, it licenses many of its non-compact class III card games from SHFL Entertainment (based in Nevada and a subsidiary of Light & Wonder (based in Nevada)). It acquires video games of chance from, among others, IGT (based in Nevada and Italy), Aristocrat (based in Australia), Incredible Technologies (ITS) (based in Illinois), and Light & Wonder (based in Nevada).

156. Since 2020, Grand Casino Hinckley has operated as an illegal gambling business under 18 U.S.C. § 1955(b). Specifically:

- a. Grand Casino Hinckley is a gambling business.
- b. By offering class III video games of chance and non-compact card games, Grand Casino Hinckley’s gambling business has been continuously violating Minnesota criminal law in multiple ways, as described above. *See* Minn. Stat. §§ 609.75, 609.755, 609.76.
- c. Grand Casino Hinckley’s gambling business has involved five or more

persons who conduct, finance, manage, supervise, or direct all or part of such business, including all the ML Gaming Leaders and ML Finance Leaders.

d. Grand Casino Hinckley's gambling business has continuously offered its illegal gaming activities for more than 30 days.

e. On information and belief, Grand Casino Hinckley's gambling business has had gross revenue of \$2,000 or more on single days.

157. In violation of 18 U.S.C. § 1955(a), each ML Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually conducted, managed, supervised, and directed all or part of Grand Casino Hinckley's illegal gambling business.

158. In violation of 18 U.S.C. § 1955(a), each ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually financed all or part of Grand Casino Hinckley's illegal gambling business.

159. In violation of 18 U.S.C. § 1952(a), each ML Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, Grand Casino Hinckley's illegal gaming activities, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity.

160. In violation of 18 U.S.C. § 1952(a), each ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote, establish, carry on or facilitate the promotion, management,

establishment, or carrying on of unlawful activity, namely, Grand Casino Hinckley's illegal gaming activities, and thereafter did or attempted to establish or facilitate the promotion, management, establishment, or carrying on of such activity.

161. In violation of 18 U.S.C. § 1952(a), each ML Marketing Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote or facilitate the promotion of unlawful activity, namely, Grand Casino Hinckley's illegal gaming activities, and thereafter did or attempted to promote or facilitate the promotion of such activity.

162. In violation of 18 U.S.C. § 1952(a), each ML Gaming Leader and ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to distribute the proceeds of an unlawful activity, namely, Grand Casino Hinckley's illegal gaming activities, and thereafter did or attempted to distribute such proceeds.

D. Illegal Gambling at Grand Casino Mille Lacs

163. Since 2020, Grand Casino Mille Lacs has continuously offered various class III video games of chance, e.g., slots, keno, poker, blackjack, Ultimate Texas Hold'Em, and roulette.

164. Notwithstanding the Mille Lacs tribal-state gaming compacts, offering such class III video games of chance violates Minnesota criminal law and violates IGRA because Minnesota law categorically prohibits such gaming activity.

165. Grand Casino Mille Lacs' offering of class III video games of chance violates Minnesota law and in turn violates IGRA because such gaming involves making bets, the video

games of chance are gambling devices, the casino is a gambling place, and the casino's operations involve possessing a gambling device, permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, setting up a gambling device for use for the purpose of gambling or collecting the proceeds thereof, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

166. Since 2020, Grand Casino Mille Lacs has also continuously offered various class III card games. Grand Casino Mille Lacs has offered blackjack, in conformance with the Mille Lacs tribal-state gaming compacts. But the casino has also continuously offered various class III card games that have never been authorized by the Mille Lacs tribal-state gaming compacts, including side bets on blackjack (e.g., TriLux Bonus, Fortune Blackjack, Blazing 7s Four-Tier Progressive), Mississippi Stud, Three Card Poker, Four Card Poker, Let It Ride, and Ultimate Texas Hold'Em. Therefore, the casino's offering of such non-compact class III card games is subject to Minnesota law under IGRA.

167. And the casino's offering of such non-compact class III card games violates Minnesota law because it involves making bets, the casino is a gambling place, and the casino's operations involve permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1). The casino has not offered those games pursuant to a plan of operation approved by the MRC in connection with parimutuel horse racing.

168. Grand Casino Mille Lacs has promoted its illegal class III gaming activities through the mail or facilities in interstate commerce. For example, its website states that it offers

“video slots, keno, and poker machines,” “Ultimate Texas Hold’em, Three Card Poker, Mississippi Stud, and Four Card Poker,” and various “Side bets” on blackjack. And as described above, it advertises throughout the Midwest region and beyond through direct mail, on television, and on the internet.

169. Grand Casino Mille Lacs obtains gaming devices, equipment, and other materials from suppliers in other States. For example, it licenses many of its non-compact class III card games from Light & Wonder (based in Nevada). It acquires video games of chance from, among others, IGT (based in Nevada and Italy), Aristocrat (based in Australia), Incredible Technologies (ITS) (based in Illinois), and Light & Wonder (based in Nevada).

170. Since 2020, Grand Casino Mille Lacs has operated as an illegal gambling business under 18 U.S.C. § 1955(b). Specifically:

- a. Grand Casino Mille Lacs is a gambling business.
- b. By offering class III video games of chance and non-compact card games, Grand Casino Mille Lacs’ gambling business has been continuously violating Minnesota criminal law in multiple ways, as described above. *See* Minn. Stat. §§ 609.75, 609.755, 609.76.
- c. Grand Casino Mille Lacs’ gambling business has involved five or more persons who conduct, finance, manage, supervise, or direct all or part of such business, including all the ML Gaming Leaders and ML Finance Leaders.
- d. Grand Casino Mille Lacs’ gambling business has continuously offered its illegal gaming activities for more than 30 days.
- e. On information and belief, Grand Casino Mille Lacs’ gambling business has had gross revenue of \$2,000 or more on single days.

