

02/18/2025

By: A. Turner Deputy

1 KEKER, VAN NEST & PETERS LLP
ELLIOT R. PETERS - # 158708
2 epeters@keker.com
R. ADAM LAURIDSEN - # 243780
3 alauridsen@keker.com
JULIA L. ALLEN - # 286097
4 jallen@keker.com
MAYA JAMES - # 318554
5 mjames@keker.com
633 Battery Street
6 San Francisco, CA 94111-1809
Telephone: 415 391 5400
7 Facsimile: 415 397 7188

8 Attorneys for Plaintiffs

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 IN AND FOR THE COUNTY OF SACRAMENTO

11 AGUA CALIENTE BAND OF CAHUILLA
INDIANS; BARONA BAND OF MISSION
12 INDIANS; PECHANGA BAND OF
INDIANS; SYCUAN BAND OF THE
13 KUMEYAAY NATION; VIEJAS BAND OF
KUMEYAAY INDIANS; YOCHA DEHE
14 WINTUN NATION; YUHA AVIATAM OF
SAN MANUEL NATION,

15 Plaintiffs,

16 v.
17

18 PARKWEST BICYCLE CASINO, LLC
(D/B/A PARKWEST BICYCLE CASINO);
19 ABA PROPERTIES LLC (D/B/A THE
AVIATOR CASINO); ACME PLAYER
20 SERVICES, LLC; ARISE, LLC; ARTICHOKE
JOE'S (D/B/A ARTICHOKE JOE'S CASINO);
21 BLACKSTONE GAMING, LLC; BVK
GAMING, INC. (D/B/A NAPA VALLEY
22 CASINO); CALIFORNIA COMMERCE
CLUB, INC. (D/B/A COMMERCE CASINO
23 & HOTEL); CALIFORNIA GRAND CASINO;
CAL-PAC RANCHO CORDOVA, LLC
24 (D/B/A PARKWEST CASINO CORDOVA);
CAL-PAC SONOMA, LLC (D/B/A
25 PARKWEST CASINO SONOMA); CALPROP
SERVICES, LLC; CAPITOL CASINO, A
26 CALIFORNIA CORPORATION (D/B/A
CAPITOL CASINO A.K.A CAPITOL
27 CASINO, INC.); CASINO 580, LLC (D/B/A
PARKWEST CASINO 580); CASINO 99, LLC
28 (D/B/A CASINO 99); CASINO MERCED,

Case No. 25cv000001

FIRST AMENDED COMPLAINT

**TRIBAL NATIONS ACCESS TO
JUSTICE ACT (SB 549) MATTER**

1 INC. (D/B/A CASINO MERCED); CASINO
2 POKER CLUB, INC. (D/B/A CASINO
3 CLUB); CASINO, LLC (D/B/A LARRY
4 FLYNT'S LUCKY LADY CASINO);
5 CELEBRITY CASINOS, INC. (D/B/A
6 CRYSTAL CASINO); CENTRAL COAST
7 CASINO GROVER BEACH, INC. (D/B/A
8 CENTRAL COAST CASINO); CENTRAL
9 VALLEY GAMING, LLC (D/B/A TURLOCK
10 POKER ROOM); CERTIFIED NETWORK M,
11 INC.; CLUB ONE CASINO, INC. (D/B/A
12 CLUB ONE CASINO); DELTA C, LP (D/B/A
13 CAMEO CLUB; D/B/A KINGS CARD CLUB;
14 D/B/A WESTLANE CARD ROOM); EL
15 DORADO LF, LLC (D/B/A HUSTLER
16 CASINO); EMPIRE SPORTSMEN'S
17 ASSOCIATION; EMZE LLC (D/B/A CASINO
18 MARYSVILLE); EPOCH CASINO, INC.
19 (D/B/A EPOCH CASINO); F2 TPS, LLC;
20 FAROS UNLIMITED, INC.; FORTUNE
21 GAMING ASSOCIATES; FORTUNE
22 PLAYERS GROUP, INC.; FULL RACK
23 ENTERTAINMENT, INC. (D/B/A TOWERS
24 CASINO); GARDEN CITY, INC. (D/B/A
25 CASINO M8TRIX); GLCR, INC. (D/B/A THE
26 DEUCES LOUNGE & CASINO; D/B/A TRES
27 LOUNGE AND CASINO); GLOBAL
28 PLAYER SERVICES, INC.; GOLDEN
VALLEY CASINO, LLC (D/B/A GOLDEN
VALLEY CASINO); HACIENDA LF, LLC
(D/B/A HACIENDA CASINO); HALCYON
GAMING, LLC; HAWAIIAN GARDENS
CASINO INC. (D/B/A THE GARDENS
CASINO); HOLLYWOOD PARK CASINO
COMPANY, LLC (D/B/A HOLLYWOOD
PARK CASINO); JOSEPH ANTHONY
MELECH (D/B/A HOTEL DEL RIO &
CASINO); K & M CASINOS, INC. (D/B/A
500 CLUB CASINO A.K.A 500 CLUB); KB
VENTURES; KBCH CONSULTANTS, INC.;
KEITH CHAN HOANG (D/B/A GOLDEN
STATE CASINO); KERN COUNTY
ASSOCIATES, L.P. (D/B/A GOLDEN WEST
CASINO); KING'S CASINO
MANAGEMENT CORPORATION (D/B/A
THE SALOON AT STONES GAMBLING
HALL; D/B/A THE TAVERN AT STONES
GAMBLING HALL); KNIGHTED
VENTURES, LLC; KY PHUON (D/B/A
GARLIC CITY CLUB); L.E. GAMING, INC.;
LAMAR V. WILKINSON (D/B/A
CALIFORNIA CLUB CASINO); LEB
HOLDINGS, INC. (D/B/A OCEANA
CARDROOM); LIMELIGHT CARDROOM
TRUST (D/B/A LIMELIGHT CARD ROOM);

1 LODI CARDROOM, INC. (D/B/A
2 PARKWEST CASINO LODI); LUCKY
3 CHANCES, INC. (D/B/A LUCKY CHANCES
4 CASINO); LUCKY TREE
5 ENTERTAINMENT, INC. (D/B/A LA
6 PRIMAVERA POOL HALL & CAFE);
7 MARINA CLUB CASINO, LLC (D/B/A
8 MARINA CLUB); MICHAEL G. LINCOLN
9 (D/B/A RACXX); NETWORK
10 MANAGEMENT GROUP, INC.; OAKDALE
11 LLC (D/B/A MIKE'S CARD CASINO);
12 OAKS CARD ROOM LIMITED
13 PARTNERSHIP (D/B/A OAKS CARD
14 CLUB); OCEAN'S 11 CASINO, LLC (D/B/A
15 OCEAN'S ELEVEN CASINO); OLD TOWN
16 INVESTMENTS, INC. (D/B/A BANKERS
17 CASINO); OUTLAWS 101 LLC (D/B/A
18 OUTLAWS CARD PARLOUR); PACIFIC
19 GAMING SERVICES, LLC; PALACE POKER
20 CASINO, LLC (D/B/A PALACE POKER
21 CASINO); PARKWEST CASINO
22 MANTECA, LLC (D/B/A PARKWEST
23 CASINO MANTECA); PHUONG-ANH KIM
24 DO (D/B/A THE INDEPENDENT);
25 PINNACLE CASINO, LLC (D/B/A
26 PINNACLE CASINO); PLAYER'S POKER
27 CLUB, INC. (D/B/A PLAYER'S CASINO
28 A.K.A PLAYERS CASINO); PLAYERS
EDGE SERVICES; POLVORA, INC. (D/B/A
ACE & VINE); PROGRESSIVE GAMING,
LLC; QUALIFIED PLAYER SERVICES,
LLC; RAFAEL P. QUIROGA (D/B/A
JALISCO POOL ROOM); RANDY A. YAPLE
(D/B/A BLACKSHEEP CASINO
COMPANY); RICHARD SCOTT (D/B/A
CASINO CHICO); ROGELIO'S INC.;
SACRAMENTO CASINO ROYALE, LLC
(D/B/A CASINO ROYALE); SAHARA
DUNES CASINO, LP (D/B/A LAKE
ELSNORE HOTEL AND CASINO); SIDJON
CORPORATION (D/B/A LIVERMORE
CASINO); STARS GAMING INC. (D/B/A
STARS CASINO); STONES SOUTH BAY
CORPORATION (D/B/A SEVEN MILE
CASINO); SUTTER'S PLACE, INC. (D/B/A
BAY 101); THE NINETEENTH HOLE,
GENERAL PARTNERSHIP (D/B/A
NINETEENTH HOLE A.K.A THE
NINETEENTH HOLE CASINO AND
LOUNGE); THE RIVER CARDROOM, INC.
(D/B/A THE RIVER CARD ROOM); THE
SILVER F, INC. (D/B/A PARKWEST
CASINO LOTUS); VERONICA S.
CHOHRACH (D/B/A OCEANVIEW
CASINO); WAHBA, LLC; WALDEMAR

1 DREHER (D/B/A LAKE BOWL
2 CARDROOM); WIZARD GAMING, INC.
(D/B/A DIAMOND JIM'S CASINO),

3 Defendants.

4
5
6
7
8
9 Plaintiffs Agua Caliente Band of Cahuilla Indians; Barona Band of Mission Indians;
10 Pechanga Band of Indians; Sycuan Band of the Kumeyaay Nation; Viejas Band of Kumeyaay
11 Indians; Yocha Dehe Wintun Nation; and Yuhaaviatam of San Manuel Nation (collectively,
12 "Plaintiffs") for their First Amended Complaint against Defendants Parkwest Bicycle Casino,
13 LLC (d/b/a Parkwest Bicycle Casino); ABA Properties LLC (d/b/a The Aviator Casino); Acme
14 Player Services, LLC; Arise, LLC; Artichoke Joe's (d/b/a Artichoke Joe's Casino); Blackstone
15 Gaming, LLC; BVK Gaming, Inc. (d/b/a Napa Valley Casino); California Commerce Club, Inc.
16 (d/b/a Commerce Casino & Hotel); California Grand Casino; Cal-Pac Rancho Cordova, LLC
17 (d/b/a Parkwest Casino Cordova); Cal-Pac Sonoma, LLC (d/b/a Parkwest Casino Sonoma);
18 CalProp Services, LLC; Capitol Casino, a California corporation (d/b/a Capitol Casino a.k.a
19 Capitol Casino, Inc.); Casino 580, LLC (d/b/a Parkwest Casino 580); Casino 99, LLC (d/b/a
20 Casino 99); Casino Merced, Inc. (d/b/a Casino Merced); Casino Poker Club, Inc. (d/b/a Casino
21 Club); Casino, LLC (d/b/a Larry Flynt's Lucky Lady Casino); Celebrity Casinos, Inc. (d/b/a
22 Crystal Casino); Central Coast Casino Grover Beach, Inc. (d/b/a Central Coast Casino); Central
23 Valley Gaming, LLC (d/b/a Turlock Poker Room); Certified Network M, Inc.; Club One Casino,
24 Inc. (d/b/a Club One Casino); Delta C, LP (d/b/a Cameo Club; d/b/a Kings Card Club; d/b/a
25 Westlane Card Room); El Dorado LF, LLC (d/b/a Hustler Casino); Empire Sportsmen's
26 Association; EMZE LLC (d/b/a Casino Marysville); Epoch Casino, Inc. (d/b/a Epoch Casino); F2
27 TPS, LLC; Faros Unlimited, Inc.; Fortune Gaming Associates; Fortune Players Group, Inc.; Full
28 Rack Entertainment, Inc. (d/b/a Towers Casino); Garden City, Inc. (d/b/a Casino M8trix); GLCR,

1 Inc. (d/b/a The Deuces Lounge & Casino; d/b/a Tres Lounge and Casino); Global Player
2 Services, Inc.; Golden Valley Casino, LLC (d/b/a Golden Valley Casino); Hacienda LF, LLC
3 (d/b/a Hacienda Casino); Halcyon Gaming, LLC; Hawaiian Gardens Casino Inc. (d/b/a The
4 Gardens Casino); Hollywood Park Casino Company, LLC (d/b/a Hollywood Park Casino);
5 Joseph Anthony Melech (d/b/a Hotel Del Rio & Casino); K & M Casinos, Inc. (d/b/a 500 Club
6 Casino a.k.a 500 Club); KB Ventures; KBCH Consultants, Inc.; Keith Chan Hoang (d/b/a Golden
7 State Casino); Kern County Associates, L.P. (d/b/a Golden West Casino); King's Casino
8 Management Corporation (d/b/a The Saloon at Stones Gambling Hall; d/b/a The Tavern at Stones
9 Gambling Hall); Knighted Ventures, LLC; Ky Phuon (d/b/a Garlic City Club); L.E. Gaming, Inc.;
10 Lamar V. Wilkinson (d/b/a California Club Casino); LEB Holdings, Inc. (d/b/a Oceana
11 Cardroom); Limelight Cardroom Trust (d/b/a Limelight Card Room); Lodi Cardroom, Inc. (d/b/a
12 Parkwest Casino Lodi); Lucky Chances, Inc. (d/b/a Lucky Chances Casino); Lucky Tree
13 Entertainment, Inc. (d/b/a La Primavera Pool Hall & Cafe); Marina Club Casino, LLC (d/b/a
14 Marina Club); Michael G. Lincoln (d/b/a Racxx); Network Management Group, Inc.; Oakdale
15 LLC (d/b/a Mike's Card Casino); Oaks Card Room Limited Partnership (d/b/a Oaks Card Club);
16 Ocean's 11 Casino, LLC (d/b/a Ocean's Eleven Casino); Old Town Investments, Inc. (d/b/a
17 Bankers Casino); Outlaws 101 LLC (d/b/a Outlaws Card Parlour); Pacific Gaming Services,
18 LLC; Palace Poker Casino, LLC (d/b/a Palace Poker Casino); Parkwest Casino Manteca, LLC
19 (d/b/a Parkwest Casino Manteca); Phuong-Anh Kim Do (d/b/a The Independent); Pinnacle
20 Casino, LLC (d/b/a Pinnacle Casino); Player's Poker Club, Inc. (d/b/a Player's Casino a.k.a
21 Players Casino); Players Edge Services; Polvora, Inc. (d/b/a Ace & Vine); Progressive Gaming,
22 LLC; Qualified Player Services, LLC; Rafael P. Quiroga (d/b/a Jalisco Pool Room); Randy A.
23 Yaple (d/b/a Blacksheep Casino Company); Richard Scott (d/b/a Casino Chico); Rogelio's Inc.;
24 Sacramento Casino Royale, LLC (d/b/a Casino Royale); Sahara Dunes Casino, LP (d/b/a Lake
25 Elsinore Hotel and Casino); Sidjon Corporation (d/b/a Livermore Casino); Stars Gaming Inc.
26 (d/b/a Stars Casino); Stones South Bay Corporation (d/b/a Seven Mile Casino); Sutter's Place,
27 Inc. (d/b/a Bay 101); The Nineteenth Hole, General Partnership (d/b/a Nineteenth Hole a.k.a The
28 Nineteenth Hole Casino and Lounge); The River Cardroom, Inc. (d/b/a The River Card Room);

1 The Silver F, Inc. (d/b/a Parkwest Casino Lotus); Veronica S. Chohrach (d/b/a Oceanview
2 Casino); Wahba, LLC; Waldemar Dreher (d/b/a Lake Bowl Cardroom); and Wizard Gaming, Inc.
3 (d/b/a Diamond Jim’s Casino) (collectively, “Defendants”), hereby state and allege as follows:

4 **INTRODUCTION**

5 1. Defendants brazenly profit from illegal gambling. California law prohibits card
6 rooms from offering “banked” casino games—such as blackjack, baccarat, and pai gow—where
7 an entity with an odds-based advantage takes on all comers, pays all winners, and collects from
8 all losers. Under tribal-state compacts, California Indian tribes have bargained with the State
9 (and pay) for a gaming system that facilitates their exclusive right to offer such banked games
10 within California. But for years, California card rooms and their partner third-party proposition
11 players have ignored the law and refused to recognize tribes’ exclusive rights. Instead, they have
12 reaped illegal windfalls by offering banked games that are barred by the California Constitution,
13 California Penal Code, and relevant judicial decisions. Plaintiffs bring this lawsuit under the
14 recently enacted Tribal Nations Access to Justice Act to stop Defendants’ exploitative abuses.

