

# MISSOURI GAMING COMMISSION



## Fantasy Sports Contest Operator Application

**You must make accurate statements and include all material facts. Any misrepresentation, or the failure to provide requested information, may result in the denial of the application. Any statement that is not true or not disclosed which becomes known at any later date is cause for revocation of the Fantasy Sports Contest Operator license relating thereto.**

Note: The Commission, notwithstanding the provisions of section 610.110, RSMo., has access to both closed and open records pursuant to section 313.004, RSMo. Please answer all the questions fully and thoroughly.

## INSTRUCTIONS FOR FANTASY SPORTS CONTEST OPERATOR LICENSE APPLICATION FORM

Applicants for licensure are seeking a privilege. The applicant must accept any risk of adverse public notice, embarrassment, criticism, other action, or financial loss which may result from action with respect to any application, and expressly waives any claim for damages as a result thereof. Information not called for in this form or in addition to that provided in response to this form may be requested. The applicant shall provide all information, documents, materials, and certifications at the applicant's sole expense and cost.

**Pursuant to limitations set forth in Chapter 313.935, the total cost of the investigation conducted pursuant to this application shall be borne by the applicant.** In addition, the applicant is responsible for the payment of all application and license fees required under the Act.

The applicant should respond to the questions contained herein to the best of its knowledge. ***Any misrepresentation or omission is grounds for license denial.***

The applicant is under a continuing duty to immediately disclose any changes in the information provided in the application and requested materials submitted to the commission. The duty to make such additional disclosures shall continue throughout any period of the licensure granted by the commission.

Print or type the answers to questions. If the answer or material responsive to a question has been provided in response to another portion of the application, refer to the other portion.

If you make any modification to the pre-printed questions, format, or information contained in this form, your application will be rejected. Once your application is accepted, it becomes the property of the Missouri Gaming Commission and will not be returned.

### FORMS AND DOCUMENTS

The original and one copy of each of the following forms and items must be organized, tabbed and submitted in letter-size expansion envelopes by the applicant. All copies must be labeled with the applicant's name. Mail the forms and documents to:

Missouri Gaming Commission  
3417 Knipp Drive  
PO Box 1847  
Jefferson City, MO 65102

**The following items MUST be submitted for the application to be considered complete:**

1. Fantasy Sports Contest Operator License Application form submitted by applicant;
2. Check payable to the Missouri Gaming Commission for the application fee;
3. Schedule of exhibits;
4. Applicant's Authorization and Request to Release Information;
5. Release of All Claims;
6. Affidavit of Full Disclosure;
7. Verification;
8. Tax information authorizations; and

9. Public Disclosure Section and Verification;

**The following items MUST be submitted in addition to the application:**

1. Fantasy Sports Contest Operator's Procedures for Approval form or information sufficient to satisfy 11 CSR 45-40.030.
2. Fantasy Sports Contest Operator's Procedures for Submission form or information sufficient to satisfy 11 CSR 45-40.050.

### **APPLICATION FEE**

A non-refundable application fee in the amount of \$10,000 or ten percent of the applicant's net revenue from the previous calendar year, whichever is lower, must be submitted with this application. If the application fee is based on net revenue, include supporting documentation for the calculation of net revenue. Payment should be made by check or money order made payable to the Missouri Gaming Commission.

### **DEFINITIONS**

Definitions contained in the statute and rules also apply to this application. In addition, for the purposes of this application, the following terms shall have the following meanings:

**Applicant:** Any person or business entity that has applied for a Fantasy Sports Contest Operator license.

**Application:** The total written materials, including the instructions, forms and other documents issued by the commission, comprising the applicant's request for a Fantasy Sports Contest Operator license.

**Arrest:** Any detaining, holding, or taking into custody by any police or other law enforcement authorities to answer for the alleged performance of any offense.

**Authorized internet website:** An internet website or any platform operated by a licensed operator.

**Beneficial owner/ownership:** 1) A holder of any direct or indirect legal or beneficial interest whose combined direct, indirect, or attributed interest is five percent (5%) or more in an applicant or licensee;

**Best of knowledge:** The applicant's knowledge after substantial inquiry.

**Business entity:** A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, trust, sole proprietorship, or other form of business.

**Compensation:** Anything of value, including salary, wages, commissions, tips, gratuities, fees, bonuses, dividends, and distributions from (S) corporations and/or partnerships, in any form, including cash, securities, real property and tangible and intangible personal property.