171. In violation of 18 U.S.C. § 1955(a), each ML Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually conducted, managed, supervised, and directed all or part of Grand Casino Mille Lacs' illegal gambling business.

172. In violation of 18 U.S.C. § 1955(a), each ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually financed all or part of Grand Casino Mille Lacs' illegal gambling business.

173. In violation of 18 U.S.C. § 1952(a), each ML Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, Grand Casino Mille Lacs' illegal gaming activities, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity.

174. In violation of 18 U.S.C. § 1952(a), each ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote, establish, carry on or facilitate the promotion, management, establishment, or carrying on of unlawful activity, namely, Grand Casino Mille Lacs' illegal gaming activities, and thereafter did or attempted to establish or facilitate the promotion, management, establishment, or carrying on of such activity.

175. In violation of 18 U.S.C. § 1952(a), each ML Marketing Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—

with intent to promote or facilitate the promotion of unlawful activity, namely, Grand Casino Mille Lacs' illegal gaming activities, and thereafter did or attempted to promote or facilitate the promotion of such activity.

176. In violation of 18 U.S.C. § 1952(a), each ML Gaming Leader and ML Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to distribute the proceeds of an unlawful activity, namely, Grand Casino Mille Lacs' illegal gaming activities, and thereafter did or attempted to distribute such proceeds.

III. THE TREASURE ISLAND CASINO

A. The PI Businesses

177. Prairie Island is a federally recognized Indian tribe in Minnesota.

178. The Prairie Island Community Council, also known as the Tribal Council, is responsible for running the tribe's businesses ("PI Commercial Enterprises"), including overseeing the tribe's business strategy, financing, and operations.

179. PI Commercial Enterprises is a major commercial operation encompassing Treasure Island Resort & Casino, an assisted-living center, the Mt. Frontenac Golf Course, and a gas station, all in or near Welch, Minnesota. PI Commercial Enterprises' business activities substantially affect interstate or foreign commerce.

180. Treasure Island Resort & Casino opened in 1991 on the banks of the Mississippi River. It operates 24 hours per day, seven days per week, year-round. It has a 116,000-square foot casino—the second largest in Minnesota—with thousands of video slot machines and dozens of gaming tables. Treasure Island Resort & Casino also includes the second-largest hotel in Minnesota (with 788 rooms), several restaurants and bars, a water park, a spa, a 2800-seat

event and convention center, a 10,000-seat amphitheater, a 137-slip marina, a 95-spot RV park, a 125-passenger cruise yacht, a 24-lane bowling alley, and an arcade. The venue attracts nationally known touring entertainers, such as Carrie Underwood, Dwight Yoakam, and Jason Aldean.

181. On information and belief, Treasure Island Resort & Casino hosts hundreds of thousands of customers annually and generates hundreds of millions of dollars in gaming revenue annually.

182. Treasure Island Resort & Casino solicits and attracts gaming patrons for gaming, lodging, and entertainment from Minnesota, other States, and Canada. It promotes itself extensively in other States, including in print magazines distributed primarily in other States and in online travel magazines. Correspondingly, it competes for gaming patrons with other casinos in Minnesota and in nearby States.

183. Many people who have been employed by or associated with PI Commercial Enterprises or Treasure Island Resort & Casino have conducted, managed, supervised, directed, established, carried on, and facilitated the management, establishment, and carrying on of PI Commercial Enterprises' and Treasure Island Resort & Casino's gaming business activities at their casino ("PI Gaming Leaders"), including:

184. Grant Johnson, Prairie Island Tribal Council, President (since 2023). He is responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

185. Johnny Johnson, Prairie Island Tribal Council, former President and council member (around 1995-2023). He was responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

186. Ronald Johnson, Prairie Island Tribal Council, Vice President, former President. He is responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

187. Shelley Buck, Prairie Island Tribal Council, former President, Vice President, and Secretary (2013-2023). She was responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

188. Valentina Mgeni, Prairie Island Tribal Council, Secretary (since about 2019). She is responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

189. Michael Childs Jr., Prairie Island Tribal Council, Treasurer (since about 2019). He is responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

190. Constance Campbell, Prairie Island Tribal Council, Assistant Secretary/Treasurer (since 2023). She is responsible for business strategy, financing, and operations at Treasure Island Resort & Casino.

191. Michael Jankoviak, Treasure Island Resort & Casino, Director of Casino Operations (since 2019) and former Interim General Manager and Director of Slot Operations. He is responsible for overseeing the casino's day-to-day operations and the casino's strategic planning.

192. Many people who have been employed by or associated with PI Commercial Enterprises or Treasure Island Resort & Casino have financed, distributed the proceeds of, established, and facilitated the promotion, management, establishment, and carrying on of PI Commercial Enterprises' and Treasure Island Resort & Casino's gaming business activities at

their casino (“PI Finance Leaders”), including:

- a. Grant Johnson (identified above).
- b. Johnny Johnson (identified above).
- c. Ronald Johnson (identified above).
- d. Shelley Buck (identified above).
- e. Valentina Mgeni (identified above).
- f. Michael Childs Jr. (identified above).
- g. Constance Campbell (identified above).
- h. Michael Jankoviak (identified above).
- i. Ian Gorrie, Treasure Island Resort & Casino, Chief Financial Officer. He is responsible for developing budgets, coordinating with the operations team to achieve financial targets, and developing policy and strategy for Treasure Island Resort & Casino.
- j. Mike Heavner, Treasure Island Resort & Casino, Director of Finance (since 2014). He is responsible for managing the casino’s finances, including budgeting and forecasting.