15 2. The California Legislature enacted the Tribal Nations Access to Justice Act (“the
16 Act”) to provide an efficient mechanism to “determine whether certain controlled games operated
17 by California card clubs are illegal banking card games or legal controlled games, thereby
18 resolving a decade-long dispute between California tribes and California card clubs[.]” (CA
19 LEGIS 860 (2024), 2024 Cal. Legis. Serv. Ch. 860 (S.B. 549), codified as Gov. Code § 98020.)
20 Under the Act, Plaintiff tribes are entitled to “a declaration as to whether a controlled game
21 operated by a licensed gambling establishment and banked by a third-party provider of
22 proposition player services constitutes a banking card game that violates state law, including
23 tribal gaming rights under Section 19 of Article IV of the California Constitution, and may also
24 request injunctive relief.” (*Ibid.*) As detailed below, overwhelming evidence shows that
25 Defendants are openly and extensively operating banked games in flagrant violation of the law.

26 3. Since 1872, California Penal Code Section 330 has expressly and broadly
27 prohibited the operation of all “banked” or “banking” games, “that is, those games in which there
28 is a person or entity that participates in the action as the one against the many, taking on all

1 comers, paying all winners, and collecting from all losers, doing so through a fund generally
2 called the bank.” (*Hotel Employees & Restaurant Employees Internat. Union v. Davis* (1999) 21
3 Cal.4th 585, 592, citations and quotation marks omitted.)

4 4. In 1984, California voters amended the state Constitution to enshrine California’s
5 longstanding prohibition on banked games. The amended language states that “[t]he Legislature
6 has no power to authorize, and shall prohibit, casinos of the type currently operating in Nevada
7 and New Jersey.” (Cal. Const., art. IV, § 19, subd. (e).) The California Supreme Court has
8 explained that a casino of “the type . . . operating in Nevada and New Jersey” includes “banked
9 table games[.]” (*Hotel Employees, supra*, 21 Cal.4th at p. 605.) The Supreme Court also
10 underscored that illegal banked games include those “banked by someone other than the owner of
11 the gambling facility.” (*Id.* at pp. 607–08.)

12 5. Blackjack, baccarat, and pai gow are all traditionally and indisputably understood
13 to be banked games. Indeed, since 1885, Penal Code Section 330 has *specifically* identified
14 “twenty-one,” also known as blackjack, in the list of prohibited games. Baccarat and pai gow,
15 like blackjack and other games the statute names, feature players gambling against one entity that
16 possesses an odds-based advantage. California card rooms offer these games, but have used two
17 mechanisms to attempt to disguise their banked essence and to superficially distinguish them
18 from the games found in Nevada and New Jersey casinos. Neither subterfuge provides a legal
19 defense for the card rooms’ illegal business practices.

20 6. First, California card rooms have adopted game rules that purport to rotate the
21 banking position from player to player, claiming that this prevents any single entity from banking
22 the game (as occurs in Nevada and New Jersey casinos). But most of the game rules, either as
23 written or by card room interpretation, do not require actual rotation of the bank—merely the
24 offering of it. Thus, a single player may bank the game uninterrupted, just as in Nevada and New
25 Jersey style banked games, when no other player accepts an offer to bank. Although a minority
26 of California card room game rules provide that the banking position must actually rotate from
27 player to player and that the game should be “broken” (stopped) if it does not, card rooms have
28 rendered these requirements meaningless by immediately restarting play after the bank fails to

1 rotate or by simply ignoring the requirements entirely. The effect is to allow a single player to
2 bank the game uninterrupted, just as the house would in a Nevada or New Jersey casino.

3 7. Second, card rooms have entered relationships with entities known as third-party
4 proposition players (“TPPs”), who pay the card rooms substantially for the right to assume the
5 banking position (and its superior odds) in blackjack, baccarat, pai gow, and analogous games.
6 Although use of TPPs is not per se illegal under California law, when combined with the card
7 rooms’ refusal and failure to rotate the bank from player-to-player, the TPP becomes a de facto
8 house bank, “the ultimate source and repository of funds dwarfing that of all other participants in
9 the game.” (*Sullivan v. Fox* (1987) 189 Cal.App.3d 673, 679.) Additionally, in contrast to the
10 players, who wager a fixed amount, TPPs typically do not make wagers at all, but rather take on
11 the role of paying out all the wins and losses, whatever they may be—in other words, taking on
12 the traditional role of the bank found in a Nevada or New Jersey casino and rendering the games
13 banked games.

14 8. When the concept of a TPP was initially created, California card rooms typically
15 paid TPPs for providing that service. Now, with TPPs raking in vast profits from illegally
16 banking the games, TPPs pay card rooms for the right to assume the lucrative player-dealer
17 position. TPPs have also assumed other responsibilities typically associated with the house
18 besides banking, including providing surveillance equipment to monitor games in card rooms and
19 funding advertising of card room facilities. The contractual relationships between TPPs and card
20 rooms create strong financial incentives for both to ensure that the banking position never rotates
21 away from the TPPs. And, because TPPs’ revenues are entirely derived from their winnings in
22 card rooms’ banked games, the TPP contractual payments to card rooms—which have ballooned
23 to millions of dollars annually for larger card rooms—give those card rooms an obvious interest
24 in the illegal gambling occurring at their tables. The inextricable relationship between TPPs and
25 California card rooms eviscerates any purported distinction between the role of those partnered
26 entities and the “house” at Nevada and New Jersey casinos.

27 9. In short, by using well-funded TPPs to ensure liquidity for games and by refusing
28 and failing to comply with legal requirements that the banking position must rotate away from the

1 seat held by the TPPs, card rooms have created gaming experiences that are indistinguishable
2 from banked games in Nevada or New Jersey casinos. When a player sits down to play
3 blackjack, baccarat, pai gow, or another similar game in a California card room, there is a single
4 entity consistently ready to pay out all winnings and collect all losses. California card rooms
5 have not been bashful in advertising that fact, with several rooms prominently advertising
6 “Vegas-style” gaming.

7 10. Under the California Constitution, the California Penal Code, and well-established
8 authority, California card rooms have no right to offer banked games and violate the rights of
9 California Indian tribes by doing so. The Court should declare that these games are illegal under
10 California law and enjoin Defendants from offering and profiting from them.

11 NATURE OF ACTION

12 11. The Tribal Nations Access to Justice Act, introduced as S.B. 549, took effect on
13 January 1, 2025. The stated purpose of the Act, which adds a second chapter to Title 16 of the
14 Government Code, is:

15 to authorize a limited declaratory and injunctive relief action before the California
16 courts, filed solely against licensed California card clubs and third-party
17 proposition player services providers, to determine whether certain controlled
18 games operated by California card clubs are illegal banking card games or legal
19 controlled games, thereby resolving a decade-long dispute between California
20 tribes and California card clubs concerning the legality of those controlled games
21 and whether they violate state law, including tribal gaming rights under Section 19
22 of Article IV of the California Constitution.

(CA LEGIS 860 (2024), 2024 Cal. Legis. Serv. Ch. 860 (S.B. 549).)

21 12. The Act authorizes any California Indian tribes that are “party to a current ratified
22 tribal-state gaming compact” to “bring an action in superior court, filed solely against licensed
23 gambling enterprises and third-party providers of proposition player services[.]” (*Ibid.*) The
24 Tribal plaintiffs may seek:

25 a declaration as to whether a controlled game operated by a licensed gambling
26 establishment and banked by a third-party provider of proposition player services
27 constitutes a banking card game that violates state law, including tribal gaming
rights under Section 19 of Article IV of the California Constitution, and may also
request injunctive relief.

28 (*Ibid.*) “The court may make a binding declaration in either affirmative or negative form and

1 effect, which shall have the force of a final judgment, and may issue injunctive relief enjoining
2 further operation of the controlled game or grant any other relief the court deems appropriate.”
3 (*Ibid.*) “No claim for money damages, penalties, or attorney’s fees shall be permitted under this
4 section.” (*Ibid.*)

5 13. The California Legislature’s intent with the Act is clear: It “allows California’s
6 Native American gaming tribes to ask the judiciary to resolve the longstanding dispute over
7 whether certain controlled games operated by California card clubs are illegal banking card
8 games and whether they infringe upon tribal gaming rights.” (Assem. Com. on Appropriations,
9 Analysis of Sen. Bill 549 (2023-2024 Reg. Sess.), Aug. 7, 2024, p. 2.) The Act provides an
10 avenue for Tribal plaintiffs to “file suit against cardrooms and other gambling enterprises to
11 litigate the legality of the games they play.” (Third Reading of Sen. Bill 549 (2023-2024 Reg.
12 Sess.), Aug. 19, 2024, p. 3.)

13 14. The Act requires the Court to conduct a *de novo* review of whether a game violates
14 state law. (Gov. Code, § 98020, subd. (c).) As such, the Court is not bound by and owes no
15 deference to any prior regulatory determinations. (*W. Telcon, Inc. v. California State Lottery*
16 (1996) 13 Cal.4th 475, 479–80 [enjoining keno game previously approved by state regulators as
17 an illegal banked game].)

18 15. Any lawsuit brought pursuant to the Act must be filed “no later than April 1, 2025,
19 in the Superior Court of California, County of Sacramento.” (Gov. Code, § 98020, subd. (d).) If
20 multiple actions are commenced under the Act, “they shall be consolidated for all purposes,
21 including trial to avoid the risk of inconsistent declarations.” (Gov. Code, § 98020, subd. (e).)

22 **PARTIES**

23 16. Plaintiff Agua Caliente Band of Cahuilla Indians (“Agua Caliente”) exercises
24 sovereign powers of self-governance and jurisdiction over the Agua Caliente Indian Reservation,
25 which was set aside by Executive Orders in 1876 and 1877. Large portions of the cities of Palm
26 Springs, Cathedral City, and Rancho Mirage lie within the Agua Caliente Indian Reservation
27 which is located within Riverside County, California. In addition to generating economic activity
28 on its Reservation via non-gaming related activities, Agua Caliente operates three casinos (Agua

1 Caliente Casino – Palm Springs, Agua Caliente Casino – Rancho Mirage, and Agua Caliente
2 Casino – Cathedral City) pursuant to the terms of its 2016 Tribal-State Compact with the State of
3 California, which expressly acknowledges that the Tribe and the State “recognize that Indian
4 tribes in California have the exclusive right to operate Gaming Devices and banking or
5 percentage card games” (Aug. 4, 2016 Tribal-State Compact Between the State of
6 California and the Agua Caliente Band of Cahuilla Indians (“Agua Caliente Compact”) at Sec.
7 4.8.)

8 17. Plaintiff Barona Band of Mission Indians (“Barona”), known formally as the
9 Barona Group of the Capitan Grande Band of Mission Indians of the Barona Reservation,
10 California, is a federally recognized Indian tribe. Barona was forced from its ancestral lands
11 when the United States government sold its reservation to the City of San Diego for a reservoir.
12 The Barona group pooled the funds received for its reservation and relocated to its current
13 reservation in Lakeside, California in 1932. Barona owns and operates the Barona Resort &
14 Casino pursuant to the Tribe’s 2016 compact, which states that “the State and the Tribe recognize
15 that the exclusive rights that the Tribe will enjoy under this Tribal-State Compact Between the
16 State of California and the Barona Band of Mission Indians (Compact) create a unique
17 opportunity for the Tribe to operate a Gaming Facility in an economic environment free of
18 competition from the operation of slot machines and banked card games on non-Indian lands in
19 California and that this unique economic environment is of great value to the Tribe[.]” (June 22,
20 2016 Tribal-State Compact Between the State of California and the Barona Band of Mission
21 Indians, Preamble at 1.)

22 18. Plaintiff Pechanga Band of Indians (“Pechanga”) is a federally recognized Indian
23 tribe. In 1875, members of the Tribe were evicted from their homes in the Temecula Valley. In
24 1882, the United States established the Pechanga Indian Reservation by Executive Order, and
25 formally recognized the Tribe’s sovereignty and land-base. Pechanga operates the Pechanga
26 Resort Casino in Temecula, California, pursuant to its 2016 compact with the State of California.
27 The compact provides that “the State and the Tribe recognize that the exclusive rights the Tribe
28 enjoys under this Compact provide a unique opportunity for the Tribe to operate its Gaming

1 Facility in a market free of competition from the operation of slot machines and banked card
2 games on non-Indian lands in California and that this exclusive environment is of great value to
3 the Tribe[.]” (Aug. 4, 2016 Tribal-State Compact Between the State of California and the
4 Pechanga Band of Luiseño Indians (“Pechanga Compact”), Preamble at 2.)

5 19. Plaintiff Sycuan Band of the Kumeyaay Nation (“Sycuan”) is a federally
6 recognized tribe and a sovereign Indian nation, that was officially recognized by Executive Order
7 of Ulysses S. Grant in 1875, and whose reservation is located in El Cajon, California. Sycuan
8 operates the Sycuan Casino Resort pursuant to its 2015 compact with the State of California. The
9 Sycuan Band’s compact provides that “the State and the Tribe recognize that the exclusive rights
10 that the Tribe will enjoy under this Tribal-State Compact . . . create[s] a unique opportunity for
11 the Tribe to operate a Gaming Facility in an economic environment free of competition from the
12 operation of slot machines and banked card games on non-Indian lands in California and that this
13 unique environment is of great value to the Tribe[.]” (Sept. 2, 2015 Tribal-State Compact
14 Between the State of California and the Sycuan Band of the Kumeyaay Nation, Preamble at 1.)

15 20. Plaintiff Viejas Band of Kumeyaay Indians (“Viejas”) is a sovereign Indian nation,
16 officially recognized by the United States, with its reservation located in Alpine, California.
17 Viejas operates the Viejas Casino & Resort pursuant to the 2016 compact with the State of
18 California. The compact provides that “the State and the Tribe recognize that the exclusive rights
19 that the Tribe . . . enjoy[s] under” it “create a unique opportunity for the Tribe to operate a
20 Gaming Facility in an economic environment free of competition from the operation of slot
21 machines and banked card games on non-Indian lands in California and that this unique economic
22 environment is of great value to the Tribe[.]” (June 28, 2016 Tribal-State Compact Between the
23 State of California and the Viejas Band of Kumeyaay Indians, Preamble at 1.)

24 21. Plaintiff Yocha Dehe Wintun Nation (“Yocha Dehe”) is a sovereign Indian nation,
25 recognized by the United States. In 1907, the Tribe was forced from its villages and onto a
26 federally created rancheria in the town of Rumsey, California. In 1939, the Tribe moved further
27 south into the Capay Valley (Yolo County), onto land held in trust by the United States for the
28 Tribe’s use and benefit. Yocha Dehe remains on this trust land today. In addition to generating

1 economic activity on its Reservation via non-gaming related activities, Yocha Dehe operates the
2 Cache Creek Casino Resort pursuant to the terms of its 2016 Tribal-State Compact with the State
3 of California, which recognized the Tribe's right to offer banked card games exclusively: "the
4 State and the Tribe recognize the exclusive rights the Tribe will enjoy under this Compact create
5 a unique opportunity for the Tribe to operate a Gaming Facility in an economic environment free
6 of competition from the operation of slot machines and banked card games on non-Indian lands in
7 California and that this unique economic environment is of great value to the Tribe[.]" (Aug. 4,
8 2016 Tribal-State Compact Between the State of California and the Yocha Dehe Wintun Nation
9 ("Yocha Dehe Compact"), Preamble at 1.)

10 22. Plaintiff Yuhaaviatam of San Manuel Nation ("San Manuel"), a federally
11 recognized Indian tribe also federally recognized as the San Manuel Band of Mission Indians, is
12 based on the San Manuel Indian Reservation near Highland, California. The Nation is comprised
13 of the Yuhaaviatam clan of Maara'yam Serrano, who were displaced from their ancestral lands
14 beginning in the 1700s due to the California Mission system, and relocated to the San Bernadino
15 Valley in 1866, after which the United States established its Reservation by executive order in the
16 foothills of the San Bernadino Mountains, just north of the City of Highland, in 1891. San
17 Manuel operates the Yaamava' Resort & Casino at San Manuel pursuant to the 2016 compact
18 with the State of California (as amended in 2017). The compact provides that "the State and the
19 Tribe recognize that the exclusive rights the Tribe enjoys under th[e] Compact provide a unique
20 opportunity for the Tribe to operate its Gaming Facility in a market free of competition from the
21 operation of slot machines and banked card games on non-Indian lands in California and that this
22 exclusive environment is of great value to the Tribe." (Aug. 15, 2016 Tribal-State Compact
23 between the State of California and the San Manuel Band of Mission Indians, Preamble at 2.)