**Commission:** The Missouri Gaming Commission.

**Control:** The power to exercise authority over or direct the management and policies of an individual or business entity.

**Entry fee:** Anything of value including, but not limited to, cash or a cash equivalent, that a fantasy sports contest operator collects in order to participate in a fantasy sports contest.

**Fantasy sports contest:** Any fantasy or simulated game or contest with an entry fee, conducted on an internet website or any platform, in which:

- the value of all prizes and awards offered to the winning participants is established and made known in advance of the contest;
- all winning outcomes reflect in part the relative knowledge and skill of the participants and are determined predominantly by the accumulated statistical results of the performance of individuals, including athletes in the case of sports events; and
- no winnings outcomes are based on the score, point spread, or any performance of any single actual team or combination of teams or solely on any single performance of an individual athlete or player in any single actual event.

**Fantasy sports contest operator:** any person or entity that offers fantasy sports contests for a prize.

**FEIN:** Federal Employer Identification Number.

**Felony:** A criminal offense for which a sentence of imprisonment for one year or more may be imposed under the laws of any jurisdiction.

**Financial statement:** Any balance sheet, income statement, profit and loss statement, statement of cash flow, and sources and uses of funds statement.

**Highly experienced player:** A person who has either:

- entered more than one-thousand contests offered by a single fantasy sports contest operator; or
- won more than three (3) fantasy sports prizes of one-thousand dollars or more.

**Individual:** Any natural person.

**Key Person:**

1. An officer, director, trustee, and principal salaried executive staff officer. As used herein the term officer means the president, vice-president, treasurer, and other officer identified in an entity's bylaws or incorporation documents, a member or manager of a limited liability company, a sole proprietor, or a partner.
2. Anyone so designated by the commission or the executive director.

**Licensed operator:** A fantasy sports contest operator licensed pursuant to section 313.910 RSMo, to offer fantasy sports contests for play on an authorized internet website in Missouri.

**Minor:** Any person less than 18 years of age.

**Net revenue:** For all fantasy sports contests, the amount equal to the total entry fees collected from all participants entering such fantasy sports contests less winnings paid to participants in the contests, multiplied by the resident percentage.

**Offense:** All felonies, crimes, misdemeanors, municipal ordinance violations, military court-martials, and violations of probation or other court order. An "offense" does not include infractions, traffic or parking violations, except for driving while revoked/suspended, alcohol/drug related traffic violations, and leaving the scene of an accident.

**Player:** A person who participates in a fantasy sports contest offered by a fantasy sports contest operator.

**Predecessor Company:** A business entity which no longer exists in its original form but whose assets in substantial part have been acquired by another business entity or which had undergone certain internal changes, such as those of identity, form or capital structure.

**Prize:** Anything of value including, but not limited to, cash or a cash equivalent, contest credits, merchandise, or admission to another contest in which a prize may be awarded.

**Public Official:** An individual who is elected to office or who is appointed to an office to discharge a public duty for the state, any city, county or any of its political subdivisions.

**Publicly-held Company:** A company that has filed a registration statement with the Securities and Exchange Commission.

**Registered Agent:** Any individual or business entity against whom service of process may be made on behalf of any business entity or that is designated as such by any articles of incorporation or other corporate filings in any state.

**Registered Player:** A person registered pursuant to section 313.920 RSMo, to participate in a fantasy sports contest on an authorized internet website.

**Resident percentage:** For all fantasy sports contests, the percentage, rounded to nearest one-tenth of one percent, of the total entry fees collected from Missouri residents divided by the total entry fees collected from all players, regardless of the players' location, of the fantasy sports contests.

**Script:** A list of commands that a fantasy-sports-related computer program can execute to automate processes on a fantasy sports contest platform.