193. Many people who have been employed by or associated with PI Commercial Enterprises or Treasure Island Resort & Casino have promoted and facilitated the promotion of PI Commercial Enterprises’ and Treasure Island Resort & Casino’s gaming business activities at their casino (“PI Marketing Leaders”), including:

- a. Grant Johnson (identified above).
- b. Johnny Johnson (identified above).
- c. Ronald Johnson (identified above).
- d. Shelley Buck (identified above).

- e. Valentina Mgeni (identified above).
- f. Michael Childs Jr. (identified above).
- g. Constance Campbell (identified above).
- h. Michael Jankoviak (identified above).
- i. Kevin McNair, Treasure Island Resort & Casino, Casino Marketing

Director. He is responsible for developing, managing, and strategically planning marketing campaigns for the casino at Treasure Island Resort & Casino.

194. On information and belief, PI Commercial Enterprises and Treasure Island Resort & Casino invest the proceeds from their casino's gaming activities into their various business ventures, including the casinos and associated hotel, restaurants, and entertainment ventures.

B. The Prairie Island's Tribal-State Gaming Compacts

195. The Prairie Island has entered into two tribal-state gaming compacts purportedly allowing certain class III gaming activities on tribal lands.

196. In 1990, the Prairie Island and the State of Minnesota entered into a tribal-state gaming compact to allow the Prairie Island to operate "video games of chance within the Reservation" ("PI Video Game Compact," attached as Ex. 6). The Secretary of the Interior approved and published the PI Video Game Compact shortly thereafter.

197. The PI Video Game Compact defines "video games of chance" as "electronic or electromechanical video devices that simulate games commonly referred to as poker, blackjack, craps, hi-lo, roulette, line-up symbols and numbers, or other common gambling forms, which are activated by the insertion of a coin, token, or currency, and which award game credits, cash, tokens, or replays, and contain a meter or device to record unplayed credits or replays."

198. In 1991, the Prairie Island and the State of Minnesota entered into another tribal-state gaming compact to allow the Prairie Island to offer the class III card game blackjack (or 21)

“within the Reservation” (“PI Blackjack Compact,” attached as Ex. 7). The Secretary of the Interior approved and published the PI Blackjack Compact shortly thereafter.

199. The PI Blackjack Compact defines “blackjack” as “a banking card game which involves the use of one or more decks of playing cards, the purpose of which is to reach the number ‘21’ (or as close thereto as possible without exceeding the number ‘21’) through the cumulative addition of cards dealt to the players and the house.”

200. There have never been any other approved tribal-state gaming compacts between the Prairie Island and the State of Minnesota in effect.

201. Until October 4, 2023, no tribal-state gaming compact in effect between the Prairie Island and the State of Minnesota covered any other class III games.

202. On October 4, 2023, however, the Department of the Interior published notice in the Federal Register of its approval of an amendment to the PI Blackjack Compact that “permits ... the operation of Class III card games” within the Prairie Island reservation. As amended, the compact defines “Class III Card Game” to mean “any Banking Card Game” other than blackjack (attached as Ex. 8).

203. The Prairie Island and the State of Minnesota agreed to amend the PI Blackjack Compact to allow limited forms of side bets on January 5, 2022, but that amendment has not been published in the Federal Register and therefore has never taken effect. *See* 25 C.F.R. §§ 293.4 & 293.15.

204. Pursuant to IGRA, in 1994 the Prairie Island adopted a gaming ordinance. The Prairie Island amended the ordinance several times, most recently in 2010.

205. As amended, the ordinance established the Prairie Island Gaming Commission to oversee and enforce gaming regulatory matters under Prairie Island law. The ordinance grants

the Gaming Commission the power and duty to promulgate regulations regarding tribal gaming, to issue gaming licenses, and to ensure compliance with applicable laws, including IGRA and the tribal-state gaming compacts.

206. As amended, the ordinance requires that each “Gaming Facility”—which is “any location ... wherein Gaming is permitted and Gaming Operations are conducted”—be licensed by the Gaming Commission. On information and belief, the Gaming Commission issued a license to the Treasure Island Resort & Casino.

C. Illegal Gambling at Treasure Island Resort & Casino

207. Since 2020, Treasure Island Resort & Casino has continuously offered various class III video games of chance, e.g., slots, keno, poker, blackjack, Big 6 Wheel, Ultimate Texas Hold’Em, baccarat, and roulette.

208. Notwithstanding the Prairie Island tribal-state gaming compacts, offering such class III video games of chance violates Minnesota criminal law and violates IGRA because Minnesota law categorically prohibits such gaming activity.

209. Treasure Island’s offering of class III video games of chance violates Minnesota law and in turn violates IGRA because such gaming involves making bets, the video games of chance are gambling devices, the casino is a gambling place, and the casino’s operations involve possessing a gambling device, permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, setting up a gambling device for use for the purpose of gambling or collecting the proceeds thereof, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

210. Since 2020, Treasure Island Resort & Casino has also continuously offered various class III card games. Treasure Island has offered blackjack, in conformance with the

Prairie Island tribal-state gaming compacts. But the casino has also continuously offered various other class III card games, including side bets on blackjack (e.g., Trilux, Fortune Blackjack, Blazing 7s Progressive), baccarat, Free Bet Blackjack, Mississippi Stud, Ultimate Texas Hold'em, Three Card Poker, Four Card Poker, I Luv Suits Poker, Let It Ride, and Pai Gow. Those games were not authorized by the Prairie Island tribal-state gaming compacts until October 4, 2023, when the Secretary published an approved amendment to the Prairie Island Blackjack Compact. Therefore, until October 4, 2023, the casino's offering of such non-compact class III card games was subject to Minnesota law under IGRA.