24 23. Defendant ABA Properties LLC (d/b/a The Aviator Casino) operates The Aviator
25 Casino in Delano, California under license number GEGE-001387.

26 24. Defendant Artichoke Joe's (d/b/a Artichoke Joe's Casino) operates Artichoke
27 Joe's Casino in San Bruno, California under license number GEGE-001007.
28

1 25. Defendant BVK Gaming, Inc. (d/b/a Napa Valley Casino) operates Napa Valley
2 Casino in American Canyon, California under license number GEGE-001279.

3 26. Defendant California Commerce Club, Inc. (d/b/a Commerce Casino & Hotel)
4 operates Commerce Casino & Hotel in Los Angeles, California under license number GEGE-
5 001093.

6 27. Defendant California Grand Casino operates in Pacheco, California under license
7 number GEGE-000450.

8 28. Defendant Cal-Pac Rancho Cordova, LLC (d/b/a Parkwest Casino Cordova)
9 operates Parkwest Casino Cordova in Rancho Cordova, California under license number GEGE-
10 001300.

11 29. Defendant Cal-Pac Sonoma, LLC (d/b/a Parkwest Casino Sonoma) owns Parkwest
12 Casino Sonoma, which is currently not operating but is licensed to operate in Petaluma,
13 California under license number GEGE-000005.

14 30. Defendant Capitol Casino, a California corporation (d/b/a Capitol Casino a.k.a
15 Capitol Casino, Inc.) operates Capitol Casino in Sacramento, California under license number
16 GEGE-000404.

17 31. Defendant Casino 580, LLC (d/b/a Parkwest Casino 580) operates Parkwest
18 Casino 580 in Livermore, California under license number GEGE-001322.

19 32. Defendant Casino 99, LLC (d/b/a Casino 99) operates Casino 99 in Chico,
20 California under license number GEGE-001384.

21 33. Defendant Casino Merced, Inc. (d/b/a Casino Merced) operates Casino Merced in
22 Merced, California under license number GEGE-001379.

23 34. Defendant Casino Poker Club, Inc. (d/b/a Casino Club) operates Casino Club in
24 Redding, California under license number GEGE-000951.

25 35. Defendant Casino, LLC (d/b/a Larry Flynt's Lucky Lady Casino) operates Larry
26 Flynt's Lucky Lady Casino in Gardena, California under license number GEGE-001343.

27 36. Defendant Celebrity Casinos, Inc. (d/b/a Crystal Casino) operates Crystal Casino
28 in Compton, California under license number GEGE-001282.

1 37. Defendant Central Coast Casino Grover Beach, Inc. (d/b/a Central Coast Casino)
2 operates Central Coast Casino in Grover Beach, California under license number GEGE-001029.

3 38. Defendant Central Valley Gaming, LLC (d/b/a Turlock Poker Room) operates
4 Turlock Poker Room in Turlock, California under license number GEGE-001263.

5 39. Defendant Club One Casino, Inc. (d/b/a Club One Casino) operates Club One
6 Casino in Fresno, California under license number GEGE-001121.

7 40. Defendant Delta C, LP (d/b/a Cameo Club) owns Cameo Club, which is currently
8 not operating but is licensed to operate in Stockton, California under license number GEGE-
9 001363.

10 41. Defendant Delta C, LP (d/b/a Kings Card Club) operates Kings Card Club in
11 Stockton, California under license number GEGE-001313.

12 42. Defendant Delta C, LP (d/b/a Westlane Card Room) operates Westlane Card
13 Room in Stockton, California under license number GEGE-001314.

14 43. Defendant El Dorado LF, LLC (d/b/a Hustler Casino) operates Hustler Casino in
15 Gardena, California under license number GEGE-001388.

16 44. Defendant Empire Sportsmen's Association operates in Modesto, California under
17 license number GEGE-000990.

18 45. Defendant EMZE LLC (d/b/a Casino Marysville) owns Casino Marysville, which
19 is currently not operating but is licensed to operate in Marysville, California under license number
20 GEGE-001389.

21 46. Defendant Epoch Casino, Inc. (d/b/a Epoch Casino) owns Epoch Casino, which is
22 currently not operating but is licensed to operate in Rancho Cordova, California under license
23 number GEGE-001394.

24 47. Defendant Full Rack Entertainment, Inc. (d/b/a Towers Casino) operates Towers
25 Casino in Grass Valley, California under license number GEGE-001318.

26 48. Defendant Garden City, Inc. (d/b/a Casino M8trix) operates Casino M8trix in San
27 Jose, California under license number GEGE-000410.

28

1 49. Defendant GLCR, Inc. (d/b/a The Deuce Lounge & Casino) owns The Deuce
2 Lounge & Casino, which is currently not operating but is licensed to operate in Goshen,
3 California under license number GEGE-001325.

4 50. Defendant GLCR, Inc. (d/b/a Tres Lounge and Casino) owns Tres Lounge and
5 Casino, which is currently not operating but is licensed to operate in Watsonville, California
6 under license number GEGE-001330.

7 51. Defendant Golden Valley Casino, LLC (d/b/a Golden Valley Casino) owns Golden
8 Valley Casino, which is currently not operating but is licensed to operate in Merced, California
9 under license number GEGE-001362.

10 52. Defendant Hacienda LF, LLC (d/b/a Hacienda Casino) owns Hacienda Casino,
11 which is currently not operating but is licensed to operate in Cudahy, California under license
12 number GEGE-001355.

13 53. Defendant Hawaiian Gardens Casino Inc. (d/b/a The Gardens Casino) operates
14 The Gardens Casino in Hawaiian Gardens, California under license number GEGE-000392.

15 54. Defendant Hollywood Park Casino Company, LLC (d/b/a Hollywood Park
16 Casino) operates Hollywood Park Casino in Inglewood, California under license number GEGE-
17 001367.

18 55. Defendant Joseph Anthony Melech (d/b/a Hotel Del Rio & Casino) owns Hotel
19 Del Rio & Casino, which is currently not operating but is licensed to operate in Isleton, California
20 under license number GEGE-001370.

21 56. Defendant K & M Casinos, Inc. (d/b/a 500 Club Casino a.k.a 500 Club) operates
22 500 Club Casino in Clovis, California under license number GEGE-001361.

23 57. Defendant Keith Chan Hoang (d/b/a Golden State Casino) owns Golden State
24 Casino, which is currently not operating but is licensed to operate in Marysville, California under
25 licensed number GEGE-001169.

26 58. Defendant Kern County Associates, L.P. (d/b/a Golden West Casino) operates
27 Golden West Casino in Bakersfield, California under license number GEGE-000426.
28

1 59. Defendant King's Casino Management Corporation (d/b/a The Saloon at Stones
2 Gambling Hall) operates The Saloon at Stones Gambling Hall in Citrus Heights, California under
3 license number GEGE-001373.

4 60. Defendant King's Casino Management Corporation (d/b/a The Tavern at Stones
5 Gambling Hall) operates The Tavern at Stones Gambling Hall in Citrus Heights, California under
6 license number GEGE-001374.

7 61. Defendant Ky Phuon (d/b/a Garlic City Club) operates Garlic City Club in Gilroy,
8 California under license number GEGE-001173.

9 62. Defendant Lamar V. Wilkinson (d/b/a California Club Casino) owns California
10 Club Casino, which is currently not operating but is licensed to operate in San Ramon, California
11 under license number GEGE-001296.

12 63. Defendant LEB Holdings, Inc. (d/b/a Oceana Cardroom) owns Oceana Cardroom,
13 which is currently not operating but is licensed to operate in Oceano, California under license
14 number GEGE-001360.

15 64. Defendant Limelight Cardroom Trust (d/b/a Limelight Card Room) operates
16 Limelight Card Room in Sacramento, California under license number GEGE-001376.

17 65. Defendant Lodi Cardroom, Inc. (d/b/a Parkwest Casino Lodi) operates Parkwest
18 Casino Lodi in Lodi, California under license number GEGE-001229.

19 66. Defendant Lucky Chances, Inc. (d/b/a Lucky Chances Casino) operates Lucky
20 Chances Casino in Colma, California under license number GEGE-001108.

21 67. Defendant Lucky Tree Entertainment, Inc. (d/b/a La Primavera Pool Hall & Cafe)
22 owns La Primavera Pool Hall & Cafe, which is currently not operating but is licensed to operate
23 in Madera, California under license number GEGE-001341.

24 68. Defendant Marina Club Casino, LLC (d/b/a Marina Club) operates Marina Club in
25 Marina, California under license number GEGE-001353.

26 69. Defendant Michael G. Lincoln (d/b/a Racxx) owns Racxx, which is currently not
27 operating but is licensed to operate in Lincoln, California license number GEGE-001338.

28

1 70. Defendant Oakdale LLC (d/b/a Mike's Card Casino) owns Mike's Card Casino,
2 which is currently not operating but is licensed to operate in Oakdale, California under license
3 number GEGE-001364.

4 71. Defendant Oaks Card Room Limited Partnership (d/b/a Oaks Card Club) operates
5 Oaks Card Club in Emeryville, California under license number GEGE-001063.

6 72. Defendant Ocean's 11 Casino, LLC (d/b/a Ocean's Eleven Casino) operates
7 Ocean's Eleven Casino in Oceanside, California under license number GEGE-000473.

8 73. Defendant Old Town Investments, Inc. (d/b/a Bankers Casino) operates Bankers
9 Casino in Salinas, California under license number GEGE-001297.

10 74. Defendant Outlaws 101 LLC (d/b/a Outlaws Card Parlour) operates Outlaws Card
11 Parlour in Atascadero, California under license number GEGE-001356.

12 75. Defendant Palace Poker Casino, LLC (d/b/a Palace Poker Casino) operates Palace
13 Poker Casino in Hayward, California under license number GEGE-001302.

14 76. Defendant Parkwest Bicycle Casino, LLC (d/b/a Parkwest Bicycle Casino)
15 operates Parkwest Bicycle Casino in Bell Gardens under license number GEGE-001390.

16 77. Defendant Parkwest Casino Manteca, LLC (d/b/a Parkwest Casino Manteca)
17 operates Parkwest Casino Manteca in Manteca, California under license number GEGE-001383.

18 78. Defendant Pinnacle Casino, LLC (d/b/a Pinnacle Casino) owns Pinnacle Casino,
19 which is currently not operating but is licensed to operate in Soledad, California under license
20 number GEGE-001357.

21 79. Defendant Player's Poker Club, Inc. (d/b/a Player's Casino a.k.a Players Casino)
22 operates Player's Casino in Ventura, California under license number GEGE-001323.

23 80. Defendant Polvora, Inc. (d/b/a Ace & Vine) operates Ace & Vine in Napa,
24 California under license number GEGE-001359.

25 81. Defendant Rafael P. Quiroga (d/b/a Jalisco Pool Room) owns Jalisco Pool Room,
26 which is currently not operating but is licensed to operate in Guadalupe, California under license
27 number GEGE-000969.

1 82. Defendant Randy A. Yapple (d/b/a Blacksheep Casino Company) owns Blacksheep
2 Casino Company, which is currently not operating but is licensed to operate in Cameron Park,
3 California under license number GEGE-001344.

4 83. Defendant Richard Scott (d/b/a Casino Chico) operates Casino Chico in Chico,
5 California under license number GEGE-001340.

6 84. Defendant Rogelio's Inc. is currently not operating but is licensed to operate in
7 Isleton, California under license number GEGE-001081.

8 85. Defendant Sacramento Casino Royale, LLC (d/b/a Casino Royale) owns Casino
9 Royale, which is currently not operating but is licensed to operate in Sacramento, California
10 under license number GEGE-001295.

11 86. Defendant Sahara Dunes Casino, LP (d/b/a Lake Elsinore Hotel and Casino)
12 operates Lake Elsinore Hotel and Casino in Lake Elsinore, California under license number
13 GEGE-001149.

14 87. Defendant Sidjon Corporation (d/b/a Livermore Casino) operates Livermore
15 Casino in Livermore, California under license number GEGE-001107.

16 88. Defendant Stars Gaming Inc. (d/b/a Stars Casino) operates Stars Casino in Tracy,
17 California under license number GEGE-001371.

18 89. Defendant Stones South Bay Corporation (d/b/a Seven Mile Casino) operates
19 Seven Mile Casino in Chula Vista, California under license number GEGE-000466.

20 90. Defendant Sutter's Place, Inc. (d/b/a Bay 101) operates Bay 101 in San Jose,
21 California under license number GEGE-000989.

22 91. Defendant The Nineteenth Hole, a General Partnership (d/b/a Nineteenth Hole
23 a.k.a The Nineteenth Hole Casino and Lounge) operates The Nineteenth Hole Casino and Lounge
24 in Antioch, California under license number GEGE-000967.

25 92. Defendant The River Cardroom, Inc. (d/b/a The River Card Room) owns The
26 River Card Room, which is currently not operating but is licensed to operate in Petaluma,
27 California under license number GEGE-001092.

28

1 93. Defendant The Silver F, Inc. (d/b/a Parkwest Casino Lotus) operates Parkwest
2 Casino Lotus in Sacramento, California under license number GEGE-001321.

3 94. Defendant Veronica S. Chohrach (d/b/a Oceanview Casino) operates Oceanview
4 Casino in Santa Cruz, California under license number GEGE-001025.

5 95. Defendant Waldemar Dreher (d/b/a Lake Bowl Cardroom) owns Lake Bowl
6 Cardroom, which is currently not operating but is licensed to operate in Folsom, California under
7 license number GEGE-000354.

8 96. Defendant Wizard Gaming, Inc. (d/b/a Diamond Jim's Casino) operates Diamond
9 Jim's Casino in Rosamond, California under license number GEGE-000236.

10 97. Defendant Acme Player Services, LLC is a third-party provider of proposition
11 player services, license number TPPP-000089.

12 98. Defendant Arise, LLC is a third-party provider of proposition player services,
13 license number TPPP-000067.

14 99. Defendant Blackstone Gaming, LLC is a third-party provider of proposition player
15 services, license number TPPP-000119.

16 100. Defendant CalProp Services, LLC is a third-party provider of proposition player
17 services, license number TPPP-000164.

18 101. Defendant Certified Network M, Inc. is a third-party provider of proposition player
19 services, license number TPPP-000049.

20 102. Defendant F2 TPS, LLC is a third-party provider of proposition player services,
21 license number TPPP-000174.

22 103. Defendant Faros Unlimited, Inc. is a third-party provider of proposition player
23 services, license number TPPP-000169.

24 104. Defendant Fortune Gaming Associates is a third-party provider of proposition
25 player services, license number TPPP-000163.

26 105. Defendant Fortune Players Group, Inc. is a third-party provider of proposition
27 player services, license number TPPP-000168.

28

1 106. Defendant Global Player Services, Inc. is a third-party provider of proposition
2 player services, license number TPPP-000094.

3 107. Defendant Halcyon Gaming, LLC is a third-party provider of proposition player
4 services, license number TPPP-000171.

5 108. Defendant KB Ventures is a third-party provider of proposition player services,
6 license number TPPP-000146.

7 109. Defendant KBCH Consultants, Inc. is a third-party provider of proposition player
8 services, license number TPPP-000166.

9 110. Defendant Knighted Ventures, LLC is a third-party provider of proposition player
10 services, license number TPPP-000109.

11 111. Defendant L.E. Gaming, Inc. is a third-party provider of proposition player
12 services, license number TPPP-000118.

13 112. Defendant Network Management Group, Inc. is a third-party provider of
14 proposition player services, license number TPPP-000002.

15 113. Defendant Pacific Gaming Services, LLC is a third-party provider of proposition
16 player services, license number TPPP-000017.

17 114. Defendant Phuong-Anh Kim Do (d/b/a The Independent) owns The Independent,
18 which is a third-party provider of proposition player services, license number TPPP-000129.

19 115. Defendant Players Edge Services is a third-party provider of proposition player
20 services, license number TPPP-000160.

21 116. Defendant Progressive Gaming, LLC is a third-party provider of proposition
22 player services, license number TPPP-000173.

23 117. Defendant Qualified Player Services, LLC is a third-party provider of proposition
24 player services, license number TPPP-000080.