**APPLICATION FOR A FANTASY SPORTS CONTEST OPERATOR LICENSE  
IS HEREBY MADE TO  
THE MISSOURI GAMING COMMISSION**

**NAME OF APPLICANT**

\_\_\_\_\_  
Name as it appears on the certificate of incorporation, charter, by-laws, or other official document. (DO NOT ABBREVIATE)

\_\_\_\_\_  
D/B/A or Trade Name(s)

**PERSON TO BE CONTACTED IN REFERENCE TO THIS APPLICATION**

\_\_\_\_\_  
Name Title

\_\_\_\_\_  
E-Mail Address Telephone Number Fax Number

**THE PRINCIPAL BUSINESS ADDRESS OF THE FANTASY SPORTS CONTEST OPERATOR ENTITY**

Address City State Zip

Country Telephone Number Fax Number

Mailing address (if different) City State Zip

Federal Employer Identification Number (FEIN)\* Missouri Retailers Occupation Tax Number (If Applicable)

Web site:

Email address:

\* If the applicant does not hold a FEIN number, state the proposed date for obtaining this number and the Internal Revenue Service district where federal tax filings will occur.

**Transmittal Letter**

Missouri Gaming Commission  
3417 Knipp Drive  
Jefferson City, MO 65109

Dear Sir or Madam:

\_\_\_\_\_ (Applicant's Name) does herewith make application for licensure by the Missouri Gaming Commission to operate a Fantasy Sports Contest Operation which is an applicant for or is presently licensed by the Missouri Gaming Commission.

In accordance with the Missouri Fantasy Sports Consumer Protection Act, the applicant submits herewith a check or money order in the amount of \$10,000 or ten percent (10%) of the applicant's net revenue from the previous calendar year, whichever is lower. The applicant understands that costs incurred to conduct the suitability investigation will be assessed by the commission subject to the limitations set forth in Chapter 313.935.

The applicant agrees to disclose and to require all of the persons associated with the applicant to disclose all information, documents, and other material which the commission may request at any time.

Further, the applicant agrees to furnish any additional information, documents, and other material requested by the commission, and agrees that such additional material shall be made a part of this application.

The applicant acknowledges that neither the acceptance of this application nor the issuance of a license hereunder shall imply that the Missouri Gaming Commission admits the truth of the statements herein made, or its approval thereof. Nor shall such acceptance or the issuance of a license constitute waiver or agreement by the commission with respect to any material contained in this application. The applicant further acknowledges that any license or any interest in any license issued by the commission is not transferable, and that subsequent legislation or regulation may diminish the value of any license issued by the commission to any extent possible.

The applicant has read and agrees to abide by the terms of the Missouri Fantasy Sports Consumer Protection Act and any rules promulgated by the commission, including any emergency rules.

Respectfully submitted,

\_\_\_\_\_  
(Applicant's Name)

By:

\_\_\_\_\_  
(Officer)

## APPLICANT INFORMATION

1. Check the category below, which describes the applicant's business entity. An individual should apply as a sole proprietor. If the other specific categories are not applicable then "Other" must be indicated for any business entity, which is not one of the specific categories listed. If "Other" is checked, an explanation of the business entity is required; if the space provided is insufficient, submit the explanation as **Exhibit 1**.

|                           |                            |
|---------------------------|----------------------------|
| Corporation               | Limited Partnership        |
| General Partnership       | Sole Proprietor            |
| Holding Company           | Trust                      |
| Limited Liability Company | Unincorporated Association |
| Other                     |                            |

2. Submit as **Exhibit 2** a detailed description of the applicant's business, including the background and skills of the applicant and the applicant's key persons and employees, and identifying and describing any predecessor company of the applicant.
3. Submit as **Exhibit 3** a list of all current and former addresses, which the applicant has held or from which it has conducted business within ten (10) years from the date of filing this application, including the approximate time periods during which such addresses were held.
4. If the applicant conducts business outside Missouri, submit as **Exhibit 4** a statement listing all other jurisdictions where the applicant conducts business, describing the business activity conducted in those other jurisdictions.
5. Submit as **Exhibit 5** a schedule listing the name, business address, and telephone number for each of the applicant's:
  - (A) registered agent(s);
  - (B) legal representatives;
  - (C) accounting services representatives;
  - (D) banking and financial services representatives;
  - (E) underwriter(s);
  - (F) custodian of business records; and
  - (G) employees
6. Submit as **Exhibit 6** a detailed statement concerning the experience of the applicant and its employees, officers, directors, trustees, and principal salaried executive staff officers in the field of Fantasy Sports Contest Operations.
7. State whether any of the securities or debt offerings of the applicant have been suspended from trading or have had action taken against them by any regulatory agency:

ANSWER:

If the answer is "yes", submit as **Exhibit 7** ALL paperwork relating to the action taken, a detailed statement describing each suspension or action, the date and the final disposition.



