

MISSOURI GAMING COMMISSION



SW Supplier and Official League Data Provider License 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 SW Supplier or Official League Data Provider License.

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 SW SUPPLIER AND OFFICIAL LEAGUE DATA PROVIDER LICENSE APPLICATION

The burden of proving qualifications to receive a license is at all times on the applicant. 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.

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.

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 licensure granted by the commission.

Type or print in black ink 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 (1) copy of each of the following forms and items must be appropriately organized, tabbed, and submitted in letter-size expansion folders or envelopes by the applicant. All copies must be labeled with the applicant's name. Submit the forms and documents to:

Licensing Division
Missouri Gaming Commission
3417 Knipp Drive
Jefferson City, Missouri 65109

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

1. SW Supplier and Official League Data Provider License Application.
2. SW Personal Disclosure Form – Applicants for an SW Supplier license must submit this form for each individual key person. The commission may require other individuals to submit this form as part of the application.

APPLICATION FEE

A nonrefundable application fee in the amount of \$25,000 will be invoiced to applicants for an SW Supplier license.

A nonrefundable application fee in the amount of \$10,000 will be invoiced to applicants for an Official League Data Provider license.

ANNUAL LICENSE FEE

If licensed, the annual license fee for an SW Supplier's license, in the amount of \$10,000, will be invoiced.

The annual license fee for an Official League Data Provider license is payable to the commission at the end of the each year of licensure based on the amount of data sold to Retail and Mobile licensees as official league data, as follows:

- (A) for data sales up to and including \$500,000, the fee is \$10,000;
- (B) for data sales in excess of \$500,000 and up to and including \$750,000, the fee is \$15,000;
- (C) for data sales in excess of \$750,000 and up to and including \$1,000,000, the fee is \$20,000;
- (D) for data sales in excess of \$1,000,000 and up to and including \$1,500,000, the fee is \$50,000;
- (E) for data sales in excess of \$1,500,000 and up to and including \$2,000,000, the fee is \$100,000; and
- (F) for data sales in excess of \$2,000,000, the fee is \$150,000.

DEFINITIONS

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

Beneficial owner/ownership: 1) A holder of any direct or indirect legal or beneficial publicly traded interest whose combined direct, indirect or attributed publicly traded interest is five percent (5%) or more in an applicant or licensee or in a key business entity of an applicant or licensee; 2) A holder of any direct or indirect legal or beneficial privately held interest whose combined direct, indirect or attributed privately held interest is five percent (5%) or more in an applicant or licensee or in a key business entity of an applicant or licensee; or 3) A holder of any direct or indirect legal or beneficial interest in an applicant or licensee or in a key business entity of an applicant or licensee if the interest was required to be issued under agreement with or authority of a government entity.

Business entity: A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, partnership for shares, 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.

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

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

Key business entity: Each holding, intermediary, or parent company that directly owns 15% or more of the applicant.

Key person:

1. The applicant's board appointed chief executive officer and chief financial officer, or the equivalent individuals, as determined by the commission; and
2. The applicant's principal owners who directly own 10% or more of the applicant.

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 has undergone certain internal changes, such as those of identity, form, or capital structure.

Public official: An individual who is elected to office pursuant to Missouri statute, or who is appointed to an office which is established under and the qualifications and duties of which are prescribed by Missouri statute to discharge a public duty for the state 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.

Substantial Owner: Any key business entity or the applicant's principal owners who directly own 10% or more.

**APPLICATION FOR AN SW SUPPLIER OR OFFICIAL LEAGUE DATA PROVIDER 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	
_____ Address	_____ City	_____ State	_____ Zip
_____ E-Mail Address	_____ Telephone Number	_____ Fax Number	

LICENSING/COMPLIANCE CONTACT FOR THIS BUSINESS

_____ Name		_____ Title	
_____ Address	_____ City	_____ State	_____ Zip
_____ E-Mail Address	_____ Telephone Number	_____ Fax Number	

BILLING CONTACT FOR THIS BUSINESS

_____ Name		_____ Title	
_____ Address	_____ City	_____ State	_____ Zip
_____ E-Mail Address	_____ Telephone Number	_____ Fax Number	

THE PRINCIPAL BUSINESS ADDRESS OF THE APPLICANT

_____ 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.

Check the appropriate box:

- ☐ This application is being submitted for an SW Supplier license.
- ☐ This application is being submitted for an Official League Data Provider license.