25 118. Defendant Wahba, LLC. Is a third-party provider of proposition player services,
26 license number TPPP-000177.¹

27
28 ¹ For simplicity, and where applicable, Plaintiffs hereafter refer to specific defendants by the
name under which that defendant does business (*i.e.*, the “d/b/a” name).

JURISDICTION AND VENUE

119. The Tribal Nations Access to Justice Act grants this Court jurisdiction to determine, on an action filed by a California Indian tribe that is party to a current ratified tribal-state gaming compact or that is party to current secretarial procedures pursuant to Chapter 29 of Title 25 of the United States Code, “whether a controlled game operated by a licensed gambling establishment and banked by a third-party provider of proposition player services constitutes a banking card game that violates state law[.]” (Gov. Code § 98020, subd. (a)).

120. Venue is proper because the Act specifies that any action brought pursuant to it must be filed in this Court.

121. Venue is also proper because multiple Defendants reside and/or have their principal place of business in Sacramento County, California.

BACKGROUND

A. California law prohibits “banking” or “banked” games in card rooms.

122. The California Supreme Court defines a “banking” or “banked” game as one “in which there is a person or entity that participates in the action as the one against the many, taking on all comers, paying all winners, and collecting from all losers, doing so through a fund generally called the bank.” (*Hotel Employees, supra*, 21 Cal.4th at p. 592, internal quotation marks and citations omitted.) The person or entity banking the game typically receives more favorable odds than the other players in exchange for bearing the risk of having to pay the other players should they win. Banked games differ from “round” games, such as poker, where each player may win only funds wagered by fellow players. (See *People v. Ambrose* (1953) 122 Cal.App.2d Supp. 966, 970 [“Where the players bet against each other and settle with each other, the game is not a banking game.”].)

123. In Nevada and New Jersey casinos, banked table games such as blackjack, baccarat, and pai gow are common, with players either winning money from or losing money to the “house,” which operates the bank. Although Nevada and New Jersey casinos typically bank their own games, the gambling establishment operator in California need not be the entity banking the game for it to qualify as an illegal “banked” game. (*Hotel Employees, supra*, 21

1 Cal.4th at pp. 607–08.) “[A] game will be determined to be a banking game if under the rules of
2 that game, it is possible that the house, another entity, a player, or an observer can maintain a
3 bank or operate as a bank during the play of the game.” (*Oliver v. County of L.A.* (1998) 66
4 Cal.App.4th 1397, 1408.)

5 124. California law has prohibited “banked” games for nearly as long as it has been a
6 state. From its enactment in 1872, California Penal Code Section 330 included banked games in
7 its list of prohibited activities. (See *Hotel Employees, supra*, 21 Cal.4th at p. 592.) In 1885, the
8 Legislature amended Section 330 to specifically identify “twenty-one”—now commonly known
9 as “blackjack”—as a prohibited game. (*Ibid.*)

10 125. In its modern form, Section 330 identifies prohibited games both by specific game
11 names, such as twenty-one, and by general categories, such as banked games:

12 Every person who deals, plays, or carries on, opens, or causes to be opened, or
13 who conducts, either as owner or employee, whether for hire or not, any game of
14 faro, monte, roulette, lansquenet, rouge et noire, rondo, tan, fan-tan, seven-and-a-
15 half, twenty-one, hokey-pokey, or any banking or percentage game played with
cards, dice, or any device, for money, checks, credit, or other representative of
value, and every person who plays or bets at or against any of those prohibited
games, is guilty of a misdemeanor

16 (Pen. Code, § 330.)

17 126. In 1984, California voters elevated the prohibition on banked games to the state
18 Constitution, amending it to provide that “[t]he Legislature has no power to authorize, and shall
19 prohibit, casinos of the type currently operating in Nevada and New Jersey.” (Cal. Const., art. IV,
20 § 19, subd. (e).) The California Supreme Court has held that a casino of “the type . . . operating
21 in Nevada and New Jersey” is identifiable by the presence of “especially banked table games and
22 slot machines.” (*Hotel Employees, supra*, 21 Cal.4th at p. 605; see also *In re Camarillo* (Bankr.
23 N.D. Cal., May 10, 2005) 2005 WL 2203163, at p. *3 [noting that in “Nevada-style gambling,” a
24 player plays against “the house,” which “collects from the losers and is responsible for paying all
25 winners”].)

26 **B. California Indian tribes have negotiated for the exclusive right to offer**
27 **banked games on tribal lands.**

28 127. The history of tribal gaming in California is inextricably intertwined with the
history of tribal sovereignty and self-reliance. From before California was even a state, Indian

1 nations—including the ancestors of Plaintiffs here—were forced from the lands on which they
2 depended to live, decimated by state-sanctioned genocide, betrayed by government officials who
3 purported to assist them, and relegated to poverty at the margins of American society. The first
4 instances of organized gaming on tribal lands in California were modest bingo halls used to fund
5 desperately needed health care and social services for tribal people.

6 128. When California Indian tribes exercised their sovereign authority to help care for
7 their citizenry, California state and local governments sought to block them. The United States
8 Supreme Court ultimately resolved the dispute in the groundbreaking decision *California v.*
9 *Cabazon Band of Mission Indians* (1987) 480 U.S. 202, holding that state and local governments
10 lacked authority to shutter bingo halls on tribal lands. In response to the Supreme Court’s
11 decision, Congress enacted the Indian Gaming Regulatory Act (“IGRA”) in 1988 to provide a
12 new framework for state and tribal relations on gaming issues. Under IGRA, in states where
13 gambling is legalized, tribes can enter compacts with state governments to authorize and regulate
14 casino-style gambling offered by tribes, such as slot machines and banked games, on tribal lands.

15 129. In 1998, California voters passed Proposition 5, which authorized a standard
16 “Tribal-State Gaming Compact” to be entered into by the State of California and California
17 Indian tribes planning to operate casinos with slot machines and banked games. Opponents to
18 Proposition 5 filed an immediate lawsuit, arguing that the proposition violated the state
19 Constitution’s prohibition on Nevada-style casinos and Section 330’s prohibition on banked
20 games (among other objections). (See *Hotel Employees, supra*, 21 Cal.4th at p. 589.)

21 130. In opposition to the Proposition 5 challenge, several California Indian tribes
22 argued that the card games they intended to offer were not banked games because the funds used
23 to pay winnings came from a “players’ pool,” constituted from the amounts wagered, not the
24 Casino’s own funds.² (*Id.* at pp. 606–07.) The games, therefore, were not banked by a casino;

25 ² The proposed “players’ pool” system:

26 means one or more segregated pools of funds that have been collected from player
27 wagers, that are irrevocably dedicated to the prospective award of prizes in
28 authorized gaming activities, and in which the house neither has [acquired] nor can
acquire any interest. The Tribe may set and collect a fee from players on a per
play, per amount wagered, or time-period basis, and may seed the player pools in

1 they merely distributed players' own funds, similar to legal lotteries. The California Supreme
2 Court rejected these arguments, for reasons directly relevant here:

3 That the tribe must "pay[] all winners, and collect[] from all losers" through a fund
4 that is styled a "players pool" is immaterial: the players' pool is a bank in nature if
5 not in name. It is a "fund against which everybody has a right to bet, the bank . . .
6 taking all that is won, and paying out all that is lost."

7 (*Hotel Employees, supra*, 21 Cal.4th at p. 607, citations omitted; alterations in original.) The
8 Supreme Court also rejected the argument that the Indian tribes were not offering banked games
9 because they had no interest in the outcome of the wagers: "[t]he *pool* itself functions as a bank,
10 collecting from all losers and paying all winners." (*Id.* at p. 608, fn. 4.) "[A] banking game,
11 within the meaning of Penal Code section 330's prohibition, may be banked by someone other
12 than the owner of the gambling facility." (*Id.* at pp. 607–08.) On these grounds, the California
13 Supreme Court concluded that "Proposition 5's authorization of casino gambling is invalid and
14 inoperative." (*Id.* at p. 589.) The same standards, applied here, confirm that California card
15 rooms are offering illegal banked games.

16 131. While the challenge to Proposition 5 was pending, then-Governor Grey Davis
17 proposed an amendment to the California Constitution to exempt tribal gaming from the
18 prohibition on Nevada and New Jersey style casinos. Ultimately presented to the voters as
19 Proposition 1A in March 2000, the amendment "effectively grant[ed] tribes a constitutionally-
20 protected monopoly on most types of class III games [including banked games] in California."
21 (*In re Indian Gaming Related Cases* (9th Cir. 2003) 331 F.3d 1094, 1103.) The voters of
22 California approved Proposition 1A, authorizing the governor to "to negotiate and conclude
23 compacts, subject to ratification by the Legislature, for the operation of slot machines and for the
24 conduct of lottery games and banking and percentage card games by federally recognized Indian
25 tribes on Indian lands in California in accordance with federal law." (Cal. Const., art IV, § 19,
26 subd. (f).) The amendment definitively concluded "banking and percentage card games are

26 the form of loans or promotional expenses, provided that seeding is not used to pay
27 prizes previously won.

28 (*Hotel Employees, supra*, 21 Cal.4th at p. 625, alteration in original; internal quotation marks and
citation omitted (dis. opn. of Kennard, J.).)

1 hereby permitted to be conducted and operated on tribal lands subject to those compacts.” (*Ibid.*)
2 Because tribal lands are typically not located in urban areas, supporters of Proposition 1A
3 emphasized that its adoption would not result in Nevada or New Jersey-style casinos with banked
4 games in California’s urban centers.

5 132. The compacts approved under the amendment recognized that “[t]he exclusive
6 rights that Indian tribes in California . . . will enjoy under this Compact create a unique
7 opportunity for the Tribe to operate its Gaming Facility in an economic environment free of
8 competition from the Class III gaming [including banked games] . . . on non-Indian lands in
9 California.” (See, e.g., Sept. 10, 1999 Tribal-State Compact between the State of California and
10 the Rumsey Indian Rancheria, Preamble § E.)³

11 133. The most recent compacts negotiated by California Indian tribes, including
12 Plaintiffs, contain similar language recognizing that no other entities are authorized under state
13 law to offer banked games. “[T]he State and the Tribe recognize the exclusive rights the Tribe
14 will enjoy under this Compact create a unique opportunity for the Tribe to operate a Gaming
15 Facility in an economic environment free of competition from the operation of slot machines and
16 banked card games on non-Indian lands in California and that this unique economic environment
17 is of great value to the Tribe[.]” (See Yocha Dehe Compact, Preamble at 2.) In “consideration”
18 for this unique right, the California Indian tribes party to the compacts commits “on a sovereign-
19 to-sovereign basis” to pay the state “fair cost reimbursement and mitigation[.]” (*Id.* at 3.)

20 134. Under this framework, the Indian tribes make quarterly payments to the State’s
21 Special Distribution Fund established by the Legislature. (See, e.g., Agua Caliente Compact at
22 Sec. 4.3.) These payments are significant, representing tens of millions of dollars per year to the
23 State’s coffers.⁴ Moreover, they are a material term of the compacts: any failure to make timely
24 payment “shall be deemed a material breach” of the compacts, for which the State may
25 immediately seek injunctive relief in state or federal court, and the Tribes consent to waive their

26
27 ³ Yocha Dehe was formerly known as the Rumsey Indian Rancheria. The Tribe changed its name
in 2009.

28 ⁴ (2024-25 California Gambling Control Commission State Budget, *available at*
<https://ebudget.ca.gov/2024-25/pdf/Enacted/GovernorsBudget/0010/0855.pdf>.)

1 right to assert sovereign immunity. (See, e.g., Pechanga Compact at Sec. 4.7(c).) Put simply, the
2 Tribes have meaningfully bargained with the State to facilitate their exclusive rights under the
3 California Constitution to offer banked games and have agreed to pay the State from the proceeds
4 they receive for the exercise of those rights.

5 135. By executing compacts, California Indian tribes do not merely affirm the rights
6 afforded to them by the California Constitution. The payments made pursuant to the compacts
7 help fund a state regulatory regime that, per the terms of the compacts, is supposed to recognize
8 and uphold tribal exclusivity over banked games. Defendants, by operating illegal banked games
9 in California card rooms, deny Plaintiffs the benefit of this bargain. To address Defendants’
10 illegal banked games, Plaintiffs have been forced to expend their own resources in addition to
11 compact payments both to monitor card room activity and enforce their exclusive rights.

12 136. Plaintiffs bring this action to ensure that the exclusivity over banked games
13 guaranteed by the state Constitution and tribal gaming compacts does not become another broken
14 promise by governments to California Indian tribes.

15 **C. In search of greater profits, California card rooms have expanded beyond**
16 **their traditional offerings and into prohibited banked games.**

17 137. Defendant California card rooms are gambling establishments licensed by the
18 California Gambling Control Commission, based in Sacramento, California. Unlike Nevada and
19 New Jersey-style casinos, where players often bet against the house and the casino earns revenue
20 by banking the games, card rooms are intended to facilitate player versus player games, for which
21 the card room collects a per-round fee for operating the game known as a “collection.” As of
22 December 2024, California is home to 72 licensed card rooms.

23 138. Traditionally, California card rooms have provided poker, a non-banked game also
24 known as a “round” game. In poker, there is no bank against which all players bet; instead, the
25 player-dealer position systematically and continuously rotates among the players, and the house’s
26 only interest in the game is in collecting specified table fees.

27 139. Since the early 2000s, card rooms have steadily expanded their offerings beyond
28 traditional poker games. To draw in more players who will wager more money—thereby
generating greater collections revenue—the card rooms have introduced variants of casino-style

1 banked table games, such as blackjack, baccarat, and pai gow. The card rooms purport to provide
2 these games in compliance with California’s prohibition on banked games by not banking the
3 games themselves using the card room’s funds. Instead, the rules for these variants on banked
4 games specify that a “player-dealer” will bank the game while a representative of the card room
5 (the “House Dealer”) deals cards, collects player fees, and otherwise runs the game.

6 140. The player-dealer framework is a direct outgrowth of the card room industry’s
7 concerted and explicit efforts to evade California’s prohibition on banked games outside of tribal
8 lands and has given rise to a niche business—the third-party proposition player (“TPP”).
9 Initially, card rooms paid TPPs to occupy the player-dealer position at their tables, because
10 individual players often lack sufficient liquidity to ensure the level of wagering card rooms desire
11 to drive their profitability. But as card rooms and TPPs have fully embraced offering illegal
12 banked games, the TPPs’ position in the player-dealer spot has become more lucrative. As a
13 result, TPPs now pay card rooms for the right to occupy the player-dealer position and take on a
14 host of other responsibilities and expenses typically associated with running a casino, such as
15 providing equipment like surveillance cameras, cards, and shuffling machines, contributing to
16 rent for the gaming space, and advertising for the banked games off which they profit.

17 141. A TPP provides these services to a gambling establishment, like a card room,
18 pursuant to a written contract. The “proposition player services” include “play as a participant in
19 any controlled game that has a rotating-dealer position as permitted by Penal Code § 330.11.”
20 (Cal. Code Regs., tit. 4, § 12200(28).) For a card room that contracts with a TPP, each table
21 generally has a proposition player—a TPP employee whose job is to bank the game. The
22 proposition player does not act as a dealer, but rather sits at the table and covers the bets that take
23 place in each round. While the pool of available funds in a traditional round game, like poker, is
24 limited by what the individual players wager, the TPP provides a practically inexhaustible fund
25 from which winnings can be paid to players that far exceed any amount wagered by the TPP as
26 the player-dealer. While an individual player might be reluctant to serve as a banker given the
27 potential exposure driven by other players’ bets, the TPP is contracting with the card room to
28 assume that role. In this way, the TPP facilitates enticing “bonus” bets that drive action to the

1 card rooms' games and brings predictable and stable liquidity to them, just as Nevada and New
2 Jersey casinos provide through house-banked games.

3 142. The economic relationship between TPPs and card rooms creates a strong
4 incentive for both to ensure that the player-dealer position and its banking responsibilities never
5 rotate away from the TPP. TPPs pay card rooms for the right to serve as the player-dealers in
6 their games. In turn, the TPPs make money by occupying the position at the table with superior
7 odds, just as the house does in a Nevada or New Jersey casino. To maximize the value of the
8 position with superior odds, the TPP needs to ensure that it occupies the position for as many
9 rounds of play as possible. Given this framework, TPPs have a strong economic interest in
10 ensuring that they always serve as the bank and that the player-dealer position never rotates.