211. And the casino's offering of such non-compact class III card games violated Minnesota law because it involved making bets, the casino is a gambling place, and the casino's operations involved permitting a structure or location to be used as a gambling place, maintaining or operating a gambling place, and intentionally participating in the income of a gambling place—all of which are illegal activities. *See* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1). The casino did not offer those games pursuant to a plan of operation approved by the MRC in connection with parimutuel horse racing.

212. Treasure Island Resort & Casino has promoted its illegal class III gaming activities through the mail or facilities in interstate commerce. For example, its website highlights "Slots" and "Table Games" and lists each type of those games offered, as well as types of side bets. And as described above, it advertises in other States through the mail and on the internet.

213. Treasure Island Resort & Casino obtains gaming devices, equipment, and other materials from suppliers in other States. For example, it licenses many of its non-compact class

III card games from SHFL Entertainment (based in Nevada and a subsidiary of Light & Wonder (based in Nevada)). It acquires video games of chance from, among others, IGT (based in Nevada and Italy), Aristocrat (based in Australia), Incredible Technologies (ITS) (based in Illinois), and Light & Wonder (based in Nevada).

214. Since 2020, Treasure Island Resort & Casino has operated as an illegal gambling business under 18 U.S.C. § 1955(b). Specifically:

- a. Treasure Island Resort & Casino is a gambling business.
- b. By offering class III video games of chance and (before October 4, 2023) non-compact class III card games, Treasure Island Resort & Casino's gambling business has been continuously violating Minnesota criminal law in multiple ways, as described above. *See* Minn. Stat. §§ 609.75, 609.755, 609.76.
- c. Treasure Island Resort & Casino's gambling business has involved five or more persons who conduct, finance, manage, supervise, or direct all or part of such business, including all the PI Gaming Leaders and PI Finance Leaders.
- d. Treasure Island Resort & Casino's gambling business has continuously offered these illegal gaming activities for more than 30 days.
- e. On information and belief, Treasure Island Resort & Casino's gambling business has had gross revenue of \$2,000 or more on single days.

215. In violation of 18 U.S.C. § 1955(a), each PI Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually conducted, managed, supervised, and directed all or part of Treasure Island Resort & Casino's illegal gambling business.

216. In violation of 18 U.S.C. § 1955(a), each PI Finance Leader, pursuant to their

employment responsibilities during their tenure since 2020, has continually financed all or part of Treasure Island Resort & Casino's illegal gambling business.

217. In violation of 18 U.S.C. § 1952(a), each PI Gaming Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, Treasure Island Resort & Casino's illegal gaming activities, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity.

218. In violation of 18 U.S.C. § 1952(a), each PI Finance Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote, establish, carry on or facilitate the promotion, management, establishment, or carrying on of unlawful activity, namely, Treasure Island Resort & Casino's illegal gaming activities, and thereafter did or attempted to establish or facilitate the promotion, management, establishment, or carrying on of such activity.

219. In violation of 18 U.S.C. § 1952(a), each PI Marketing Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to promote or facilitate the promotion of unlawful activity, namely, Treasure Island Resort & Casino's illegal gaming activities, and thereafter did or attempted to promote or facilitate the promotion of such activity.

220. In violation of 18 U.S.C. § 1952(a), each PI Gaming Leader and PI Finance

Leader, pursuant to their employment responsibilities during their tenure since 2020, has continually used the mail or a facility in interstate or foreign commerce—including the internet and cellular phone networks—with intent to distribute the proceeds of an unlawful activity, namely, Treasure Island Resort & Casino’s illegal gaming activities, and thereafter did or attempted to distribute such proceeds.

IV. DEFENDANTS’ ILLEGAL GAMING ACTIVITIES HAVE HARMED RUNNING ACES’ BUSINESS

221. Since 2008, Running Aces has operated a 10,000-square foot casino, a racetrack, and a restaurant (and associated food and beverage service) in Columbus, Minnesota, consistent with Minnesota law.

222. Running Aces hosts parimutuel betting on horse racing at its racetrack.

223. Pursuant to a plan of operation approved by the MRC and consistent with Minnesota law, Running Aces’ casino hosts a card club, where poker and various class III card games are played, including blackjack, side bets on blackjack, Mississippi Stud, Three Card Poker, Four Card Poker, and Ultimate Texas Hold’Em. Running Aces has continuously offered class III card games since 2020. However, Running Aces has not offered any video games of chance because Minnesota law prohibits such gaming.

224. Running Aces’ patrons typically play casino card games, bet on horse races, and enjoy meals and snacks on the premises.

225. Because of their geographic proximity, Running Aces competes for gaming patrons with Mystic Lake Casino Hotel, Little Six Casino, Grand Casino Hinckley, Grand Casino Mille Lacs, and Treasure Island Resort & Casino.