8. State whether the applicant currently, or within the last five (5) years, has been a party to a lawsuit.

ANSWER:

If the answer is “yes”, submit a detailed list of all cases as follows:

| Name of Parties | Case Number | Court and Location | Type or Nature of Case | Disposition/<br>Punishment/<br>Fine or Settlement<br>Amount |
|-----------------|-------------|--------------------|------------------------|---|
|-----------------|-------------|--------------------|------------------------|---|

If the answer to Question 8 is “yes”, then submit as **Exhibit 8** copies of all complaints, petitions or other pleadings listed or referred to above.

In addition, for all pending litigation, unsatisfied judgments, decrees, restraining orders, or injunctive orders, state:

- (A) in detail all pertinent facts, including the type and amount of relief sought; and
- (B) an assessment of the impact, if any, which the action may have on the applicant or licensee for which this application is being filed.

9. To the extent not already disclosed in your answer to Question 8, state whether, within the last five (5) years, the applicant has been involved in any formal or informal process or agreement to adjust, defer, suspend, or otherwise work out the payment of any debt:

ANSWER:

If your answer is “yes”, submit as **Exhibit 9** ALL paperwork and a statement setting forth all details concerning each debt and the relating formal or informal process or agreement.

10. State whether the applicant has, within the last five (5) years, been delinquent in the payment of, or in dispute over the filings concerning the payment of, any tax required under federal, state, or municipal law:

ANSWER:

If your answer is “yes”, submit as **Exhibit 10** ALL paperwork and a detailed statement describing the taxing agency and location, amount and type of tax, the date the filing or tax report was required, the date the filing or remission was accomplished, and the complete circumstances surrounding the delinquency or dispute.

11. State whether the applicant has, within the last five (5) years, had any municipal, state, or federal tax returns audited or adjusted:

ANSWER:

If the answer is “yes”, submit as **Exhibit 11** ALL paperwork and a statement describing in detail the facts, circumstances, and results of that audit or adjustment.

12. State whether the applicant is a corporation:

ANSWER:

If the answer is “yes”, submit as **Exhibit 12**:

- (A) The full corporate name, including all former trade or fictitious names, the address and telephone number of the corporate headquarters, and the FEIN number;

- (B) The date the applicant began accepting entry fees from Missouri residents, the name of the state in which each corporation is incorporated, the date of incorporation, and, if a corporation is not incorporated in Missouri, whether the corporation is authorized to conduct business in Missouri;
- (C) Copies of each of the following that apply: Articles of Incorporation, bylaws and all amendments, all organizational charts, fictitious name registration, certificate of authority to do business in Missouri, and the most current annual report, which shall include financial statements;
- (D) A list of the officers, directors, trustees, and principal salaried executive staff officers of each corporation, their names, country of citizenship, positions, and business and residential telephone numbers;
- (E) For each corporation:
  - 1) state and federal tax returns for the past three (3) years, and all tax identification numbers, sales tax number, employer withholding tax numbers, and corporate income tax numbers;
  - 2) whether the applicant is publicly held as defined by the Securities and Exchange Commission;
  - 3) the classes of stock and number of shares;
  - 4) in alphabetical order, list the name and address of each record stockholder holding 5% or more of corporate stock together with the percentage of voting shares of stock owned. If the applicant is publicly traded, attach a copy of the most recent registration statement and annual report filed with the Securities and Exchange Commission and any filings with any states' Commissioner of Securities or applicable exemption from state registration;

13. If the applicant is a person or a business entity other than a corporation, submit as **Exhibit 13**:

- (A) a detailed description of the organization, including the organizational chart;
- (B) the applicant's federal and state tax returns for the past three (3) years;
- (C) the name, including all former trade names, assumed names, or fictitious names, business and residential addresses and telephone numbers, Social Security number, FEIN, place and date of organization, percentage of ownership, and dates when participation occurred;
- (D) if the business entity is not organized under Missouri law, a statement identifying the law under which it is organized and stating whether it is authorized to conduct business in Missouri, and the date the applicant began accepting entry fees from Missouri residents;
- (E) if no authorization to do business in Missouri has been obtained, state why it has not been obtained;
- (F) the name and address of each participant who is a sole proprietor, general partner, limited partner, member, or manager; attach copies of any written agreement, constitution, or other document creating or governing the applicant's organization or powers of organization;
- (G) the names and addresses of any individual or other entity who holds a record or beneficial ownership, and as to each, please state the nature and extent of any ownership interest (including beneficial owners); any absolute or contingent voting interest and the terms upon which the interest may be voted; and the percent of ownership;

14. State whether the applicant currently holds or has ever held a Fantasy Sports Contest Operator related license issued by any jurisdiction:

ANSWER:

If the answer is "yes" submit as **Exhibit 14** the following:

- (A) the identification of the license or permit holder;
- (B) the issuing jurisdiction;
- (C) the nature of the permit or license;
- (D) the dates of issuance and termination; and
- (E) a copy of each such license or permit.