11 143. Card rooms similarly have a strong economic interest in ensuring that TPPs
12 continuously occupy the player-dealer position and maximize use of its superior odds. Because
13 the winnings from games are TPPs' only source of revenue, the more the TPPs are able earn in
14 games from serving as the player-dealers, the greater payments the card rooms will be able to
15 demand from their TPPs when negotiating contracts. Both the TPPs and card rooms make more
16 money by maintaining a system wherein the banking role never rotates away from the TPPs.
17 Given these aligned incentives and the contractual relationship between card rooms and TPPs,
18 card rooms possess an obvious interest in the illegal banked gaming occurring on their tables.
19 This framework runs directly afoul of California Business and Professions Code Section
20 19984(a), which prohibits "[a]ny agreement, contract, or arrangement between a gambling
21 enterprise and a third-party provider of proposition player services" in which "a gambling
22 enterprise or the house have any interest, whether direct or indirect, in funds wagered, lost, or
23 won." And, by virtue of this collusive relationship, the house (here, the contractually bound unit
24 of TPP and card room) "derives benefit from commercial gambling, the elimination of which is
25 the legitimate objective of [Section 330]." (*Sullivan, supra*, 189 Cal.App.3d at p. 679.) This
26 dynamic is precisely what the California Constitution and Penal Code prohibit through their ban
27 on banked games.

1 **D. California law recognizes that any game where a player has the potential to**
2 **maintain or operate as a bank is an illegal banked game.**

3 144. The games at issue in this lawsuit—blackjack, baccarat, pai gow, and other
4 analogous games—are fundamentally banked games. Players gamble against a single entity that
5 possesses superior odds and maintains a robust fund that pays all winners and collects from all
6 losers. In Nevada and New Jersey casinos, the casinos typically occupy that banking position.
7 Although California card rooms have attempted to superficially disguise banked games’ true
8 nature through layers of additional rules and procedures, those artifices are either ineffective or
9 ignored, and thus do little to change the essential nature of the games. Defendants ensure that
10 when a customer sits at a blackjack, baccarat, or pai gow table, there is a single entity (the TPP)
11 consistently ready to take all comers, pay all winnings, and collect all losses. Under California’s
12 Constitution and Penal Code, those games are illegal.

13 145. Blackjack, also known as twenty-one, was one of the earliest games to be included
14 in Penal Code Section 330’s list of prohibited games. Blackjack players compete against a single
15 entity, which holds an odds-based advantage against other players.

16 146. The rules for California card room blackjack games typically provide that a
17 standard round of play begins when a player-dealer is designated. The House Dealer places a
18 “button” or other signifier in front of the player-dealer, which designates that they are taking the
19 bank position and may also designate whether it is the first or second turn for the player-dealer in
20 the banking position. Although specific language for each blackjack game may vary by card
21 room, the rules typically contain language stating either that the player-dealer position—and
22 therefore the banking role—should be offered to other players after two hands or rotated to other
23 players after two hands. Defendants rely on the purported rotation of the player-dealer position
24 and bank to attempt to distinguish the blackjack games they offer from those prohibited by
25 California law.⁵

26 ⁵ To be clear, Plaintiffs do not agree that, if Defendants’ game rules required actual rotation of the
27 banking position every two hands (an interval the card rooms themselves invented), they would
28 transform blackjack, baccarat, and pai gow into constitutionally permissible games. But the
Court need not reach that issue, because none of the games at issue, on their face or as played in
card rooms, ensure the actual rotation such that a single player cannot bank the game for a
sustained period.

1 147. In its general form, baccarat does not have a player-dealer position. Rather, the
2 players at the table simply make wagers based on a single shared set of cards. The dealer, who
3 has no hand in the game, acts as nothing but a bank. Thus, by definition, baccarat cannot qualify
4 for the “player-dealer rotation” carve-out for banked games under Section 330.11 because there is
5 no player-dealer in the game.

6 148. The rules for California card room baccarat games purport to create a player-dealer
7 position, but the occupier of the position does not actually “play” the game by receiving any cards
8 or placing wagers of his or her own and is a “player-dealer” in name only. (See Cal. Bus. & Prof.
9 Code § 19805(ag), emphasis added [“‘Player-dealer’ and ‘controlled game featuring a player-
10 dealer position’ refer to a position in a controlled game, as defined by the approved rules for that
11 game, in which seated *player participants* are afforded the temporary opportunity to wager
12 against multiple players at the same table, provided that this position is rotated amongst the other
13 seated players in the game.”].) The person occupying the purported player-dealer position in
14 Defendants’ baccarat games is not a “player participant.” The sole purpose of the purported
15 player-dealer position in Defendants’ baccarat games is to bank the game—paying all winning
16 bets and collecting all losing bets made on the set of cards shared by every player at the table.
17 Although specific language for each baccarat game may vary by card room, the rules typically
18 contain language stating either that the purported player-dealer position—and therefore the
19 banking role—should be offered to other players after two hands or rotated to other players after
20 two hands. Defendants rely on the purported rotation of the player-dealer position and bank to
21 attempt to distinguish the baccarat games they offer from those prohibited by California law.

22 149. The rules for California card room pai gow games typically provide that, at the
23 start of a game, a player is offered the player-dealer position. Once the position is established, the
24 other players compete against the player-dealer to make the best possible hand of cards.
25 Although specific language for each pai gow game varies by card room, the rules typically
26 contain language stating either that the player-dealer position—and therefore the banking role—
27 should be offered to other players after two hands or rotated to other players after two hands.
28

1 Defendants rely on the purported rotation of the player-dealer position and bank to attempt to
2 distinguish the pai gow games they offer from those prohibited by California law.⁶

3 150. California card rooms also offer other games that operate on the same basic player-
4 dealer mechanics as blackjack, baccarat, and pai gow. These analogous games, such as “Three
5 Card Poker,” “Ultimate Texas Hold’em,” and “Casino War”—like their more traditional
6 counterparts—purport to make use of a player-dealer position and their rules typically state that
7 the player-dealer position should be offered or rotated to other players after two hands.

8 Defendants rely on the purported rotation of the player-dealer position and bank to attempt to
9 distinguish these games from those prohibited by California law.

10 151. The contention that these games run afoul of California’s prohibition on banked
11 games is not a new argument. In fact, the only court to reach the legality of games similar to
12 those challenged here had no trouble finding them to be illegal. In *Oliver v. County of Los*
13 *Angeles*, the California Court of Appeal considered whether the game “Newjack”—a variant of
14 blackjack—constituted a prohibited banked game. ((1998) 66 Cal.App.4th 1397, 1408.) In
15 Newjack, each player has the option to bank the game as the player-dealer for two consecutive
16 hands; after that, the option passes to the player on the left and keeps passing until another player
17 accepts it. (*Id.* at pp. 1407–08.) But Newjack’s rules also allowed a player to decline the offer.
18 As a result, one player could end up serving as the bank for more than two consecutive hands if
19 all other players at the table decline to assume the role. Defendants argued that merely *offering* to
20 rotate the bank was sufficient to save them from Section 330’s prohibition on banked games. (*Id.*
21 at p. 1408.) The Court succinctly rejected their defense. “It is the *potential* for a banked game
22 under [the] rules . . . which determines whether [a game] is a banking game.” (*Ibid.*)

23 [I]n Newjack, the player-dealer position does not *have* to rotate among the players.
24 If the other players decline to accept the player-dealer position, one player can act
as a player-dealer for repeated hands and such a player need not go broke after a

25 ⁶ In *Huntington Park Club Corporation v. County of L.A.* (1988) 206 Cal.App.3d 241, 250, the
26 Court of Appeals held that a specific pai gow game was not a banked game because “the record
27 does not establish that either plaintiffs (the house) or any other entity maintains or operates a
28 ‘bank.’” That decision, reached prior to the adoption of Penal Code 330.11, is easily
distinguishable here given that Defendant TPPs can (and do) maintain and operate a bank while
playing the pai gow games offered in Defendants’ card rooms.

1 few hands. ... The effect would be a banked game because it could then be said of
2 such a player that he or she is taking on all comers, paying all winners, and
3 collecting from all losers.

3 (*Id.* at pp. 1408–09, emphasis in original; quotation marks omitted.)

4 152. In 2001, the Legislature amended the Penal Code to specify—consistent with the
5 *Oliver* court’s holding—the requirements that must be met for a rotating player-dealer position to
6 be legal. Section 330.11 states that illegal banked games do not include those where the
7 published rules:

8 [1] feature a player-dealer position and provide that this position must be
9 continuously and systematically rotated amongst each of the participants during
10 the play of the game, [2] ensure that the player-dealer is able to win or lose only a
11 fixed and limited wager during the play of the game, and [3] preclude the house,
12 another entity, a player, or an observer from maintaining or operating as a bank
13 during the course of the game.

14 (Pen. Code, § 330.11.) Crucially, as recognized in *Oliver*, it is not sufficient for the published
15 rules to create merely the potential for the player-dealer position to rotate, such as through an
16 offer to other players. The statute requires “that this position **must** be continuously and
17 systematically rotated amongst each of the participants during the play of the game[.]” (*Ibid.*,
18 emphasis added.) And even if an *offer* of rotation rather than *actual* rotation were sufficient to
19 meet Section 330.11’s first requirement (it is not), an offer of rotation would not be sufficient to
20 meet the third requirement—that the published rules must also actually preclude anyone “from
21 maintaining or operating as a bank during the course of the game.” As the *Oliver* court
22 specifically recognized, rules that require only the offer of the player-dealer position still permit a
23 player to maintain or to operate as a bank if other players refuse to accept the player-dealer
24 position. (*Oliver, supra*, 66 Cal.App.4th at p. 1409 [“Because the rules permit such an
25 occurrence, we hold Newjack is a banking game and therefore, as presently constituted,
26 prohibited under section 330.”].)

27 153. The final sentence of Section 330.11 underscores that merely offering the player-
28 dealer position to others is not sufficient to stop a game from being an illegal banked game. The
29 statute notes that “it is not the intent of the Legislature to mandate acceptance of the deal by every
30 player” but **only** “if the division finds that the rules of the game render the maintenance of or
31 operation of a bank impossible by other means.” Thus, if the rules of a game do not mandate

1 acceptance of the player-dealer position, there must be some other mechanism to ensure that one
2 player is not able to maintain the banking function. If no such mechanism exists in the published
3 rules, the game remains an illegal banked game prohibited by Section 330.⁷

4 154. Independent of any player-dealer rotation issue, Section 330.11 also requires that
5 game rules must “ensure that the player-dealer is able to win or lose only a fixed and limited
6 wager during the play of the game” to benefit from the statutory carve-out from banked games.
7 This requirement is essential for distinguishing illegal banked games—where practically
8 unlimited funds are available to pay winning bets—from permissible games where the total
9 available “pot” is limited to only the funds wagered by players. The California Court of Appeals
10 explained how permissible games employing a player-dealer should operate:

11 The player/dealer makes the initial bet, and the other players bet against him. *The*
12 *player/dealer pays off winners and collects from losers, but only until the*
13 *player/dealer wins or loses his initial wager.* Thereafter, the round of play
14 terminates even though there are remaining players at the table who have winning
or losing hands. Accordingly, the player/dealer is not required to pay all winners,
and the player/dealer may only collect from losers up to the amount the
player/dealer wagered.

15 (*City of Bell Gardens v. County of L.A.* (1991) 231 Cal.App.3d 1563, 1566, emphasis added.)

16 155. In the blackjack and baccarat games played in the card rooms, however, the TPPs
17 have no “fixed and limited” wager; indeed, they place no bet at all. Rather, TPPs pay out variable
18 winnings and collect variable losses, whatever such winnings or losses may be, without making
19 *any* actual wager of their own (let alone a “fixed and limited” one). These games are therefore
20 banked regardless of how long the TPP occupies the player-dealer position.

21 **E. Defendants are profiting from illegal banked games.**

22 156. All the blackjack, baccarat, pai gow, and other analogous games offered and
23 operated by Defendants are illegal banked games under the California Constitution and Penal
24 Code Sections 330 and 330.11. As explained below, despite Defendants’ claims that these games
25

26 ⁷ Because the California Supreme Court has held that the 1984 gaming-related amendment to the
27 California Constitution elevated the existing prohibitions on banked games, including Section
28 330, to the constitutional level, any interpretation of Section 330.11 (enacted in 2000) that would
allow card rooms to offer games that are otherwise prohibited under Section 330, including but
not limited to games that merely offer or afford other players the opportunity to assume the
player-dealer position, runs afoul of Article IV, Section 19(e) of the Constitution.

1 are legal, their published rules all completely fail to preclude TPPs, who are in contractual and
2 financial relationships with the card rooms, from maintaining or operating as a bank during the
3 game.⁸ Some of the published rules fail on their face, while others are routinely exploited by card
4 rooms in practice. They are grouped into three general categories below.⁹ Regardless of the
5 labels applied to them, none of the rules accomplish what the California Constitution requires:
6 that no card room be permitted to offer Nevada and New Jersey-style banked games, where those
7 at the table find themselves consistently opposed to a single player-dealer “taking on all comers,
8 paying all winners, and collecting from all losers.” (*Sullivan, supra*, 189 Cal.App.3d at p. 678.)

9 157. **Offer-Only Rules:** The majority of blackjack, baccarat, pai gow, and analogous
10 games currently offered by California card rooms have published rules that specify that the
11 player-dealer position need only be offered to other players at the table, in direct contradiction to
12 *Oliver*’s holding regarding banked games and the requirements of Penal Code Section 330. For
13 example, in Pure 21.5 Blackjack and EZ Baccarat Panda 8, the published rules require only that
14 “[t]he [player-dealer position] shall be offered systematically and continuously in a clockwise
15 manner around the table after every two hands.” Nothing in “Offer-Only” rules precludes a
16 player from staying in the player-dealer position repeatedly if others at the table refuse the offer
17 of the position. Thus, these rules do not require that the player-dealer position must continuously
18 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
19 bank during game play, and do not actually distinguish the games from illegal Nevada and New
20 Jersey-style banked games.

21 158. **Two-Hand-Limit Rules:** Other California card room blackjack, baccarat, pai
22 gow, and analogous game rules are less brazen (if more disingenuous) in their violation of the law
23 than the “Offer-Only” rules and acknowledge—consistent with the law—that no single player
24 may hold the player-dealer position for a sustained period. These rules typically require that no

25 ⁸ As noted above, all baccarat games offered by Defendants are illegal banked games for the
26 independent reason that they do not employ a true player-dealer position, as required to utilize
Penal Code Section 330.11’s exemption.

27 ⁹ A few card rooms list games available for play that fall into a fourth category: rules that purport
28 to describe a player-dealer position but provide no guidance or requirement regarding rotation of
the position. Those rules offer no prohibition on maintaining or operating a bank and lack any
claim to the carve outs from banked games provided by Penal Code Section 330.11.

1 player occupy the player-dealer position for more than two consecutive hands. For example, the
2 published rules for the blackjack game Hawaiian Blackjack state that “the player-dealer position
3 rotates in a systematic and continuous way among the seated players, and no one player may
4 serve as the player-dealer for more than two consecutive hands.” These rules, however, still
5 allow players to decline the player-dealer position. And, crucially, they lack any mandate on
6 what the card room must do if all other players refuse to accept the player-dealer position.
7 Although the “Two-Hand-Limit” rules specify that the player-dealer position should not continue
8 to reside with the same player for more than two consecutive hands, they contain no mechanism
9 to prevent that outcome from happening in practice. Indeed, the card rooms instead actively *deter*
10 others from accepting the player-dealer position through their fee collection policies—which
11 typically exempt players, but not player-dealers, from collection—and by requiring prohibitively
12 high liquidity of any would-be takers. Thus, these rules do not effectively require that the player-
13 dealer position must continuously and systematically rotate, do not otherwise preclude a player
14 from maintaining or operating as a bank during game play, and do not actually distinguish the
15 games from illegal Nevada and New Jersey-style banked games.

16 159. **Break Rules:** A minority of California card room rules for blackjack, baccarat, pai
17 gow, and analogous games purport to employ a “break” feature. For example, the published rules
18 of Pure 21.5 Blackjack state:

19 The Player-Dealer position must rotate in a continuous and systematic fashion, and
20 cannot be occupied by one person for more than two consecutive hands. There
21 must be an intervening Player-Dealer so that no single player can continually
22 occupy the player-dealer position within the meaning of *Oliver v. County of Los Angeles* (1998) 66 Cal. App. 41397, 1408-1409. If there is not an intervening
person occupying the Player-Dealer’s position, the game will be “broke” or
stopped, as required by the California Penal Code.