If an applicant is requesting an SW Supplier license, the applicant shall check all applicable functions it intends to perform:

- ☐ manufacture sports wagering equipment or systems
- ☐ sell or lease sports wagering equipment or systems
- ☐ provide sports wagering equipment maintenance or repair
- ☐ provide testing services on sports wagering equipment or systems
- ☐ provide goods to a Retail or Mobile licensee
- ☐ provide data to a Retail or Mobile licensee
- ☐ provide geolocation services
- ☐ provide data feed services to a Retail or Mobile licensee
- ☐ provide integrity services to a Retail or Mobile licensee
- ☐ provide odds services to a Retail or Mobile licensee
- ☐ provide managed trading services
- ☐ provide software for an online sports wagering platform
- ☐ provide player account management services
- ☐ provide other services to a Retail or Mobile licensee (Please briefly explain other services:)

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 own or operate an SW Supplier operation or Official League Data Provider operation.

The applicant will be invoiced for the applicable fee(s) associated with the license. The applicant understands that costs incurred to conduct the suitability investigation will be assessed by the commission.

The applicant agrees to disclose and to require all of the key 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. Acceptance of this application or the issuance of a license shall not constitute a 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 Article III, Section 39(g) of the *Missouri Constitution*, its internal controls, and any rules promulgated by the commission, including any emergency rules.

Respectfully submitted,

By:

(Applicant's Name)

(Officer)

A. APPLICANT INFORMATION

1. Identify applicant's products or services:

If the space provided is insufficient, submit the identification as **Exhibit 1(a)**.

Submit as **Exhibit 1(b)** one (1) copy of the following documents, as applicable:

- (a) Applicant's price list for goods or services to be provided under the license for which application is being made;
- (b) Applicant's lease agreement form;
- (c) Applicant's purchase agreement form;
- (d) Applicant's service agreement form;
- (e) Any contract or agreement between the applicant and holders of or applicants for a Retail or Mobile license;
- (f) Any contract or agreement between the applicant and any person or entity for the purchase or lease of any land, building, or other tangible or intellectual property;
- (g) A certificate of good standing from the state of incorporation of applicant;
- (h) Partnership agreement; and
- (i) Audited financial statements of the applicant and any business entity of which the applicant is an owner of ten percent (10%) or more for the last three (3) fiscal years and for the period ending one (1) month prior to the date of application.

2. (a) 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 2(a)**.

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

- (b) Submit as **Exhibit 2(b)** a list identifying by name, address, and telephone number all of the businesses which the applicant or any of its key persons owns directly or indirectly, in whole or in part, which are expected to do business with commission licensees in the calendar year period commencing from the date of the application., State the total amount of business which each identified business is expected to conduct directly or indirectly with commission licensees during such period.

3. Submit as **Exhibit 3** (form attached) a list of all current key persons as defined in this application, their names, positions, percentages of ownership, and the amounts of and dates when compensation was received from the applicant during the five (5) years prior to the filing of this application.

An SW Personal Disclosure Form shall be submitted for each key person of an SW Supplier license applicant.

4. Submit as **Exhibit 4** a list identifying by name, address, and telephone number any relative of the applicant or any of its key persons who holds a license issued by the commission or is a key person of a business entity which has applied for or holds a license issued by the commission.
5. (a) Submit as **Exhibit 5(a)** a detailed description of the applicant's business, including the background and skills of the applicant and the applicant's key persons, including experience in providing its products or services. Identify and describe any predecessor company of the applicant.
 (b) Submit as **Exhibit 5(b)** (form attached) 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.
6. If the applicant does business outside Missouri, submit as **Exhibit 6** a listing of all other jurisdictions where the applicant does business, describing the business activity conducted in those other jurisdictions, and listing all addresses from which the applicant currently does business.
7. (a) Submit as **Exhibit 7(a)** a schedule listing the name, business address and telephone number for each of the applicant's Missouri –
 - (1) Registered agent(s);
 - (2) Legal services representative;
 - (3) Accounting services representatives; and
 - (4) Banking and financial services representatives.
 (b) Submit as **Exhibit 7(b)** a schedule listing the name, business address and telephone number for each of the applicant's other –
 - (1) Registered agent(s);
 - (2) Legal services representatives;
 - (3) Accounting services representatives;
 - (4) Banking and financial services representatives; and
 - (5) Chief administrative officer.
8. Have any of the securities or debt offerings of the applicant or any of the applicant's substantial owners been suspended from trading or had action taken against them by any regulatory agency?