226. The illegal gambling activities at Mystic Lake Casino Hotel, Little Six Casino, Grand Casino Hinckley, Grand Casino Mille Lacs, and Treasure Island Resort & Casino have

harmed Running Aces financially. Those casinos have used their illegal class III video games of chance and card games to offer an overlapping and broader set of gaming options than Running Aces was legally permitted to offer. If those casinos did not illegally offer class III video games of chance, the ability to play such games could not have caused anyone to patronize any of those casinos instead of Running Aces. And if those casinos did not illegally offer class III card games, anyone considering playing class III card games other than blackjack in the area would not have patronized those casinos but instead would likely have patronized Running Aces.

227. In short, the illegal gambling activities at Mystic Lake Casino Hotel, Little Six Casino, Grand Casino Hinckley, Grand Casino Mille Lacs, and Treasure Island Resort & Casino gave those casinos an illegal and unfair competitive advantage against Running Aces.

228. As a result, defendants' conduct relating to the illegal gambling activities at Mystic Lake Casino Hotel, Little Six Casino, Grand Casino Hinckley, Grand Casino Mille Lacs, and Treasure Island Resort & Casino deprived Running Aces of substantial sums of business revenue and profit. That conduct directly deprived Running Aces of gaming patrons it would have otherwise served, and thus deprived Running Aces of the profits it would have otherwise earned from those patrons through casino card games, as well as through ancillary horse racing and food and beverages.

CLAIMS FOR RELIEF

COUNT 1:

Violations of Minn. Stat. §§ 609.755, 609.76 subd. 1 by every SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader in their individual and official capacities

229. Mystic Lake Casino and Little Six Casino are gambling places where gambling through class III video games of chance is offered.

230. Mystic Lake Casino's and Little Six Casino's offering of class III video games of

chance on Indian lands in Minnesota is illegal because Minnesota law does not “permit[] such gaming for any purpose by any person,” 25 U.S.C. § 2710(d)(1), but rather categorically prohibits it. Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1).

231. Through their participation in the offering of class III video games of chance at Mystic Lake Casino and Little Six Casino, each SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader has committed one or more criminal offenses under Minn. Stat. §§ 609.755, 609.76 subd. 1.

232. Absent this lawsuit, each SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader—by virtue of their continuing employment responsibilities—would continue to commit such offenses in the future.

COUNT 2:

Violations of 18 U.S.C. § 1962(c) with respect to SMSC Commercial Enterprises and SMSC Gaming Enterprise by every SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader in their individual capacity

233. Each SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader has violated 18 U.S.C. § 1962(c) with respect to SMSC Commercial Enterprises and SMSC Gaming Enterprise.

234. SMSC Commercial Enterprises is an enterprise for RICO purposes: it is either a company or a long-established, ongoing organization functioning as an integrated unit for the overt purpose of furthering the Shakopee’s business ventures.

235. SMSC Gaming Enterprise is an enterprise for RICO purposes: it is either a company or a long-established, ongoing organization functioning as an integrated unit for the overt purpose of furthering SMSC Commercial Enterprise’s gaming business.

236. SMSC Commercial Enterprises and SMSC Gaming Enterprise are engaged in,

and their activities affect, interstate or foreign commerce. For example:

- a. SMSC Commercial Enterprises owns and operates accommodations that solicit and attract interstate and foreign travelers: the Mystic Lake Hotel (one of the largest hotels in Minnesota), the JW Marriott at Mall of America (at the largest mall in the Western Hemisphere), and the Meadows RV Park.
- b. SMSC Gaming Enterprise also owns and operates the Mystic Lake Hotel.
- c. SMSC Commercial Enterprises and SMSC Gaming Enterprise own and operate two casinos in Minnesota, including one of the largest in the Midwest: Mystic Lake and Little Six Casino. Each casino solicits and attracts patrons from other States and Canada, competes with casinos in other States, and obtains gaming supplies from other States and abroad.
- d. SMSC Commercial Enterprises and SMSC Gaming Enterprise own and operate other entertainment and accommodation facilities that solicit and attract patrons from other States and Canada, including the Mystic Lake Center, the Meadows at Mystic Lake golf course, and several performance venues at Mystic Lake where nationally touring acts perform.
- e. SMSC Commercial Enterprises' and SMSC Gaming Enterprise's gaming business is operated by SMSC Gaming Leaders, SMSC Finance Leaders, and SMSC Marketing Leaders through the use of interstate facilities, including the internet and cellular phone networks.

237. Each SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader has been employed by or associated with SMSC Commercial Enterprises and SMSC Gaming Enterprise. By virtue of their related responsibilities, each SMSC Gaming Leader,

SMSC Finance Leader, and SMSC Marketing Leader has conducted or participated in the conduct of SMSC Commercial Enterprises' and SMSC Gaming Enterprise's affairs through at least two acts of racketeering within the last ten years that are related to each other and to those enterprises' gambling businesses:

a. Conducting, managing, supervising, or directing all or part of the illegal gambling business at Mystic Lake (relating to its class III video games of chance) in violation of 18 U.S.C. § 1955(a);

b. Conducting, managing, supervising, or directing all or part of the illegal gambling business at Little Six Casino (relating to its class III video games of chance) in violation of 18 U.S.C. § 1955(a);

c. Financing all or part of the illegal gambling business at Mystic Lake (relating to its class III video games of chance) in violation of 18 U.S.C. § 1955(a);

d. Financing all or part of the illegal gambling business at Little Six Casino (relating to its class III video games of chance) in violation of 18 U.S.C. § 1955(a);

e. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, class III video games of chance at Mystic Lake, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

f. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely,

class III video games of chance at Little Six Casino, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

g. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to promote or facilitate the promotion of unlawful activity, namely, class III video games of chance at Mystic Lake, and thereafter did or attempted to promote or facilitate the promotion of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

h. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to promote or facilitate the promotion of unlawful activity, namely, class III video games of chance at Little Six Casino, and thereafter did or attempted to promote or facilitate the promotion of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

i. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to distribute the proceeds of an unlawful activity, namely, class III video games of chance at Mystic Lake, and thereafter did or attempted distribute the proceeds of such activity, in violation of 18 U.S.C. § 1952(a)(1) & (A);

j. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to distribute the proceeds of an unlawful activity, namely, class III video games of chance at Little Six Casino, and thereafter did or attempted distribute the proceeds of such activity, in violation of 18 U.S.C. § 1952(a)(1) & (A).