23 These types of rules correctly acknowledge two crucial legal requirements: first, there must be an
24 intervening player occupying the player-dealer position before it may return to the player who
25 previously held it—meaning there must be actual, not merely offered, rotation—and, second, if
26 there is no intervening player, the game must be “broke” or stopped. Although the rules
27 acknowledge these legal requirements, they are still fundamentally deficient.

1 160. The “Break” rules leave open a key loophole that card rooms have exploited in
2 their efforts to evade banked-game prohibitions. The “Break” rules do not specify how long a
3 game must be stopped to satisfy the rules. Likewise, there is no requirement that the table be
4 reset or that the players be required to leave the table before beginning play again after the break.
5 As a result, card rooms have claimed that the nominal pause between hands of play is a sufficient
6 break or stoppage. The game then resumes with the same players, the same player-dealer, and no
7 meaningful interruption. Whether card rooms ignore the break requirement in practice—as they
8 almost always do—or comply with it in a hyper-technical, farcical manner by pausing a game
9 only for a beat, under the “Break” rules, a single player still may occupy the player-dealer
10 position for a sustained period. Thus, these rules do not effectively require that the player-dealer
11 position must continuously and systematically rotate, do not otherwise preclude a player from
12 maintaining or operating as a bank during game play, and do not actually distinguish the games
13 from illegal Nevada and New Jersey-style banked games.

14 161. Additionally, the rules for California card room blackjack, baccarat, pai gow, and
15 analogous games—regardless of whether they are “Offer-Only,” “Two-Hand-Limit,” or “Break”
16 rules—fail to ensure that the player-dealer banking the game is only able to win or lose a fixed
17 and limited wager. In all the game rules at issue, the player-dealer’s winnings or losings are
18 variable because they depend on the wager decisions of other players. And regardless of whether
19 Defendants’ game rules purport to limit winnings and losses, Defendants operate their games
20 such that the TPPs’ winnings and losings are not limited in any legally meaningful way.

21 162. Ultimately, card rooms have attempted to obfuscate through ambiguous rules and
22 underhanded practices what is simply illegal. By employing third-party proposition players and
23 not rotating the bank away from them, card rooms offer blackjack, baccarat, pai gow, and
24 analogous games that are purposefully indistinguishable from the types of banked games offered
25 in Nevada and New Jersey casinos.
26
27
28

ALLEGATIONS¹⁰

A. Third-Party Proposition Players

163. Third-party proposition players pay California card rooms for the opportunity to act as the bank in blackjack, baccarat, pai gow, and analogous games. To maximize what they can charge TPPs for that opportunity, card rooms ensure that the player-dealer position—and with it, the role of banking the game—does not rotate away from the TPP. Nothing in the Offer-Only, Two-Hand-Limit, or Break rules prevents the TPP from occupying the player-dealer position for a sustained period. In this manner, the card rooms and TPPs work jointly to ensure that card rooms’ games are indistinguishable from Nevada and New Jersey-style gaming—in violation of the California Constitution and Penal Code.

164. There are currently twenty-two licensed TPPs in California: Acme Player Services, LLC; Arise, LLC; Blackstone Gaming, LLC; CalProp Services, LLC; Certified Network M, Inc.; F2 TPS, LLC; Faros Unlimited, Inc.; Fortune Gaming Associates; Fortune Players Group, Inc.; Global Player Services, Inc.; Halcyon Gaming, LLC; KB Ventures; KBCH Consultants, Inc.; Knighted Ventures, LLC; L.E. Gaming, Inc.; Network Management Group, Inc.; Pacific Gaming Services, LLC; Players Edge Services; Progressive Gaming, LLC; Qualified Player Services, LLC; The Independent; and Wahba, LLC (collectively, “the California TPPs”).

165. The California TPPs occupy the player-dealer position (and its superior odds) for sustained periods in California card room blackjack, baccarat, pai gow and analogous games. In doing so, the California TPPs maintain and operate a bank during the course of the games in which they participate, in violation of the California Constitution and Penal Code.

B. 500 Club Casino

166. 500 Club Casino operates a card room in Clovis, California. One or more of the California TPPs provide third-party proposition player services for 500 Club Casino’s games.

¹⁰ Plaintiffs’ allegations regarding game rules are based in part on the rules posted by the Bureau of Gambling Control for specific card rooms at <https://oag.ca.gov/gambling/cardroomlist#> (last checked December 31, 2024). Plaintiffs expressly incorporate by reference into the First Amended Complaint the rules posted by the Bureau and reserve the right to supplement or amend their allegations should the posted rules change after the filing of this action.

1 167. 500 Club Casino offers a number of blackjack, baccarat, pai gow, and analogous
2 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
3 comers, pay all winners, and collect from all losers. All of these games are banked games
4 operated in violation of the California Constitution and Penal Code.

5 168. 500 Club Casino offers the following game that makes no mention of offering or
6 rotating the player-dealer position in its rules:

- 7 • Ultimate Texas Hold'em

8 These rules contain no requirement that the player-dealer position must continuously and
9 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
10 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
11 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
12 and New Jersey style-banked games.

13 169. 500 Club Casino offers the following games with Offer-Only rules:

- 14 • Pure 21.5 Blackjack
- 15 • Pure Spanish 21.5
- 16 • EZ Baccarat
- 17 • Fortune Pai Gow Poker
- 18 • Three Card Poker 6 Card Bonus

19 These Offer-Only rules contain no requirement that the player-dealer position must continuously
20 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
21 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
22 wager during the play of the game, and do not sufficiently distinguish the games from illegal
23 Nevada and New Jersey style-banked games.

24 170. Regardless of what is required by game rules, 500 Club Casino and California
25 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
26 games offered at 500 Club Casino in a manner such that the player-dealer position does not
27 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
28 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and

1 limited wager during the play of the game, and the games are not sufficiently distinguished from
2 illegal Nevada and New Jersey-style banked games.

3 171. Given the nature of the contractual relationship between 500 Club Casino and the
4 California TPP occupying the purported player-dealer position in 500 Club Casino's games, 500
5 Club Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack,
6 baccarat, pai gow, and analogous games.

7 **C. Ace & Vine**

8 172. Ace & Vine operates a card room in Napa, California. One or more of the
9 California TPPs provide third-party proposition player services for Ace & Vine's games.

10 173. Ace & Vine offers a number of blackjack, baccarat, pai gow, and analogous games
11 utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers,
12 pay all winners, and collect from all losers. All of these games are banked games operated in
13 violation of the California Constitution and Penal Code.

14 174. Ace & Vine offers the following games with Offer-Only rules:

- 15 • No Bust 21st Century Buster Blackjack 4.0 with Lucky Lucky Bonus Bet
- 16 • EZ Baccarat Panda 8
- 17 • Dai Bacc
- 18 • Face Up Pai Gow Poker
- 19 • Three Card Poker 6 Card Bonus
- 20 • Ultimate Texas Hold'em Bad Beat Bonus

21 These Offer-Only rules contain no requirement that the player-dealer position must continuously
22 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
23 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
24 wager during the play of the game, and do not sufficiently distinguish the games from illegal
25 Nevada and New Jersey style-banked games.

26 175. Regardless of what is required by relevant game rules, Ace & Vine and California
27 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
28 games offered at Ace & Vine in a manner such that the player-dealer position does not

continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

176. Given the nature of the contractual relationship between Ace & Vine and the California TPP occupying the purported player-dealer position in Ace & Vine's games, Ace & Vine possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

D. Artichoke Joe's Casino

177. Artichoke Joe's Casino operates a card room in San Bruno, California. One or more of the California TPPs provide third-party proposition player services for Artichoke Joe's Casino's games.

178. Artichoke Joe's Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

179. Artichoke Joe's Casino offers the following games with Offer-Only rules:

- California Blackjack
- 21st Century Baccarat version 8.2
- EZ Baccarat Panda 8
- RUYI Baccarat
- Pai Gow Poker (Double Hand Poker)
- Ultimate Texas Hold'em

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

1 180. Artichoke Joe’s Casino offers the following games with Two-Hand Limit rules:

- 2 • EZ Baccarat
- 3 • Fortune Pai Gow Poker
- 4 • Pai Gow Tiles
- 5 • Three Card Poker
- 6 • Three Card Poker 6 Card Bonus

7 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
8 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
9 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
10 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
11 from illegal Nevada and New Jersey-style banked games.

12 181. Artichoke Joe’s Casino offers the following games with Break rules:

- 13 • No Bust 21st Century Blackjack

14 These Break rules contain no effective requirement that the player-dealer position must
15 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
16 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
17 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
18 from illegal Nevada and New Jersey-style banked games.

19 182. Regardless of what is required by game rules, Artichoke Joe’s Casino and
20 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
21 analogous games offered at Artichoke Joe’s Casino in a manner such that the player-dealer
22 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
23 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
24 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
25 distinguished from illegal Nevada and New Jersey-style banked games.

26 183. Given the nature of the contractual relationship between Artichoke Joe’s Casino
27 and the California TPP occupying the purported player-dealer position in Artichoke Joe’s
28

Casino's games, Artichoke Joe's Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

E. The Aviator Casino

184. The Aviator Casino operates a card room in Delano, California. One or more of the California TPPs provide third-party proposition player services for the Aviator Casino's games.

185. The Aviator Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

186. The Aviator Casino offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- Pure 21.5 Blackjack with Red Flex and Buster Bonus Wagers
- Pure 21.5 Blackjack with Red Flex Bet
- Pure 21.5 Blackjack with Buster Bonus Bet
- EZ Baccarat Panda 8
- Super Pan 9
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

187. The Aviator Casino offers the following games with Two-Hand Limit rules:

- Supreme Baccarat
- Fortune Pai Gow Poker
- Pai Gow Poker
- Pai Gow Poker Joker's Wild

- Ultimate Texas Hold'em
- Three Card Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

188. The Aviator Casino offers the following games with Break rules:

- Pure 21.5 Blackjack
- Baccarat Gold
- Easy Poker

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

189. Regardless of what is required by game rules, the Aviator Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at the Aviator Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

190. Given the nature of the contractual relationship between the Aviator Casino and the California TPP occupying the purported player-dealer position in the Aviator Casino's games, the Aviator Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

1 **F. Bankers Casino**

2 191. Bankers Casino operates a card room in Salinas, California. One or more of the
3 California TPPs provide third-party proposition player services for Bankers Casino's games.

4 192. Bankers Casino offers a number of blackjack, baccarat, pai gow, and analogous
5 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
6 comers, pay all winners, and collect from all losers. All of these games are banked games
7 operated in violation of the California Constitution and Penal Code.

8 193. Bankers Casino offers the following game that makes no mention of offering or
9 rotating the player-dealer position in its rules:

- 10 • Buster Blackjack

11 These rules contain no requirement that the player-dealer position must continuously and
12 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
13 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
14 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
15 and New Jersey style-banked games.

16 194. Bankers Casino offers the following games with Offer-Only rules:

- 17 • Pai Gow Poker (Double Hand Poker)
18 • Pai Gow Tiles
19 • Pure Spanish 21.5
20 • EZ Baccarat Panda 8
21 • Three Card Poker 6 Card Bonus
22 • Fortune Pai Gow Poker (Joker Fully Wild)

23 These Offer-Only rules contain no requirement that the player-dealer position must continuously
24 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
25 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
26 wager during the play of the game, and do not sufficiently distinguish the games from illegal
27 Nevada and New Jersey style-banked games.

28 195. Bankers Casino offers the following games with Two-Hand Limit rules:

- Three Card Poker
- Fortune Pai Gow Poker
- Ultimate Texas Hold'em

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

196. Bankers Casino offers the following game with Break rules:

- Pure 21.5 Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

197. Regardless of what is required by game rules, Bankers Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Bankers Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

198. Given the nature of the contractual relationship between Bankers Casino and the California TPP occupying the purported player-dealer position in Bankers Casino's games, Bankers Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

G. Bay 101

199. Bay 101 operates a card room in San Jose, California. One or more of the California TPPs provide third-party proposition player services for Bay 101's games.

200. Bay 101 offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

201. Bay 101 offers the following games that make no mention of offering or rotating the player-dealer position in their rules:

- California Blackjack
- Fortune Pai Gow Poker
- Pai Gow Poker
- Super Pan 9

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

202. Bay 101 offers the following games with Offer-Only rules:

- 21st Century Baccarat 4.0 with Tie Hands
- EZ Baccarat Panda 8
- Golden Frog Baccarat 1.0
- Golden Frog Baccarat 2.0
- Golden Frog Baccarat 2.1
- Millennium-19 / M-19
- ZooBac
- Let it Ride Bonus
- Pai Gow Tiles

- Three Card Poker
- Three Card Poker (Version B)
- Three Card Poker 6 Card Bonus
- Face Up Pai Gow Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

203. Bay 101 offers the following games with Two-Hand Limit rules:

- No Bust 21st Century Blackjack 5.0 Buster Blackjack
- 21st Century Baccarat 8.0 Version
- Casino War
- Crazy 4 Poker
- Ultimate Texas Hold'em Bad Beat Bonus

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

204. Bay 101 offers the following games with Break rules:

- No Bust 21st Century Blackjack
- No Bust 21st Century Blackjack 4.0
- Bay Baccarat / Pan 9

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games

1 from illegal Nevada and New Jersey-style banked games.

2 205. Regardless of what is required by game rules, Bay 101 and California TPPs have
3 operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
4 offered at Bay 101 in a manner such that the player-dealer position does not continuously and
5 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
6 during game play, the TPP is not limited to only winning or losing a fixed and limited wager
7 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
8 and New Jersey-style banked games.

9 206. Given the nature of the contractual relationship between Bay 101 and the
10 California TPP occupying the purported player-dealer position in Bay 101's games, Bay 101
11 possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow,
12 and analogous games.

13 **H. Blacksheep Casino Company**

14 207. Blacksheep Casino Company is not currently operating but is licensed to operate a
15 card room in Cameron Park, California.

16 208. Blacksheep Casino Company may offer a number of blackjack, baccarat, pai gow,
17 and analogous games utilizing a purported player-dealer position occupied by a TPP employee
18 ready to take all comers, pay all winners, and collect from all losers. All of these games are
19 banked games operated in violation of the California Constitution and Penal Code.

20 209. Blacksheep Casino Company may offer the following games with Offer-Only
21 rules:

- 22 • EZ Baccarat
 - 23 • Pai Gow Poker Gold
 - 24 • Three Card Poker 6 Card Bonus
 - 25 • Blackjack Elite with Boom Bonus and Super 7s Bonus
 - 26 • Face Up Pai Gow Poker
 - 27 • Ultimate Texas Hold'em
- 28

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 210. Plaintiffs reserve the right to supplement these allegations should Blacksheep
7 Casino Company begin operating after the filing of this action.

8 **I. California Grand Casino**

9 211. California Grand Casino operates a card room in Pacheco, California. One or
10 more of the California TPPs provide third-party proposition player services for California Grand
11 Casino's games.

12 212. California Grand Casino offers a number of blackjack, baccarat, pai gow, and
13 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
14 to take all comers, pay all winners, and collect from all losers. All of these games are banked
15 games operated in violation of the California Constitution and Penal Code.

16 213. California Grand Casino offers the following game that makes no mention of
17 offering or rotating the player-dealer position in its rules:

- 18
 - Buster Blackjack

19 These rules contain no requirement that the player-dealer position must continuously and
20 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
21 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
22 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
23 and New Jersey style-banked games.

24 214. California Grand Casino offers the following games with Offer-Only rules:

- 25
 - Hot Action Blackjack
 - 26 • War Blackjack
 - 27 • Baccarat
 - 28 • EZ Baccarat Panda 8

- PaiBac
- Face Up Pai Gow Poker
- Fortune Pai Gow Poker
- Pai Gow
- Three Card Poker
- Three Card Poker 1.3
- Ultimate Texas Hold'em

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

215. California Grand Casino offers the following games with Break rules:

- Caribbean Stud Poker
- Pai Gow Tiles
- Pai Gow Poker (Double Hand Poker)

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

216. Regardless of what is required by game rules, California Grand Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at California Grand Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

1 217. Given the nature of the contractual relationship between California Grand Casino
2 and the California TPP occupying the purported player-dealer position in California Grand
3 Casino's games, California Grand possesses an illegal interest in the funds wagered, lost, or won
4 in its blackjack, baccarat, pai gow, and analogous games.