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 8** a detailed statement describing each suspension or action, the date, and the final disposition.

9. Has the applicant or its key persons ever been or are they currently a party to a lawsuit (other than divorce proceedings)?

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 9** a detailed list of all cases, including bankruptcies, stating for each lawsuit:

- (a) The name of the parties;

- (b) The case number;
- (c) The name of the court and its location;
- (d) The type and nature of the case; and
- (e) The disposition of the case, including the terms of any settlement, the result of any trial, and the result of any appeal.

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

- (f) In detail all pertinent facts, including the type and amount of relief sought; and
- (g) An assessment of the impact, if any, which the action may have on the applicant's business.

10. To the extent not already disclosed in your answer to Question 9, state whether the applicant or its key persons have ever been involved in any formal or informal process or agreement to adjust, defer, suspend or otherwise work out the payment of any debt.

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 10** a statement setting forth all details concerning each debt and the relating formal or informal process or agreement.

11. State whether the applicant or its key persons are delinquent in the payment of, or in dispute over, the filings concerning the payment of any tax required under federal, state, or municipal law.

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 11** a detailed statement describing the delinquency or dispute, including the amount, type of tax, the taxing agencies and the time periods involved.

12. State whether the applicant or its key persons have ever had any municipal, state, or federal tax returns audited or adjusted.

☐ YES ☐ NO

If your answer is "yes", submit as **Exhibit 12** a statement describing in detail the facts, circumstances, and results of the audit or adjustment and copies of all Internal Revenue Service Forms 4549 and 4590 and any protest letters and other correspondence relating to any such audit or adjustment.

13. If the applicant or any of its substantial owners is a corporation, submit as **Exhibit 13** –

- (a) The full corporate name, including all former trade, assumed or fictitious names, the address and telephone number of the corporate headquarters, and the FEIN numbers for transporting gaming equipment held by each corporation;
- (b) 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, the date the applicant commenced doing business in Missouri, and a copy of the applicant's certificate of authority to do business in Missouri;
- (c) A copy of the corporation's Articles of Incorporation and bylaws and all amendments;

- (d) For the present and former key persons of each corporation, their names, business names, positions, business and residential addresses and telephone numbers, and the amounts of and dates when compensation was received from the corporation during the three (3) years prior to the filing of this application;
- (e) For each corporation:
 - (1) The classes of stock, attendant rights of each class and numbers of shares;
 - (2) The number of shares authorized, issued, or outstanding;
 - (3) The par value, market value and issue price of the shares;
 - (4) The voting rights per class of stock (if the right of holders of any class of stock may be modified other than by a vote of a majority or more of the outstanding shares so affected, voting as a class, so state and briefly explain);
 - (5) The exchange, if any, on which any class of stock may be traded;
 - (6) A list of the names, addresses and numbers of shares held for all holders of outstanding shares; and
 - (7) A list of stock certificates which have been or will be pledged and the names, address and telephone number(s) of the pledgor and pledgee of any stock certificates in a corporation, which is not a publicly held company;
- (f) If the beneficial owner of any stock in each corporation is an individual or business entity other than the owner of record or subscriber, the name and address of the owner of record or subscriber, the name and address of the beneficial owner, the conditions under which the owner of record or subscriber holds and votes or has subscribed for such stock; submit as **Exhibit 13(f)** a copy of any contract or other instrument relating to said conditions;
- (g) If within five (5) years from the date of filing this application there has been a change in the beneficial ownership of the equity securities of a corporation, including changes resulting from gift, purchase, sale, exercise of an option to purchase or sell, on the part of any individual or business entity who is or was a direct or indirect beneficial owner of ten percent (10%) or more of any class of an equity security of the corporation or who is or was a key person of the corporation, for each change of ownership state-
 - (1) The date of transaction;
 - (2) The nature of transaction;
 - (3) The parties, including their position, to the transaction; and
 - (4) The number, class and percentage of ownership of securities involved;
- (h) A description for each corporation of all stock warrants, options, or common stock equivalents, which are authorized, issued, and exercisable, including applicable lists of participant names, addresses and amounts of holdings.
- (i) If the applicant has any obligations or securities authorized or outstanding which bear voting rights either absolutely or upon any contingency, together with the nature of the obligations, the following shall be disclosed for each:
 - (1) The face or par value;
 - (2) The number of units authorized;
 - (3) The number of units outstanding; and
 - (4) Any conditions upon which the units may be voted.
- (j) The names in alphabetical order and addresses of the directors. As to each director, include the number of shares held on record as of the application date. If the director owns no shares, so state; ownership of shares shall include beneficial owners.