238. These acts of racketeering are related parts of a continuous, open-ended illegal-gambling scheme. They are a regular way of conducting SMSC Commercial Enterprises' and SMSC Gaming Enterprise's businesses at casinos that have routinely offered, and continue to routinely offer, illegal video games of chance.

239. Running Aces has been injured in its businesses or property by reason of this pattern of racketeering in conducting or participating in SMSC Commercial Enterprises' and SMSC Gaming Enterprise's affairs.

COUNT 3:

Violations of 18 U.S.C. § 1962(d) based on conspiracy to violate 18 U.S.C. § 1962(c) with respect to SMSC Commercial Enterprises and SMSC Gaming Enterprise by every SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader in their individual capacity

240. Each SMSC Gaming Leader, SMSC Finance Leader, and SMSC Marketing Leader has violated 18 U.S.C. § 1962(d) by conspiring among themselves to violate 18 U.S.C. § 1962(c) with respect to SMSC Commercial Enterprises and SMSC Gaming Enterprise.

241. As alleged above, SMSC Commercial Enterprises and SMSC Gaming Enterprise are enterprises engaged in, and whose activities affect, interstate or foreign commerce.

242. By virtue of being employed by or associated with SMSC Commercial Enterprises or SMSC Gaming Enterprise, the SMSC Gaming Leaders, SMSC Finance Leaders, and SMSC Marketing Leaders have agreed among themselves to further the violations of 18 U.S.C. § 1962(c), including the racketeering acts, alleged above.

243. The acts of racketeering alleged above are overt acts committed in furtherance of these conspiracies.

244. Running Aces has been injured in its businesses or property by reason of those acts of racketeering.

COUNT 4:

Violations of Minn. Stat. §§ 609.755, 609.76 subd. 1 by every ML Gaming Leader, ML Finance Leader, and ML Marketing Leader in their individual and official capacities

245. Grand Casino Hinckley and Grand Casino Mille Lacs are gambling places where gambling through class III video games of chance and non-compact card games is offered.

246. Grand Casino Hinckley's and Grand Casino's offering of class III video games of chance on Indian lands in Minnesota is illegal because Minnesota law does not "permit[] such gaming for any purpose by any person," 25 U.S.C. § 2710(d)(1), but rather categorically prohibits it. Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1). And their offering of class III card games not included in a tribal-state gaming compact on Indian lands in Minnesota is illegal because Minnesota law prohibits such gaming activity and such activity has not been "conducted in conformance with a Tribal-state gaming compact entered into by the Indian tribe and the State ... that is in effect." 25 U.S.C. § 2710(d)(1); *see* Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162(a), 1166(a)-(c).

247. Through their participation in the offering of such class III video games of chance and non-compact class III card games at Grand Casino Hinckley and Grand Casino Mille Lacs, each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader has committed one or more criminal offenses under Minn. Stat. §§ 609.755, 609.76 subd. 1.

248. Absent this lawsuit, each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader—by virtue of their continuing employment responsibilities—would continue to commit such offenses in the future.

COUNT 5:

Violations of 18 U.S.C. § 1962(c) with respect to MLCV and Grand Casinos by every ML Gaming Leader, ML Finance Leader, and ML Marketing Leader in their individual capacity

249. Each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader has violated 18 U.S.C. § 1962(c) with respect to MLCV and Grand Casinos.

250. MLCV is an enterprise for RICO purposes: it is a company engaged in several lines of business, including gaming.

251. Grand Casinos is an enterprise for RICO purposes: it is either a company or a long-established, ongoing organization functioning as an integrated unit for the overt purpose of furthering MLCV's gaming business.

252. MLCV and Grand Casinos are engaged in, and their activities affect, interstate or foreign commerce. For example:

a. MLCV owns and operates numerous large hotels in multiple States: Grand Casino Hinckley, which may be the largest lodging complex in Minnesota; Grand Casino Mille Lacs; the InterContinental Saint Paul Riverfront; the DoubleTree by Hilton Downtown Saint Paul; the DoubleTree by Hilton Minneapolis-Park Place; and the Embassy Suites Will Rogers Airport, in Oklahoma. These hotels solicit and attract interstate and foreign travelers.

b. MLCV owns and operates an investment firm with operations in multiple States: Maadaadizi Investments.

c. MLCV owns a government-contracting company with operations in multiple States and abroad: Makwa Global.

d. MLCV and Grand Casinos own and operate two of the largest casinos and resorts in Minnesota: Grand Casino Hinckley and Grand Casino Mille Lacs. Each casino

solicits and attracts interstate and foreign patrons, competes with casinos in other States, and obtains gaming supplies from other States.

e. MLCV owns and operates a gaming company that supports casinos around the country: Slotco Capital.

f. MLCV's gaming business and Grand Casinos are operated by ML Gaming Leaders, ML Finance Leaders, and ML Marketing Leaders through the use of interstate facilities, including the internet and cellular phone networks.