5 **J. Cameo Club**

6 218. Cameo Club is not currently operating but is licensed to operate a card room in
7 Stockton, California.

8 219. Cameo Club may offer a number of blackjack, baccarat, pai gow, and analogous
9 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
10 comers, pay all winners, and collect from all losers. All of these games are banked games
11 operated in violation of the California Constitution and Penal Code.

12 220. Cameo Club may offer the following games with Offer-Only rules:

- 13 • EZ Baccarat
- 14 • Three Card Poker 6 Card Bonus
- 15 • Ultimate Texas Hold'em
- 16 • Fortune Pai Gow Poker

17 These Offer-Only rules contain no requirement that the player-dealer position must continuously
18 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
19 bank during game play, and do not sufficiently distinguish the games from illegal Nevada and
20 New Jersey style-banked games.

21 221. Plaintiffs reserve the right to supplement these allegations should Cameo Club
22 begin operating after the filing of this action.

23 **K. Capitol Casino**

24 222. Capitol Casino operates a card room in Sacramento, California. One or more of
25 the California TPPs provide third-party proposition player services for Capitol Casino's games.

26 223. Capitol Casino offers a number of blackjack, baccarat, pai gow, and analogous
27 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
28

comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

224. Capitol Casino offers the following game that makes no mention of offering or rotating the player-dealer in its rules:

- Buster Blackjack

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

225. Capitol Casino offers the following games with Offer-Only rules:

- Commission-Free Baccarat Dragon Bonus
- EZ Baccarat
- Dai Bacc
- Fast Nine
- Face Up Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

226. Capitol Casino offers the following games with Two-Hand Limit rules:

- Pure 21.5 Blackjack
- Pure 21.5 Blackjack Red Flex Bet Wager
- Supreme Baccarat
- Fortune Pai Gow Poker

1 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
2 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
3 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
4 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
5 from illegal Nevada and New Jersey-style banked games.

6 227. Capitol Casino offers the following game with Break rules:

- 7 • No Bust 21st Century Blackjack 4.01

8 These Break rules contain no effective requirement that the player-dealer position must
9 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
10 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
11 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
12 from illegal Nevada and New Jersey-style banked games.

13 228. Regardless of what is required by game rules, Capitol Casino and California TPPs
14 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
15 offered at Capitol Casino in a manner such that the player-dealer position does not continuously
16 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
17 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager
18 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
19 and New Jersey-style banked games.

20 229. Given the nature of the contractual relationship between Capitol Casino and the
21 California TPP occupying the purported player-dealer position in Capitol Casino's games, Capitol
22 Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat,
23 pai gow, and analogous games.

24 **L. Casino 99**

25 230. Casino 99 operates a card room in Chico, California. One or more of the
26 California TPPs provide third-party proposition player services for Casino 99's games.

27 231. Casino 99 offers a number of blackjack, baccarat, pai gow, and analogous games
28 utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers,

1 pay all winners, and collect from all losers. All of these games are banked games operated in
2 violation of the California Constitution and Penal Code.

3 232. Casino 99 offers the following games with Offer-Only rules:

- 4 • Pure 21.5 Blackjack 3 to 2
- 5 • Pure 21.5 Blackjack 6 to 5
- 6 • Three Card Poker Six Card Bonus
- 7 • EZ Baccarat Panda 8
- 8 • Fortune Pai Gow Poker
- 9 • Pure Spanish 21.5
- 10 • Ultimate Texas Hold'em

11 These Offer-Only rules contain no requirement that the player-dealer position must continuously
12 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
13 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
14 wager during the play of the game, and do not sufficiently distinguish the games from illegal
15 Nevada and New Jersey style-banked games.

16 233. Regardless of what is required by game rules, Casino 99 and California TPPs have
17 operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
18 offered at Casino 99 in a manner such that the player-dealer position does not continuously and
19 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
20 during game play, the TPP is not limited to only winning or losing a fixed and limited wager
21 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
22 and New Jersey-style banked games.

23 234. Given the nature of the contractual relationship between Casino 99 and the
24 California TPP occupying the purported player-dealer position in Casino 99's games, Casino 99
25 possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow,
26 and analogous games.

1 **M. Casino Chico**

2 235. Casino Chico operates a card room in Chico, California. One or more of the
3 California TPPs provide third-party proposition player services for Casino Chico's games.

4 236. Casino Chico offers a number of blackjack, baccarat, pai gow, and analogous
5 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
6 comers, pay all winners, and collect from all losers. All of these games are banked games
7 operated in violation of the California Constitution and Penal Code.

8 237. Casino Chico offers the following games with Offer-Only rules:

- 9 • Fortune Pai Gow Poker
10 • Three Card Poker 6 Card Bonus
11 • Pure 21.5 Blackjack 6 to 5
12 • Pure 21.5 Blackjack 3 to 2
13 • Never Fold'em Hold'em

14 These Offer-Only rules contain no requirement that the player-dealer position must continuously
15 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
16 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
17 wager during the play of the game, and do not sufficiently distinguish the games from illegal
18 Nevada and New Jersey style-banked games.

19 238. Regardless of what is required by game rules, Casino Chico and California TPPs
20 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
21 offered at Casino Chico in a manner such that the player-dealer position does not continuously
22 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
23 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager
24 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
25 and New Jersey-style banked games.

26 239. Given the nature of the contractual relationship between Casino Chico and the
27 California TPP occupying the purported player-dealer position in Casino Chico's games, Casino
28

Chico possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

N. Casino Club

240. Casino Club operates a card room in Redding, California. One or more of the California TPPs provide third-party proposition player services for Casino Club's games.

241. Casino Club offers a number of blackjack and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

242. Casino Club offers the following games with Offer-Only rules:

- Pure 21.5 Blackjack with Red Flex and Buster Bonus Wagers
- Three Card Poker Six Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

243. Regardless of what is required by game rules, Casino Club and California TPPs have operated and continue to operate all the blackjack and analogous games offered at Casino Club in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

244. Given the nature of the contractual relationship between Casino Club and the California TPP occupying the purported player-dealer position in Casino Club's games, Casino Club possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

1 **O. Casino M8trix**

2 245. Casino M8trix operates a card room in San Jose, California. One or more of the
3 California TPPs provide third-party proposition player services for Casino M8trix's games.

4 246. Casino M8trix offers a number of blackjack, baccarat, pai gow, and analogous
5 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
6 comers, pay all winners, and collect from all losers. All of these games are banked games
7 operated in violation of the California Constitution and Penal Code.

8 247. Casino M8trix offers the following games that make no mention of offering or
9 rotating the player-dealer position in their rules:

- 10 • Pai Gow'd
11 • Fortune Pai Gow Poker
12 • Let it Ride Bonus
13 • Pai Gow Tiles

14 These rules contain no requirement that the player-dealer position must continuously and
15 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
16 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
17 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
18 and New Jersey style-banked games.

19 248. Casino M8trix offers the following games with Offer-Only rules:

- 20 • 21st Century Blackjack Switch
21 • Pure Spanish 21.5
22 • Pure 21.5 Blackjack
23 • Pure 21.5 Blackjack 1.0
24 • Pure 21.5 Blackjack 2.0
25 • Baccarat Gold 1.0
26 • Baccarat Gold 3.0
27 • Eternal Baccarat
28 • Casino War

- Double Hand Poker Bonus Gold 10
- Face Up Pai Gow Poker
- Six Card Poker Two-Way Bad Beat
- Three Card Poker
- Ultimate Texas Hold'em Bad Beat Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

249. Casino M8trix offers the following game with Two-Hand Limit rules:

- Crazy 4 Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

250. Casino M8trix offers the following games with Break rules:

- Buster Blackjack Wager
- 20 Pays Blackjack Wager
- Baccarat Gold
- Baccarat Gold 2.0
- Double Hand Poker Bonus Gold

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

1 251. Regardless of what is required by game rules, Casino M8trix and California TPPs
2 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
3 offered at Casino M8trix in a manner such that the player-dealer position does not continuously
4 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
5 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager
6 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
7 and New Jersey-style banked games.

8 252. Given the nature of the contractual relationship between Casino M8trix and the
9 California TPP occupying the purported player-dealer position in Casino M8trix's games, Casino
10 M8trix possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat,
11 pai gow, and analogous games.

12 **P. Casino Marysville**

13 253. Casino Marysville is not currently operating but is licensed to operate a card room
14 in Marysville, California.

15 254. Casino Marysville may offer a number of blackjack, baccarat, pai gow, and
16 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
17 to take all comers, pay all winners, and collect from all losers. All of these games are banked
18 games operated in violation of the California Constitution and Penal Code.

19 255. Casino Marysville may offer the following games with Offer-Only rules:

- 20 • Three Card Poker
- 21 • Three Card Poker 6 Card Bonus
- 22 • Face Up Pai Gow Poker

23 These Offer-Only rules contain no requirement that the player-dealer position must continuously
24 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
25 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
26 wager during the play of the game, and do not sufficiently distinguish the games from illegal
27 Nevada and New Jersey style-banked games.

28 256. Casino Marysville may offer the following game with Two-Hand Limit rules:

- Fortune Pai Gow Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

257. Casino Marysville may offer the following games with Break rules:

- No Bust 21st Century Blackjack
- Pai Gow Tiles
- Pure 21.5 Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

258. Plaintiffs reserve the right to supplement these allegations should Casino Marysville begin operating after the filing of this action.

Q. Casino Merced

259. Casino Merced operates a card room in Merced, California. One or more of the California TPPs provide third-party proposition player services for Casino Merced's games.

260. Casino Merced offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

261. Casino Merced offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- Pure 21.5 Blackjack
- Three Card Poker 6 Card Bonus

- EZ Baccarat Panda 8
- Ultimate Texas Hold'em

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

262. Regardless of what is required by game rules, Casino Merced and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Casino Merced in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

263. Given the nature of the contractual relationship between Casino Merced and the California TPP occupying the purported player-dealer position in Casino Merced's games, Casino Merced possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

R. Central Coast Casino

264. Central Coast Casino operates a card room in Grover Beach, California. One or more of the California TPPs provide third-party proposition player services for Central Coast Casino's games.

265. Central Coast Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

266. Central Coast Casino offers the following game with Offer-Only rules:

- Pai Gow Poker

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 267. Central Coast Casino offers the following game with Break rules:

- 7 • 21st Century Blackjack No Bust Blackjack

8 These Break rules contain no effective requirement that the player-dealer position must
9 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
10 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
11 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
12 from illegal Nevada and New Jersey-style banked games.

13 268. Regardless of what is required by game rules, Central Coast Casino and California
14 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
15 games offered at Central Coast Casino in a manner such that the player-dealer position does not
16 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
17 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
18 limited wager during the play of the game, and the games are not sufficiently distinguished from
19 illegal Nevada and New Jersey-style banked games.

20 269. Given the nature of the contractual relationship between Central Coast Casino and
21 the California TPP occupying the purported player-dealer position in Central Coast Casino's
22 games, Central Coast Casino possesses an illegal interest in the funds wagered, lost, or won in its
23 blackjack, baccarat, pai gow, and analogous games.

24 **S. Club One Casino**

25 270. Club One Casino operates a card room in Fresno, California. One or more of the
26 California TPPs provide third-party proposition player services for Club One Casino games.

27 271. Club One Casino offers a number of blackjack, baccarat, pai gow, and analogous
28 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all

comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

272. Club One Casino offers the following games that make no mention of offering or rotating the player-dealer position in their rules:

- Century 21 Baccarat
- Caribbean Stud Poker
- Fortune Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

273. Club One Casino offers the following games with Offer-Only rules:

- 21st Century Blackjack Switch
- Pure 21.5 Blackjack
- Pure Spanish 21.5 Blackjack 3 to 2
- Pure Spanish 21.5 Blackjack 6 to 5
- EZ Baccarat Panda 8
- 21st Century Baccarat Dai Bacc Version
- Face Up Pai Gow Poker
- Pai Gow Poker
- Pure Spanish 21.5 3 to 2
- Pure Spanish 21.5 6 to 5
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a

1 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
2 wager during the play of the game, and do not sufficiently distinguish the games from illegal
3 Nevada and New Jersey style-banked games.

4 274. Club One Casino offers the following games with Two-Hand Limit rules:

- 5 • Supreme Baccarat
- 6 • Super Pan 9
- 7 • Ultra Pan 9
- 8 • Casino War
- 9 • Fast Action Hold'em
- 10 • Ultimate Texas Hold'em

11 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
12 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
13 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
14 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
15 from illegal Nevada and New Jersey-style banked games.

16 275. Club One Casino offers the following games with Break rules:

- 17 • No Bust 21st Century Blackjack
- 18 • No Bust 21st Century Blackjack 4.0

19 These Break rules contain no effective requirement that the player-dealer position must
20 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
21 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 276. Regardless of what is required by game rules, Club One Casino and California
25 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
26 games offered at Club One Casino in a manner such that the player-dealer position does not
27 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
28 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and

1 limited wager during the play of the game, and the games are not sufficiently distinguished from
2 illegal Nevada and New Jersey-style banked games.

3 277. Given the nature of the contractual relationship between Club One Casino and the
4 California TPP occupying the purported player-dealer position in Club One Casino's games, Club
5 One Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack,
6 baccarat, pai gow, and analogous games.

7 **T. Commerce Casino & Hotel**

8 278. Commerce Casino & Hotel operates a card room in Commerce, California. One or
9 more of the California TPPs provide third-party proposition player services for Commerce Casino
10 & Hotel's games.

11 279. Commerce Casino & Hotel offers a number of blackjack, baccarat, pai gow, and
12 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
13 to take all comers, pay all winners, and collect from all losers. All of these games are banked
14 games operated in violation of the California Constitution and Penal Code.

15 280. Commerce Casino & Hotel offers the following games that make no mention of
16 offering or rotating the player-dealer position in their rules:

- 17 • Pai Gow Express
- 18 • Three Card Poker

19 These rules contain no requirement that the player-dealer position must continuously and
20 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
21 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
22 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
23 and New Jersey style-banked games.

24 281. Commerce Casino & Hotel offers the following games with Offer-Only rules:

- 25 • 21st Century Blackjack Switch
- 26 • No Bust 21st Century Blackjack 1.0 with Buster Blackjack Bonus Bet and Perfect
27 Pairs
- 28 • 21st Century Blackjack 9.0 with Buster Blackjack Bonus Bet and Perfect Pair

Bonus Bet

- Dragon Dai Bacc
- Bai Cao Monkey 9
- California Baccarat with Bonus Pairs
- California Baccarat with Fire Dragon Bonus
- California Baccarat with Bonus Pairs and Fire Dragon Bonus
- Golden Frog Baccarat
- Monkey Baccarat
- Pan 9 Dragon 9 Bonus and Super Bonus Bet
- Super 9
- Pai Gow Poker, Joker's (Not Wild Version)
- Pai Gow Poker, Joker's wild version
- Three Card Poker 6 Card Bonus
- Monkey 9
- Mississippi Stud
- Pai Gow Tiles
- Face Up Pai Gow Poker
- Face Up Pai Gow Poker Joker's Wild
- Face Up Pai Gow Poker Version 2.0
- Super Pan 9 (Pan 9)
- Wild 52
- Bonanza Pai Gow

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

282. Commerce Casino & Hotel offers the following games with Two-Hand Limit rules:

- No Bust Blackjack 4.1A
- 21st Blackjack 6.1A
- 21st Century Baccarat 8.1
- No Bust 21st Century Blackjack Buster Blackjack Side Bet Version 6.1
- Baccarat with Optional Bonus Pair Wager
- 21st Century Baccarat Royale 9.2
- EZ Baccarat
- 21st Century Baccarat Royale 9.2 No Commission
- Fortune Pai Gow Poker
- Let it Ride Bonus
- Caribbean Stud Poker
- EZ Pai Gow
- Casino War
- Ultimate Texas Hold'em
- Crazy 4 Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

283. Commerce Casino & Hotel offers the following games with Break rules:

- No Bust 21st Century Blackjack 4.1
- No Bust 21st Century Blackjack Buster Blackjack Side Bet 6.1
- No Bust 21st Century Blackjack Second Chances
- 21st Century Baccarat 5.1
- 21st Century Baccarat Face Up Version

- Asia Poker
- Asia Poker Bonus

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

284. Regardless of what is required by game rules, Commerce Casino & Hotel and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Commerce Casino & Hotel in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

285. Given the nature of the contractual relationship between Commerce Casino & Hotel and the California TPP occupying the purported player-dealer position in Commerce Casino & Hotel's games, Commerce Casino & Hotel possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

U. Crystal Casino

286. Crystal Casino operates a card room in Compton, California. One or more of the California TPPs provide third-party proposition player services for Crystal Casino's games.