- (k) The names, in alphabetical order, and addresses of the officers of the applicant. As to each officer, include the number of shares held on record as of the application date. If the officer owns no shares, so state; ownership of shares shall include beneficial owners.
- (l) Each jurisdiction, including the United States, for which the corporation has met filing and disclosure requirements of state securities registration and filing laws, the Securities Act of 1933, or the Securities and Exchange Act of 1934. The applicant shall include the most recent registration statement and annual report filed with the Securities and Exchange Commission and each state in which the corporation has registered or filed the report:
 - (1) If the applicant has not registered or filed any statements with the Commissioner of Securities of the Secretary of State of Missouri, the applicant must state the reason the filing has not been made including specific reference to the exception upon which the applicant relies for not filing with the Commissioner of Securities of the State of Missouri; and
 - (2) If the applicant has filed with the Commissioner of Securities of the State of Missouri, copies of all filings beginning with the most recent up to and including the first statement filed or for the past five (5) years, whichever is shorter, shall be included in the application.

14. If the applicant or any of its substantial owners is a business entity other than a corporation, submit as **Exhibit 14:**

- (a) A detailed description of the organization of each business entity;
- (b) For each business entity, as applicable, the applicant's name, including all former trade, assumed and fictitious names, business and residential address and telephone number, Social Security Number, and FEIN for transporting gaming equipment, place and date of birth, occupation, and place and date of organization. For the three (3) years prior to filing this application, list the percentage of ownership and dates when participation occurred and the amount of and dates when compensation was received for all present and former key persons of the business entity;
- (c) For each business entity which 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;
- (d) The name and address of each participant in each business entity which is a general partner, limited partner, unincorporated association, or other business entity other than a corporation; also submit as **Exhibit 14(d)** a statement answering Question 14 for each such participant;
- (e) The name and address of each participant in each business entity which is a corporation; also submit as **Exhibit 14(e)** a statement answering Question 13 for each such participant;
- (f) If the applicant is a partnership, a statement setting forth for each partner –
 - (1) The amount of initial investment, whether in the form of cash, negotiable instruments, property or otherwise;
 - (2) The amount and nature of any anticipated future investments;
 - (3) The degree of control over the activities of the partnership; and
 - (4) The method of distributing partnership profits;
- (g) If the applicant is an individual, then state –
 - (1) The applicant's legal name;
 - (2) Whether the applicant is a United States citizen;
 - (3) Any aliases or business names which have ever been or are being used by the applicant; and
 - (4) Copies of the applicant's state and federal tax returns for the past five (5) years;