253. Each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader has been employed by or associated with MLCV and Grand Casinos. By virtue of their related responsibilities, each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader has conducted or participated in the conduct of MLCV's and Grand Casinos' affairs through at least two acts of racketeering within the last ten years that are related to each other and to MLCV's gambling businesses:

a. Conducting, managing, supervising, or directing all or part of the illegal gambling business at Grand Casino Hinckley (relating to its class III video games of chance and non-compact card games) in violation of 18 U.S.C. § 1955(a);

b. Conducting, managing, supervising, or directing all or part of the illegal gambling business at Grand Casino Mille Lacs (relating to its class III video games of chance and non-compact card games) in violation of 18 U.S.C. § 1955(a);

c. Financing all or part of the illegal gambling business at Grand Casino Hinckley (relating to its class III video games of chance and non-compact card games) in violation of 18 U.S.C. § 1955(a);

d. Financing all or part of the illegal gambling business at Grand Casino

Mille Lacs (relating to its class III video games of chance and non-compact card games) in violation of 18 U.S.C. § 1955(a);

e. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Hinckley, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

f. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Mille Lacs, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

g. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to promote or facilitate the promotion of unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Hinckley, and thereafter did or attempted to promote or facilitate the promotion of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

h. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to promote or facilitate the

promotion of unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Mille Lacs, and thereafter did or attempted to promote or facilitate the promotion of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

i. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to distribute the proceeds of an unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Hinckley, and thereafter did or attempted distribute the proceeds of such activity, in violation of 18 U.S.C. § 1952(a)(1) & (A);

j. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to distribute the proceeds of an unlawful activity, namely, class III video games of chance and non-compact card games at Grand Casino Mille Lacs, and thereafter did or attempted distribute the proceeds of such activity, in violation of 18 U.S.C. § 1952(a)(1) & (A).

254. These acts of racketeering are related parts of a continuous, open-ended illegal-gambling scheme. They are a regular way of conducting MLCV's and Grand Casinos' businesses at casinos that have routinely offered, and continue to routinely offer, illegal class III video games of chance and non-compact card games.

255. Running Aces has been injured in its businesses or property by reason of this pattern of racketeering in conducting or participating in MLCV's and Grand Casinos' affairs.

COUNT 6:

Violations of 18 U.S.C. § 1962(d) based on conspiracy to violate 18 U.S.C. § 1962(c) with respect to MLCV and Grand Casinos by every ML Gaming Leader, ML Finance Leader, and ML Marketing Leader in their individual capacity

256. Each ML Gaming Leader, ML Finance Leader, and ML Marketing Leader has violated 18 U.S.C. § 1962(d) by conspiring among themselves to violate 18 U.S.C. § 1962(c) with

respect to MLCV and Grand Casinos.

257. As alleged above, MLCV and Grand Casinos are enterprises engaged in, and whose activities affect, interstate or foreign commerce.

258. By virtue of being employed by or associated with MLCV or Grand Casinos, the ML Gaming Leaders, ML Finance Leaders, and ML Marketing Leaders have agreed among themselves to further the violations of 18 U.S.C. § 1962(c), including the racketeering acts, alleged above.

259. The acts of racketeering alleged above are overt acts committed in furtherance of these conspiracies.

260. Running Aces has been injured in its businesses or property by reason of those acts of racketeering.

COUNT 7:

Violations of Minn. Stat. §§ 609.755, 609.76 subd. 1 by every PI Gaming Leader, PI Finance Leader, and PI Marketing Leader in their individual and official capacities

261. Treasure Island Resort & Casino is a gambling place where gambling through class III video games of chance and non-compact card games is offered.

262. Treasure Island Resort & Casino's offering of class III video games of chance on Indian lands in Minnesota is illegal because Minnesota law does not "permit[] such gaming for any purpose by any person," 25 U.S.C. § 2710(d)(1), but rather categorically prohibits it. Minn. Stat. §§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162, 1166(a)-(c); 25 U.S.C. § 2710(d)(1). And its offering of class III card games not included in a tribal-state gaming compact on Indian lands in Minnesota is illegal because Minnesota law prohibits such gaming activity and such activity has not been "conducted in conformance with a Tribal-state gaming compact entered into by the Indian tribe and the State ... that is in effect." 25 U.S.C. § 2710(d)(1); *see* Minn. Stat.

§§ 609.755, 609.76 subd. 1; 18 U.S.C. §§ 1162(a), 1166(a)-(c).

263. Through their participation in the offering of class III video games of chance and non-compact class III card games at Treasure Island Resort & Casino, each TI Gaming Leader, TI Finance Leader, and TI Marketing Leader has committed one or more criminal offenses under Minn. Stat. §§ 609.755, 609.76 subd. 1.

264. Absent this lawsuit, each TI Gaming Leader, TI Finance Leader, and TI Marketing Leader—by virtue of their continuing employment responsibilities—would continue to commit such offenses in the future (except to the extent such conduct relates to class III card games now authorized by the amendment of October 4, 2023, to the PI Blackjack Compact).

**COUNT 8:
Violations of 18 U.S.C. § 1962(c) with respect to PI Commercial
Enterprises and Treasure Island Resort & Casino by every PI
Gaming Leader, PI Finance Leader, and PI Marketing Leader in
their individual capacity**

265. Each PI Gaming Leader, PI Finance Leader, and PI Marketing Leader has violated 18 U.S.C. § 1962(c) with respect to PI Commercial Enterprises and Treasure Island Resort & Casino.