15. State whether the applicant has been arrested, detained, charged, or indicted for any **offense**(see definition), or has pled guilty to or been convicted of any **offense** under the laws of any jurisdiction within the ten (10) years prior to the date of application for registration.

ANSWER:

If the answer is “yes, submit as **Exhibit 15** ALL paperwork and a statement setting forth for each case:

- (A) the date;
- (B) the name and location of the court, arresting agency, and prosecuting agency;
- (C) the offense;
- (D) the disposition; and
- (E) the location and length of incarceration.

16. State whether the applicant:

- (A) has had a license denied, suspended, or revoked which was issued under the Act, or which was a license to operate a fantasy sports contest in any other jurisdiction; and
- (B) has withdrawn, or been allowed to withdraw, with or without prejudice, from any jurisdiction after applying fantasy sports contest license;

ANSWER:

- (A):
- (B):

If the answer is “yes” to (A) or (B),submit as **Exhibit 16** ALL paperwork and a statement describing in detail the facts and circumstances concerning that denial, restriction, suspension, revocation, or non-renewal, including the licensing authority, the date each action was taken, and the reason for each such action.

**FINANCIAL INFORMATION**

17. State whether the applicant has filed bankruptcy within the last ten (10) years.

ANSWER:

18. If the applicant is a publicly-held company, submit as **Exhibit 18** for each publicly-held company copies of any state or federal registration statements and any other documents filed within the last two (2) fiscal years, including, without limitation, proxy or information statements filed pursuant to Section 14 of the Securities Exchange Act of 1934, annual reports (Form 10K), quarterly reports (Form 10Q), periodic reports (Form 8K) and statements prepared in accordance with regulation S-X, under the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935 or the Investment Company Act of 1940. (**Note:** *If the SEC documents are available on the company's website, please provide the website address instead of supplying the requested documents.*)
19. Submit as **Exhibit 19(A) and 19(B)**, as applicable, copies of the following documents for the applicant, for the last two (2) fiscal years and for the period ending one (1) month prior to the date of application, or where the applicant has not existed as a business entity in any jurisdiction for the last two (2) fiscal years, for the applicant or any predecessor company to the extent that these documents exist for the last two (2) fiscal years:
- (A) financial statement, certified or authenticated by independent certified public accountants if such certified or authenticated documents have been prepared; and
  - (B) management representatives and lawyer's contingency letters provided to certified public accountants pertaining to certified financial audits and all reports and correspondence which pertain to the issuance of financial statements, managerial advisory services or internal control recommendations.
20. Submit as **Exhibit 20** a schedule listing the accounts or instruments held by the applicant during the two (2) year period prior to the date of this application from any bank, savings and loan association, credit union or other financial institution, domestic or foreign, whether such account or instrument was or is held in the name of the applicant, a nominee of the applicant, or was or is otherwise under the direct or indirect control of the applicant, stating for each such account or instrument:
- (A) the name, business address and telephone number of the financial institution involved;
  - (B) the type of account or instrument;
  - (C) the account or instrument number;
  - (D) the rate of interest;
  - (E) the time period during which the account or instrument was or will be held; and
  - (F) the opening and current or closing balance.
21. Submit as **Exhibit 21** all financial interests that any officer, director, trustee, or shareholder has in any entity involved in fantasy sports operations. The financial interests shall include all direct and indirect interests.