- (h) Copies of any written agreement, constitution, or other document creating or governing the applicant's organization or powers of organization; and
 - (i) The date the applicant commenced doing business in Missouri –
 - (1) If the applicant is organized under laws other than the state of Missouri to do business in Missouri; and
 - (2) If no authorization to do business in Missouri has been obtained, the applicant must state the reason the authorization has not been obtained.
15. Submit as **Exhibit 15**, the names, in alphabetical order, and addresses of each partner, officer, or other person having or sharing policy-making authority. As to each such person, the applicant must disclose the nature and extent of any ownership interest; ownership interest shall include any beneficial owner and any voting interest, whether absolute or contingent, and the terms upon which the interest may be voted.
16. Submit as **Exhibit 16**, the names, in alphabetical order, and addresses of any individual or other entity that holds a record of beneficial ownership in the applicant. The following information shall be given concerning each individual:
- (a) The nature of the ownership interest;
 - (b) Whether the ownership interest carries a vote and the terms upon which the interest may be voted; and
 - (c) The percentage of ownership.
17. State whether another individual or entity directly or indirectly controls to any extent or in any manner the applicant. If so, the applicant must disclose the identity of the controlling individual or entity and a description of the nature and extent of the control and submit such as **Exhibit 17**. If the controlling entity is not an individual, the information required by this rule for the corporation or partnership or other organization controlling the applicant must be disclosed.
18. Submit as **Exhibit 18** any agreement or understanding which the applicant has entered into for the payment of fees, rents, salaries or other compensation(s) by the applicant or to the applicant. If the agreement or understanding is written, a copy of the written document must accompany the application. If the agreement or understanding is oral, the terms shall be reduced to writing and must accompany the application. Should the agreement or understanding be contingent in nature, the applicant shall disclose the nature of the contingency.
19. Submit as **Exhibit 19** a disclosure of whether the applicant or any key person currently holds or has ever held a license or permit issued by a governmental authority to own or supply gaming or sports wagering equipment, operate a gaming facility, operate a sports wagering operation, or conduct any aspect of gambling. If the applicant has held or holds a license or permit, the applicant must disclose or provide:
- (a) The identity of the license or permit holder;
 - (b) The jurisdiction issuing the license or permit;
 - (c) The nature of the license or permit;
 - (d) The dates of issuance and termination, if any; and
 - (e) A copy of each license.
20. Submit as **Exhibit 20** a statement of whether any person currently serving, or any person who has within the past two (2) years served, as a member of the Missouri Gaming Commission, an employee of the commission, a member of the Missouri General Assembly, or as an elected official of the state, or of any city

or county in the state in which licensing of excursion gambling boats or sports wagering operations has been approved, has any ownership interest in the applicant.

21. State whether the applicant or any of its substantial owners, has been arrested for, detained for, charged with, indicted, convicted of, pleaded guilty or *nolo contendere* to, or forfeited bail for any criminal offense under the laws of any jurisdiction, either felony or misdemeanor [except for traffic violations the maximum possible punishment for which was a fine not in excess of three hundred dollars (\$300)]:

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 21** a statement setting forth for each case:

- (a) The date;
- (b) The names, addresses, and telephone numbers of the individuals and business entities involved;
- (c) The name and location of the court, arresting agency, and prosecuting agency;
- (d) The case number;
- (e) The offense;
- (f) The disposition; and
- (g) The location and length of incarceration.

22. State whether the applicant or any of its substantial owners has had any license or certificate issued by a licensing authority denied, restricted, suspended, revoked, or not renewed:

☐ YES ☐ NO

If the answer is "yes", submit as **Exhibit 22** a statement describing in detail the facts and circumstances concerning such denial, restriction, suspension, revocation or non-renewal, including the licensing authority, the date each such action was taken, and the reason for each such action.

23. Submit as **Exhibit 23** a statement containing:

- (a) A list of all debt instruments of the applicant or any of its substantial owners;
- (b) A list of the names, addresses, and telephone numbers of all holders of each debt instrument; and
- (c) A list of the amount of outstanding debt relating to each debt instrument.

24. Submit as **Exhibit 24(a), 24(b) and 24(c)**, as applicable, statements setting forth the following:

- (a) A detailed description of the relationship, as applicable, between the applicant and any Retail or Mobile licensee or applicant;
- (b) A detailed description of the applicant's ownership, as applicable, of any holder of or applicant for a Retail or Mobile license;
- (c) A detailed description of any transaction in the last five (5) years, or contemplated in the future, as applicable, between the applicant and any holder of or applicant for a Retail or Mobile license; submit any document relating to each transaction.

25. Submit as **Exhibit 25** a listing of the names, titles, addresses, and telephone numbers of all public officials or officers or employees of any unit of government, and relatives of said public officials, officers or employees, 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, the applicant or any of its key persons.

26. Submit as **Exhibit 26** a statement listing the names, addresses and telephone numbers of each individual or business entity having an interest of any kind in the applicant not disclosed elsewhere, and describing in detail the nature, facts, and circumstances concerning each such individual or business entity and the type of interest.