266. PI Commercial Enterprises is an enterprise for RICO purposes: it is either a company or a long-established, ongoing organization functioning as an integrated unit for the overt purpose of furthering the Prairie Island's business ventures.

267. Treasure Island Resort & Casino is an enterprise for RICO purposes: it is either a company or a long-established, ongoing organization functioning as an integrated unit for the overt purpose of furthering the Prairie Island's business ventures.

268. PI Commercial Enterprises and Treasure Island Resort & Casino are enterprises engaged in, and its activities affect, interstate or foreign commerce. For example:

a. PI Commercial Enterprises and Treasure Island Resort & Casino own and

operate the second largest casino resort in Minnesota: Treasure Island Resort & Casino. Treasure Island solicits and attracts gaming patrons, travelers, and touring performers from other states and foreign countries.

b. Treasure Island is operated by PI Gaming Leaders, PI Finance Leaders, and PI Marketing Leaders through the use of interstate facilities, including the internet and cellular phone networks.

269. Each PI Gaming Leader, PI Finance Leader, and PI Marketing Leader has been employed by or associated with PI Commercial Enterprises and Treasure Island Resort & Casino and, by virtue of their related responsibilities, has conducted or participated in the conduct of the PI Commercial Enterprise's and Treasure Island Resort & Casino's affairs through at least two acts of racketeering within the last ten years that are related to each other and to those enterprises' gambling business:

a. Conducting, managing, supervising, or directing all or part of the illegal gambling business at Treasure Island Resort & Casino (relating to its class III video games of chance and, before October 4, 2023, its non-compact class III card games) in violation of 18 U.S.C. § 1955(a);

b. Financing all or part of the illegal gambling business at Treasure Island Resort & Casino (relating to its class III video games of chance and, before October 4, 2023, its non-compact class III card games) in violation of 18 U.S.C. § 1955(a);

c. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to manage, establish, carry on, or facilitate the management, establishment, or carrying on of unlawful activity, namely, class III video games of chance and (before October 4, 2023) non-compact class III card

games at Treasure Island Resort & Casino, and thereafter did or attempted to manage, establish, carry on, or facilitate the management, establishment, or carrying on of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

d. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to promote or facilitate the promotion of unlawful activity, namely, class III video games of chance and (before October 4, 2023) non-compact class III card games at Treasure Island Resort & Casino, and thereafter did or attempted to promote or facilitate the promotion of such activity, in violation of 18 U.S.C. § 1952(a)(3) & (A).

e. Using the mail or a facility in interstate or foreign commerce, including the internet and cellular phone networks, with intent to distribute the proceeds of an unlawful activity, namely, class III video games of chance and (before October 4, 2023) non-compact class III card games at Treasure Island Resort & Casino, and thereafter did or attempted distribute the proceeds of such activity, in violation of 18 U.S.C. § 1952(a)(1) & (A).

270. These acts of racketeering are related parts of a continuous, open-ended illegal-gambling scheme. They are a regular way of conducting the PI Commercial Enterprise's and Treasure Island Resort & Casino's businesses at their casino that has routinely offered illegal class III video games of chance and non-compact card games.

271. Running Aces has been injured in its businesses or property by reason of this pattern of racketeering in conducting or participating in the PI Commercial Enterprise's and Treasure Island Resort & Casino's affairs.

COUNT 9:

Violations of 18 U.S.C. § 1962(d) based on conspiracy to violate 18 U.S.C. § 1962(c) with respect to PI Commercial Enterprise and Treasure Island Resort & Casino by every PI Gaming Leader, PI Finance Leader, and PI Marketing Leader in their individual capacity

272. Each PI Gaming Leader, PI Finance Leader, and PI Marketing Leader has violated 18 U.S.C. § 1962(d) by conspiring among themselves to violate 18 U.S.C. § 1962(c) with respect to PI Commercial Enterprise and Treasure Island Resort & Casino.

273. As alleged above, PI Commercial Enterprise and Treasure Island Resort & Casino are enterprises engaged in, and whose activities affect, interstate or foreign commerce.

274. By virtue of being employed by or associated with PI Commercial Enterprise and Treasure Island Resort & Casino, the PI Gaming Leaders, PI Finance Leaders, and PI Marketing Leaders have agreed among themselves to further the violations of 18 U.S.C. § 1962(c), including the racketeering acts, alleged above.

275. The acts of racketeering alleged above are overt acts committed in furtherance of these conspiracies.

276. Running Aces has been injured in its businesses or property by reason of those acts of racketeering.

PRAYER FOR RELIEF

Therefore, Running Aces respectfully requests the following relief:

a. A declaration that defendants' offering of class III video games of chance and non-compact class III card games has been illegal, and that, through such illegal activity and associated activities in violation of 18 U.S.C. § 1952(a) and 18 U.S.C. § 1955(a), defendants have violated 18 U.S.C. § 1962(c) and (d), in both their individual and official capacities.

b. An award of treble damages against all defendants, jointly and severally, for the injuries to Running Aces' business or property caused by defendants' violations of 18 U.S.C. § 1962(c) and (d), in their individual capacity.

c. An injunction against all defendants prohibiting them from illegally offering in the future any class III video games of chance or non-compact class III card games in violation of Minnesota law and federal law, in both their individual and official capacities.

d. Attorneys fees and costs.

e. All other relief that the Court deems appropriate.

DEMAND FOR JURY TRIAL

Running Aces hereby demands a jury trial of all issues so triable pursuant to Federal Rule of Civil Procedure 38.

May 14, 2024

Respectfully Submitted,

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