## Applicant's Authorization and Request to Release Information

To: \_\_\_\_\_  
(Leave Blank)

From: \_\_\_\_\_  
(Applicant's Name)

1. The applicant hereby authorizes and requests all persons to whom this request is presented having information relating to or concerning the applicant to furnish such information to a duly appointed officer of the Missouri State Highway Patrol, or Missouri Gaming Commission (MGC) Financial Investigator whether or not such information would otherwise be protected from disclosure by any constitutional, statutory, or other legal privilege.
2. The applicant hereby authorizes and requests all persons to whom or entities to which this request is presented having documents relating to or concerning the applicant to permit a duly appointed officer of the Missouri State Highway Patrol or MGC Financial Investigator to review and copy any such constitutional, statutory, or other legal privilege.
3. If the person to whom or entity to which this request is presented is a brokerage firm, bank, savings and loan, or other financial institution or an officer of same, the applicant hereby authorizes and requests that a duly appointed officer of the Missouri State Highway Patrol or MGC Financial Investigator be permitted to review and obtain copies of any documents, records, or correspondence pertaining to the applicant, including, but not limited to, past loan information, notes co-signed by applicant, checking account records, savings deposit records, safe deposit box records, passbook records, and general ledger folio sheets.
4. The applicant hereby makes, constitutes, and appoints any duly appointed officer of the Missouri State Highway Patrol or MGC Financial Investigator the applicant's true and lawful attorney-in-fact for the applicant in the applicant's name, place, stead, and on the applicant's behalf and for the applicant's use and benefit:
  - (A) to request, review, copy, sign for, or otherwise act for investigative purposes with respect to documents and information in the possession of the person or entity to whom this request is presented as the applicant might;
  - (B) to name the person to whom or entity to which this request is presented and insert that person's or entity's name in the appropriated location on this request; and
  - (C) to place the name of the Missouri State Highway Patrol's officer or MGC's Financial Investigator presenting this request in the appropriate location on this request.
5. The applicant grants to said attorney-in-fact full power and authority to do, take, and perform all and every act and thing whatsoever requisite, proper, or necessary to be done, in the exercise of any of the rights and powers herein granted, as fully to all intents and purposes as the applicant might or could do, with full power of substitution of revocation, hereby ratifying and confirming all that the attorney-in-fact, or his/her substitute(s), shall lawfully do or cause to be done by virtue of this power of attorney and the rights and powers herein granted.
6. This power of attorney ends twenty-four (24) months from the date of execution or at the termination of all licenses issued to the applicant by the Missouri Gaming Commission, whichever occurs later.
7. The applicant has filed the "Application" with the Missouri Gaming Commission. The applicant accepts any risk of adverse public notice, embarrassment, criticism, or other action of financial loss, which may result from action with respect to this application.
8. The applicant does, for itself, its heirs, executors, administrators, successors and assigns, hereby release, remise, and forever discharge the person to whom or entity to which this request is presented, and his/her/ its agents and employees from any and all manner of actions, causes of action, suits, debts, judgments,

executions, claims, and demands whatsoever, known or unknown, in law or equity, which the applicant ever had, now has, may have, or claim to have against the person to whom or entity to which this request is presented or his/her/its agents or employees arising out of or by reason of complying with this request.

- 9. The applicant agrees to indemnify and hold harmless the person to whom or entity to which this request is presented and his/her/its agents and employees from and against all claims, damages, losses, and expenses, including reasonable attorney's fees, arising out of or by reason of complying with this request.
- 10. A reproduction of this request by photocopy shall be for all intents and purposes as valid as the original.

IN WITNESS WHEREOF, I have executed this request at

\_\_\_\_\_ (City) \_\_\_\_\_ (State)  
 on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Its: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
(Notary Public)

**(Notarial Seal)**

My commission expires: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_

State of \_\_\_\_\_

### Release of All Claims

The undersigned has filed with the Missouri Gaming Commission (commission) certain forms and documents in connection with a written request for licensing by the commission ("Application"). In consideration of the assurance by the commission that no vote on the application will be taken except after an investigation of the undersigned and their successors and assigns, hereby release, remise, and forever discharge the State of Missouri, the commission, its members, agents, and employees, from any and all manner of actions, causes of action, suits, debts, judgments, executions, claims, and demands whatsoever, known or unknown, in law or equity, which the undersigned ever had, now has, may have, or claim to have against any or all of said entities or individuals arising out of or by reason of the processing or investigation of or other action relating to the application.

I, the duly authorized \_\_\_\_\_(Office) of the undersigned, have read this affidavit and understand its terms. On behalf of and in accordance with the instructions of the undersigned, I execute it with full knowledge that the undersigned will be bound hereby.