B. BUSINESS INFORMATION

27. Submit as **Exhibit 27(a) through Exhibit 27(l)** as applicable, detailed statements stating and describing:

- (a) Applicant's products, any other principal goods produced or services rendered, including any significant changes in the kinds of products, other goods or services, and the principal markets for and methods of distribution of such products, other goods or services, including any significant changes in the markets and methods of distribution during the past three (3) fiscal years;
- (b) The competitive conditions concerning the industry or industries relating to, and the competitive position in such industry or industries of, the applicant's products and any other principal goods;
- (c) If a material part of the applicant's business is dependent upon a single customer or a few customers, for each such customer state:
 - (1) Its name, business address, and telephone number; and
 - (2) Its relationship with and its importance to the applicant's business;
- (d) If backlog is a factor affecting the applicant's business operations, state:
 - (1) The dollar amount of backlog orders believed to be firm as of a date during the current fiscal year and as of comparable dates during the preceding two (2) fiscal years;
 - (2) The portion of current backlog orders not reasonably expected to be filled within the current fiscal year; and
 - (3) The seasonal or other material aspects of the backlog;
- (e) The sources and availability of raw materials essential to the applicant's business;
- (f) The duration, importance, effect, and holders of all patents, trademarks, copyrights, licenses, franchises, and concessions which are material to the applicant's business;
- (g) The circumstances surrounding and results of any bankruptcy, receivership, or similar proceedings affecting the applicant's business;
- (h) The circumstances surrounding and the results of any material reorganization, merger, consolidation, readjustment, or succession of the applicant's business;
- (i) The acquisition or disposition of any material amount of assets other than in the ordinary course of the applicant's business during the past three (3) years;
- (j) Any material changes in the mode of conducting applicant's business during the past three (3) years;
- (k) A summary of warranties in effect on the applicant's products, including claims relating to such warranties; and
- (l) A summary of all litigation relating to the applicant's products.

28. Submit as **Exhibit 28** a list identifying by name, address, and telephone number all distributors, sales representatives, or other individuals or business entities which formally or informally distribute, market, or represent any good produced or service rendered by the applicant.

29. Submit as **Exhibit 29** a statement confirming that the applicant is fully registered and licensed in accordance with all laws necessary to enable the applicant to provide its products. Submit one (1) certified copy of all certificates, registrations, and licenses.

30. Submit as **Exhibit 30** a list of the names, addresses, and telephone numbers of each individual for whom an Occupational Level I-SW or Occupational Level I-SWC application will be submitted.

Schedule of Exhibits

If an exhibit is not applicable, indicate "N.A.".

Exhibit Number	Person who made or directed preparation of exhibit (state which)	Official Title
1(a)		
1(b)		
2(a)		
2(b)		
3		
4		
5(a)		
5(b)		
6		
7(a)		
7(b)		
8		
9		
10		
11		
12		
13		
13(f)		
14		
14(d)		
14(e)		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24(a)		
24(b)		
24(c)		
25		
26		
27(a)		
27(b)		
27(c)		
27(d)		
27(e)		
27(f)		
27(g)		
27(h)		
27(i)		
27(j)		
27(k)		
27(l)		
28		

Exhibit Number	Person who made or directed preparation of exhibit (state which)	Official Title
29		
30		

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 agent of the Missouri Gaming Commission or Missouri State Highway Patrol, 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 agent of the Missouri Gaming Commission or Missouri State Highway Patrol 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 agent of the Missouri Gaming Commission or Missouri State Highway Patrol 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 agent of the Missouri Gaming Commission or the Missouri State Highway Patrol 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 or entity to whom 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 Gaming Commission or Missouri State Highway Patrol agent 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 understands that he, she, it is seeking the granting of a privilege and acknowledges that the burden of proving the applicant's qualifications for a favorable determination is at all times on the applicant. 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 or entity to whom 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 or entity to whom 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 or entity to whom 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: _____

Subscribed and sworn to before me this _____ day of _____, 20_____

(Notary Public)

My commission expires: _____

(Notarial Seal)

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 a deliberate, intensive and thorough investigation of the undersigned, including, but not limited to, background, 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 APPLICANT

I, _____ (printed name), am authorized to complete and execute this Affidavit on behalf of the Applicant, _____ (printed name of Applicant). I am also authorized by the Applicant to provide all the information requested on this Affidavit to the Missouri Gaming Commission (the "Commission"), and to make the representations set forth in this Affidavit. I have read and fully understand the purpose of this Affidavit. The Applicant herein has identified Key Persons as disclosed on this Application and in the SW Personal Disclosure Form(s) associated with this Application for licensure. As the authorized representative of the Applicant, I attest to the suitability of each of the Applicant's Key Persons. I understand that any misrepresentation or omission by a Key Person of the Applicant may lead to the delay or denial of the Applicant's license or may result in the Commission imposing disciplinary action against the Applicant, up to and including revocation of its license. I further understand that any violations of Article III, Section 39(g) of the Missouri Constitution, the Revised Statutes of Missouri, the Code of State Regulations, or any other rule of the Commission by any Key Person of the Applicant may also result in disciplinary action against the Applicant, up to and including revocation of its license.

I understand and acknowledge that the Applicant has an ongoing duty to promptly notify the Commission if any information it has provided with respect to its Key Persons changes.

Signature of Authorized Representative

Date

Printed Name of Authorized Representative

Title

NOTARY PUBLIC

The undersigned, a Notary Public in and for the County of _____, in the State of _____, certifies that the above-named individual appeared in person, and before me, either known to me or satisfactorily proven to be the individual whose name subscribed to the within instrument and signed this Affidavit.

This _____ day of _____, 20____, and to which witness my hand and seal.

Notary Public

STAMP OR SEAL

Printed Name

My Commission Expires on _____, 20____.

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 of any interest in the Application;

That, except as reported in the Application, the applicant has no agreements or understandings 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 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:

- a. I am the individual who is submitting this form;
- b. I personally supplied the information contained in this form;
- c. I swear (or affirm) that the information contained in this form is true, complete, and accurate to the best of my knowledge and belief;
- d. I swear that I have read and agree to abide by the terms of the Article III, Section 39(g) of the *Missouri Constitution* 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 _____

Request IRS Account Transcripts

You can request your IRS account transcripts at the following site:

<http://www.irs.gov/Individuals/Get-Transcript>

- You will need to request IRS account transcripts for each of the past **4 years**
- You can download and print your IRS account transcripts immediately by clicking on **“Get Transcript Online”**
- Please place a copy of your IRS account transcripts behind this page in the application
- IRS account transcripts can alternately be requested by filing Form 4506-T and placing a check in box 6b (Account Transcript)

☐ IRS Account Transcripts 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:
 - o Under “Reason(s) for Request”, for question number 3:
 - Place a check in box “Other”
 - List “Gaming License”
 - o Under “Authorization”, enter the following information:

Name of Person Authorized to Receive This Information: Douglas Fessenden, Missouri Gaming Commission

Title: Gaming Agent

Phone Number: (573) 526-4080

Address: P.O. Box 1847

City: Jefferson City

State: MO

Zip Code: 65102

Email Address of Authorized Person: Douglas.Fessenden@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

Instructions: All applicants for licensure, all licensees, and all key persons are required to fully and completely supply all information 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 records of the applicant, licensee, or key person, the applicant, licensee, or key person 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 disclose this information to any person upon request. Each applicant, licensee, or key person has a continuing obligation to update and supplement the information contained in this form. Portions of the form may not apply to each applicant, licensee, or key person; however, each applicant, licensee, or key person is instructed to complete all sections of the form that apply.

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

Answer:

2. Identify the applicant, licensee, or key person, including, if the applicant, licensee, or key person is not an individual, the state of incorporation or registration, and the corporate officers.

Answer:

3. State whether the applicant, licensee, or key person has been indicted, convicted of, pleaded guilty or nolo contendere to, or forfeited bail for 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:

4. State whether the applicant, licensee, or key person 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:

5. State the name and business telephone number of the counsel representing the applicant, licensee, or key person in matters before the commission.

Answer:

6. A description of the product or service to be supplied by the SW Supplier or Official League Data Provider applicant or licensee.

Answer:

Public Disclosure Verification

State of _____

County of _____

|
§§
|

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

1. I am the applicant, licensee, or key person 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 Article III, Section 39(g) of the *Missouri Constitution* 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 _____

Exhibit 5(b)[illegible]