IN WITNESS WHEREOF, I have executed this release at

\_\_\_\_\_ (City) \_\_\_\_\_ (State)  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
(Applicant)

By: \_\_\_\_\_

Its: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
(Notary Public)

**(Notarial Seal)**

My commission expires: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_

State of \_\_\_\_\_

**Affidavit of Full Disclosure**

State of \_\_\_\_\_ }  
County of \_\_\_\_\_ } SS

I, \_\_\_\_\_ (Officer), being the duly authorized \_\_\_\_\_ (Office) of \_\_\_\_\_ (Name of Applicant), being first duly sworn upon oath or affirmation, depose and state-That, except as reported in the applicant's Application ("Application"), the applicant has no agreements or understandings with any person or entity and no present intent to hold as agent, nominee, or otherwise any interest in the Application;

That, except as reported in the Application, the applicant has no agreements or understandings with any person or entity and no present intent to pay any sums of money or give anything of value as, including, but without limitation, a finder's fee or commission to any person or entity related to the acquisition or sale of any interest in the Application;

That any funds, used or to be used, and any liabilities incurred or to be incurred by the applicant in the acquisition of any interest in the Application were not provided to the applicant or made available to the applicant through the efforts of any person or entity not reported in the Application;

That, except as reported in the Application, no person or entity has provided collateral for or guaranteed payment of any loans made to the applicant which relate to the Application.

I, the duly authorized \_\_\_\_\_ (Office) of the undersigned, have read this Affidavit of Full Disclosure and understand its terms. On behalf of and in accordance with the instructions of the undersigned, I execute it with full knowledge that the undersigned will be bound hereby.

(Applicant)

By: \_\_\_\_\_

Its: \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

**(Notarial Seal)**

My commission expires: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_

State of \_\_\_\_\_



**Verification**

State of  
County of

} SS

I, \_\_\_\_\_ being first duly sworn upon oath or affirmation, depose and state:

- 1. I am the individual who is submitting this form;
- 2. I personally supplied the information contained in this form;
- 3. I swear (or affirm) that the information contained in this form is true, complete, and accurate to the best of my knowledge and belief; and
- 4. I swear that I have read and agree to abide by the terms of the Fantasy Sports Consumer Protection Act and any rules promulgated by the Missouri Gaming Commission, including any emergency rules.

\_\_\_\_\_  
(Individual's Signature)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

**(Notarial Seal)**

My commission expires: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_

State of \_\_\_\_\_

**IMPORTANT**  
**Form 4506-T, Request for Transcript of Tax Return**

**Form 4506-T** can be found at the following site: <http://www.irs.gov/pub/irs-pdf/f4506t.pdf>

- Do **NOT** mail or fax Form 4506-T to the Internal Revenue Service
- When completing the form:
  - Enter the following information for question 5:  
Missouri Gaming Commission  
P.O. Box 1847  
Jefferson City, MO 65102  
(573) 526-4080
  - Place a check in box 6b
- Complete and sign the form and submit it to the Missouri Gaming Commission along with your completed application.

Form 4506-T is completed and included with my application.

## IMPORTANT Form 943, Request for Tax Clearance

**Form 943** can be found at the following site: <http://dor.mo.gov/forms/943.pdf>

- Do **NOT** mail or fax Form 943 to the Missouri Department of Revenue
- When completing the form:
  - Under “Reason(s) for Request”, for question number 3:
    - Place a check in box “Other”
    - List “Fantasy Sports Contest Operator License”
  - Under “Authorization”, enter the following information:

Name of Person Authorized to Receive This Information: Dwell Isringhausen, Missouri Gaming Commission

Title: Sergeant

Phone Number: (573) 526-4080

Address: P.O. Box 1847

City: Jefferson City

State: MO

Zip Code: 65102

Email Address of Authorized Person: Dwell.Isringhausen@mgc.dps.mo.gov

- Complete and sign the form and submit it to the Missouri Gaming Commission along with your completed application.

Form 943 is completed and included with my application.

## Public Disclosure Section Fantasy Sports Contest Operators Applicants and Licensees

Instructions: All applicants for licensure and all licensees are required to fully and completely supply all information concerning the applicant or licensee, his/her/its products, services, or fantasy sports enterprises and his/her/its business holdings requested by this form even though much of the information requested may have been previously disclosed in the application. Where the answer may be derived or ascertained from the business records of the applicant or licensee, the applicant or licensee may attach such records as exhibits and reference the exhibits in the corresponding answer. This form will be used by the Missouri Gaming Commission to comply with the provisions of the Fantasy Sports Consumer Protection Act requiring public disclosure of this information to any person upon request. Each applicant and licensee has a continuing obligation to update and supplement the information contained in this form. Portions of the form may not apply to each applicant and licensee; however, each applicant and licensee is instructed to complete all sections of the form that apply.

**Submit the original and one (1) copy of your responses together with the public disclosure verification as a separate attachment to the Application for the following requests:**

**(DO NOT** answer any question with a reference to the application unless you want the application to become public record. Any substantiating documents should be attached separately as part of this public disclosure statement.)

1. State the name, business address, and business telephone number of any applicant or licensee.

Answer:

2. Identify any applicant or licensee, including, if an applicant or licensee is not an individual, the state of incorporation or registration, the corporate officers, and the identity of all shareholders or participants. If an applicant or licensee has a pending registration statement filed with the federal Securities and Exchange Division, the names of those persons or entities holding interest shall be provided.

Answer:

3. Identify any business, including, if applicable, the state of incorporation or registration in which an applicant or licensee or an applicant's or licensee's spouse or children have an equity interest. If an applicant or licensee is a corporation, partnership, or other business entity, the applicant or licensee shall identify any other corporation, partnership, or business entity in which it has an equity interest, including, if applicable, the state of incorporation or registration. This information need not be provided by a corporation, partnership, or other business entity that has a pending registration statement filed with the federal Securities and Exchange Division.

Answer:

4. State whether an applicant or licensee has been indicted, convicted, pleaded guilty or nolo contendere, or forfeited bail concerning any criminal offense under the laws of any jurisdiction, either felony or misdemeanor, except for traffic violations, including the date, the name and location of the court, arresting agency and prosecuting agency, the case number, the offense, the disposition, and the location and length of incarceration.

Answer:

5. State whether an applicant or licensee has had any license or certificate issued by a licensing authority in this state or any jurisdiction denied, restricted, suspended, revoked, or not renewed and a statement describing the facts and circumstances concerning the denial, restriction, suspension, revocation, or nonrenewal, including the licensing authority, the date each such action was taken, and the reason for each such action.

Answer:

6. State whether an applicant or licensee has ever filed or had filed against it a proceeding in bankruptcy or has ever been involved in any formal process to adjust, defer, suspend, or otherwise work out the payment of any debt, including the date of filing, the name and location of the court, and the case and number of the disposition.

Answer:

7. State whether an applicant or licensee has filed or been served with a complaint or other notice filed with any public body regarding the delinquency in the payment of, or a dispute over, the filings concerning the payment of any tax required under federal, state, or local law, including the amount, type of tax, the taxing agency, and time periods involved.

Answer:

8. State the names and titles of all public officials or officers of any unit of government, and relatives of such public officials or officers who, directly or indirectly, own any financial interest in, have any beneficial interest in, are the creditors of or hold any debt instrument issued by, or hold or have any interest in any contractual or service relationship with, an applicant or licensee.

Answer:

9. State the name and business telephone number of the attorney representing the applicant or licensee in matters before the commission.

Answer:

10. State the amount of tax receipts paid to the state in the previous 2 years by the applicant or licensee.

Answer:

### Public Disclosure Verification

State of \_\_\_\_\_  
County of \_\_\_\_\_

} SS

I, \_\_\_\_\_, being first duly sworn upon oath or affirmation, depose and state:

1. I am the applicant or licensee submitting this Public Disclosure Section.
2. I personally supplied the information contained in this form.
3. I swear (or affirm) that the information contained in this form is true, complete and accurate to the best of my knowledge and belief.
4. I understand and agree that the Public Disclosure Form will be provided to any member of the public who requests this information from the Missouri Gaming Commission. I further understand my continuing obligations to update and supplement this form if any of the information provided changes.
5. I swear that I have read and agree to abide by the terms of the Fantasy Sports Consumer Protection Act and any rules promulgated by the commission, including any emergency rules.

\_\_\_\_\_  
(Individual's Signature)

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
(Notary Public)

**(Notarial Seal)**

My commission expires: \_\_\_\_\_

Notary Public in and for the County of \_\_\_\_\_

State of \_\_\_\_\_