287. Crystal Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

288. Crystal Casino offers the following games that make no mention of offering or rotating the player-dealer position in their rules:

- Three Card Poker 6 Card Bonus

- 13-Card (Chinese Poker)

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

289. Crystal Casino offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- No Bust 21st Century Blackjack 4.0a Perfect Pairs
- 21st Century Free Bet Blackjack
- Asian Baccarat
- EZ Baccarat
- Fortune 7 Baccarat
- California Baccarat
- RUYI Baccarat
- Dragon Dai Bacc
- Face Up Pai Gow Poker
- Mississippi Stud Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

290. Crystal Casino offers the following games with Two-Hand Limit rules:

- No Bust 21st Century Blackjack 4.0a
- Pai Gow Poker
- Fortune Pai Gow Poker
- Ultimate Texas Hold'em

1 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
2 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
3 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
4 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
5 from illegal Nevada and New Jersey-style banked games.

6 291. Crystal Casino offers the following games with Break rules:

- 7 • 21st Century Baccarat Face Up Version with Tie Hands
- 8 • 21st Century Baccarat
- 9 • 21st Century Baccarat 5.0 version

10 These Break rules contain no effective requirement that the player-dealer position must
11 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
12 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
13 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
14 from illegal Nevada and New Jersey-style banked games.

15 292. Regardless of what is required by game rules, Crystal Casino and California TPPs
16 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
17 offered at Crystal Casino in a manner such that the player-dealer position does not continuously
18 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
19 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager
20 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
21 and New Jersey-style banked games.

22 293. Given the nature of the contractual relationship between Crystal Casino and the
23 California TPP occupying the purported player-dealer position in Crystal Casino's games, Crystal
24 Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat,
25 pai gow, and analogous games.

1 **V. Diamond Jim's Casino**

2 294. Diamond Jim's Casino operates a card room in Rosamond, California. One or
3 more of the California TPPs provide third-party proposition player services for Diamond Jim's
4 Casino's games.

5 295. Diamond Jim's Casino offers a number of blackjack, baccarat, pai gow, and
6 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
7 to take all comers, pay all winners, and collect from all losers. All of these games are banked
8 games operated in violation of the California Constitution and Penal Code.

9 296. Diamond Jim's Casino offers the following game that makes no mention of
10 offering or rotating the player-dealer position in its rules:

- 11 • Caribbean Stud

12 These rules contain no requirement that the player-dealer position must continuously and
13 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
14 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
15 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
16 and New Jersey style-banked games.

17 297. Diamond Jim's Casino offers the following games with Offer-Only rules:

- 18 • EZ Baccarat Panda 8
19 • Diamond Jim's Pai Gow Poker

20 These Offer-Only rules contain no requirement that the player-dealer position must continuously
21 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
22 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
23 wager during the play of the game, and do not sufficiently distinguish the games from illegal
24 Nevada and New Jersey style-banked games.

25 298. Diamond Jim's Casino offers the following games with Two-Hand Limit rules:

- 26 • No Bust 21st Century Blackjack version 6.1
27 • No Bust Blackjack 6.1A
28 • Fortune Pai Gow Poker

- Fortune Pai Gow Poker Joker Fully Wild
- Three Card Poker 6 Card Bonus
- Ultimate Texas Hold'em

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

299. Diamond Jim's Casino offers the following games with Break rules:

- No Bust Blackjack
- Super Pan 9

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

300. Regardless of what is required by game rules, Diamond Jim's Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Diamond Jim's Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

301. Given the nature of the contractual relationship between Diamond Jim's Casino and the California TPP occupying the purported player-dealer position in Diamond Jim's Casino's games, Diamond Jim's Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

1 **W. Empire Sportsmen’s Association**

2 302. Empire Sportsmen’s Association operates a card room in Modesto, California.
3 One or more of the California TPPs provide third-party proposition player services for Empire
4 Sportsmen’s Association games.

5 303. Empire Sportsmen’s Association offers a number of blackjack, baccarat, pai gow,
6 and analogous games utilizing a purported player-dealer position occupied by a TPP employee
7 ready to take all comers, pay all winners, and collect from all losers. All of these games are
8 banked games operated in violation of the California Constitution and Penal Code.

9 304. Empire Sportsmen’s Association offers the following game that makes no mention
10 of offering or rotating the player-dealer position in its rules:

- 11 • Buster Blackjack

12 These rules contain no requirement that the player-dealer position must continuously and
13 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
14 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
15 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
16 and New Jersey style-banked games.

17 305. Empire Sportsmen’s Association offers the following games with Offer-Only
18 rules:

- 19 • EZ Baccarat Panda 8
20 • Double Hand Poker
21 • Pure Spanish 21.5
22 • Face Up Pai Gow Poker
23 • Face Up Pai Gow Poker 2.0
24 • Pai Gow Tiles
25 • Three Card Poker 6 Card Bonus
26 • Ultimate Texas Hold’em Bad Beat Bonus

27 These Offer-Only rules contain no requirement that the player-dealer position must continuously
28 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a

1 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
2 wager during the play of the game, and do not sufficiently distinguish the games from illegal
3 Nevada and New Jersey style-banked games.

4 306. Empire Sportsmen's Association offers the following games with Two-Hand Limit
5 rules:

- 6 • 21st Century Blackjack 8.0 with Buster Blackjack
- 7 • Fortune Pai Gow Poker 1.1
- 8 • Three Card Poker
- 9 • Ultimate Texas Hold'em

10 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
11 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
12 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
13 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
14 from illegal Nevada and New Jersey-style banked games.

15 307. Empire Sportsmen's Association offers the following games with Break rules:

- 16 • No Bust 21st Century Blackjack
- 17 • Pure 21.5 Blackjack
- 18 • 21st Century Baccarat Face Up Version with Tie Bet

19 These Break rules contain no effective requirement that the player-dealer position must
20 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
21 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 308. Regardless of what is required by game rules, Empire Sportsmen's Association
25 and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow,
26 and analogous games offered at Empire Sportsmen's Association in a manner such that the
27 player-dealer position does not continuously and systematically rotate, the TPP is not otherwise
28 precluded from maintaining or operating as a bank during game play, the TPP is not limited to

1 only winning or losing a fixed and limited wager during the play of the game, and the games are
2 not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

3 309. Given the nature of the contractual relationship between Empire Sportsmen's
4 Association and the California TPP occupying the purported player-dealer position in Empire
5 Sportsmen's Association's games, Empire Sportsmen's Association possesses an illegal interest
6 in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

7 **X. Epoch Casino**

8 310. Epoch Casino is not currently operating but is licensed to operate a card room in
9 Rancho Cordova, California.

10 311. Epoch Casino may offer a number of blackjack, baccarat, pai gow, and analogous
11 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
12 comers, pay all winners, and collect from all losers. All of these games are banked games
13 operated in violation of the California Constitution and Penal Code.

14 312. Epoch Casino may offer the following game that makes no mention of offering or
15 rotating the player-dealer position in its rules:

- 16
 - Ultimate Texas Hold'em

17 These rules contain no requirement that the player-dealer position must continuously and
18 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
19 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
20 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
21 and New Jersey style-banked games.

22 313. Epoch Casino may offer the following games with Offer-Only rules:

- 23
 - Double Hand Marquez Bonus Bet
 - 24 • Pure 21.5 Blackjack
 - 25 • EZ Baccarat
 - 26 • Three Card Poker
 - 27 • ZooBac
 - 28 • Face Up Pai Gow Poker

- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

314. Epoch Casino may offer the following games with Two-Hand Limit rules:

- Pai Gow Poker
- Fortune Pai Gow Poker Bonus Bet

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

315. Epoch Casino may offer the following game with Break rules:

- No Bust 21st Century Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

316. Plaintiffs reserve the right to supplement these allegations should Epoch Casino begin operating after the filing of this action.

Y. The Gardens Casino

317. The Gardens Casino operates a card room in Hawaiian Gardens, California. One or more of the California TPPs provide third-party proposition player services for the Gardens Casino's games.

1 318. The Gardens Casino offers a number of blackjack, baccarat, pai gow, and
2 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
3 to take all comers, pay all winners, and collect from all losers. All of these games are banked
4 games operated in violation of the California Constitution and Penal Code.

5 319. The Gardens Casino offers the following games with Offer-Only rules:

- 6 • ZooBac
- 7 • Face Up Pai Gow Poker
- 8 • Pai Gow Tiles Wild
- 9 • Pokara
- 10 • Super Pan 9 with Bonus Tie Bet
- 11 • Three Card Poker 6 Card Bonus
- 12 • Baccarat
- 13 • Blackjack Poker
- 14 • Ultimate Texas Hold'em
- 15 • Fortune 7 Baccarat
- 16 • Gardens Baccarat
- 17 • EZ Baccarat Panda 8

18 These Offer-Only rules contain no requirement that the player-dealer position must continuously
19 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
20 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
21 wager during the play of the game, and do not sufficiently distinguish the games from illegal
22 Nevada and New Jersey style-banked games.

23 320. The Gardens Casino offers the following games with Two-Hand Limit rules:

- 24 • Hawaiian Blackjack
- 25 • Blackjack Poker
- 26 • Baccarat 9
- 27 • 9.5
- 28 • Caribbean Stud Poker

- Joker's Wild Pai Gow Poker
- Pai Gow Poker
- Pai Gow Poker & Fortune Pai Gow Poker Bonus Bet
- Pai Gow Tiles
- Pan 9 (and with Bonus Tie Bet)
- Super 9
- 13-Card (Chinese Poker)
- Asian Five-Card Stud

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

321. Regardless of what is required by game rules, the Gardens Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at the Gardens Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

322. Given the nature of the contractual relationship between the Gardens Casino and the California TPP occupying the purported player-dealer position in the Gardens Casino games, the Gardens Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

Z. Garlic City Club

323. Garlic City Club operates a card room in Gilroy, California. One or more of the California TPPs provide third-party proposition player services for Garlic City Club's games.

1 324. Garlic City Club offers a number of blackjack, baccarat, pai gow, and analogous
2 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
3 comers, pay all winners, and collect from all losers. All of these games are banked games
4 operated in violation of the California Constitution and Penal Code.

5 325. Garlic City Club offers the following games that make no mention of offering or
6 rotating the player-dealer position in their rules:

- 7 • Three Card Poker
- 8 • Caribbean Stud Poker
- 9 • Super Pan Nine

10 These rules contain no requirement that the player-dealer position must continuously and
11 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
12 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
13 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
14 and New Jersey style-banked games.

15 326. Garlic City Club offers the following games with Offer-Only rules:

- 16 • Pai Gow Tiles
- 17 • EZ Baccarat Panda 8
- 18 • Three Card Poker 6 Card Bonus

19 These Offer-Only rules contain no requirement that the player-dealer position must continuously
20 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
21 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
22 wager during the play of the game, and do not sufficiently distinguish the games from illegal
23 Nevada and New Jersey style-banked games.

24 327. Garlic City Club offers the following games with Two-Hand Limit rules:

- 25 • Fortune Pai Gow Poker
- 26 • Ultimate Texas Hold'em

27 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
28 must continuously and systematically rotate, do not otherwise preclude a player from maintaining

1 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
2 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
3 from illegal Nevada and New Jersey-style banked games.

4 328. Garlic City Club offers the following game with Break rules:

- 5 • No Bust 21st Century Blackjack 5.1 Version

6 These Break rules contain no effective requirement that the player-dealer position must
7 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
8 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
9 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
10 from illegal Nevada and New Jersey-style banked games.

11 329. Regardless of what is required by game rules, Garlic City Club and California
12 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
13 games offered at Garlic City Club in a manner such that the player-dealer position does not
14 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
15 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
16 limited wager during the play of the game, and the games are not sufficiently distinguished from
17 illegal Nevada and New Jersey-style banked games.

18 330. Given the nature of the contractual relationship between Garlic City Club and the
19 California TPP occupying the purported player-dealer position in Garlic City Club's games,
20 Garlic City Club possesses an illegal interest in the funds wagered, lost, or won in its blackjack,
21 baccarat, pai gow, and analogous games.

22 **AA. Golden Valley Casino**

23 331. Golden Valley Casino is not currently operating but is licensed to operate a card
24 room in Merced, California.

25 332. Golden Valley Casino may offer a number of blackjack, baccarat, pai gow, and
26 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
27 to take all comers, pay all winners, and collect from all losers. All of these games are banked
28 games operated in violation of the California Constitution and Penal Code.

1 333. Golden Valley Casino may offer the following games that make no mention of
2 offering or rotating the player-dealer position in their rules:

- 3 • Double Hand Poker (Pai Gow Poker)
- 4 • Super 9
- 5 • California Blackjack (“22”)

6 These rules contain no requirement that the player-dealer position must continuously and
7 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
8 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
9 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
10 and New Jersey style-banked games.

11 334. Golden Valley Casino may offer the following games with Offer-Only rules:

- 12 • Pure 21.5 Blackjack
- 13 • Three Card Poker 6 Card Bonus
- 14 • Ultimate Texas Hold’em

15 These Offer-Only rules contain no requirement that the player-dealer position must continuously
16 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
17 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
18 wager during the play of the game, and do not sufficiently distinguish the games from illegal
19 Nevada and New Jersey style-banked games.

20 335. Plaintiffs reserve the right to supplement these allegations should Golden Valley
21 Casino begin operating after the filing of this action.

22 **BB. Golden West Casino**

23 336. Golden West Casino operates a card room in Bakersfield, California. One or more
24 of the California TPPs provide third-party proposition player services for Golden West Casino’s
25 games.

26 337. Golden West Casino offers a number of blackjack, baccarat, pai gow, and
27 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
28

1 to take all comers, pay all winners, and collect from all losers. All of these games are banked
2 games operated in violation of the California Constitution and Penal Code.

3 338. Golden West Casino offers the following game that makes no mention of offering
4 or rotating the player-dealer position in its rules:

- 5 • Joker Poker

6 These rules contain no requirement that the player-dealer position must continuously and
7 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
8 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
9 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
10 and New Jersey style-banked games.

11 339. Golden West Casino offers the following games with Offer-Only rules:

- 12 • 21st Century Blackjack Switch
- 13 • Pure Spanish 21.5
- 14 • EZ Baccarat
- 15 • Face Up Pai Gow Poker
- 16 • Three Card Poker 6 Card Bonus

17 These Offer-Only rules contain no requirement that the player-dealer position must continuously
18 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
19 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
20 wager during the play of the game, and do not sufficiently distinguish the games from illegal
21 Nevada and New Jersey style-banked games.

22 340. Golden West Casino offers the following games with Two-Hand Limit rules:

- 23 • 21st Century Blackjack 7.0 with Bonus Pair and Buster Blackjack
- 24 • Casino War
- 25 • Fortune Pai Gow Poker
- 26 • Ultimate Texas Hold'em

27 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
28 must continuously and systematically rotate, do not otherwise preclude a player from maintaining

1 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
2 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
3 from illegal Nevada and New Jersey-style banked games.

4 341. Golden West Casino offers the following game with Break rules:

- 5 • No Bust 21st Century Blackjack 4.0

6 These Break rules contain no effective requirement that the player-dealer position must
7 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
8 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
9 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
10 from illegal Nevada and New Jersey-style banked games.

11 342. Regardless of what is required by game rules, Golden West Casino and California
12 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
13 games offered at Golden West Casino in a manner such that the player-dealer position does not
14 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
15 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
16 limited wager during the play of the game, and the games are not sufficiently distinguished from
17 illegal Nevada and New Jersey-style banked games.

18 343. Given the nature of the contractual relationship between Golden West Casino and
19 the California TPP occupying the purported player-dealer position in Golden West Casino's
20 games, Golden West Casino possesses an illegal interest in the funds wagered, lost, or won in its
21 blackjack, baccarat, pai gow, and analogous games.

22 **CC. Hollywood Park Casino**

23 344. Hollywood Park Casino operates a card room in Inglewood, California. One or
24 more of the California TPPs provide third-party proposition player services for Hollywood Park
25 Casino's games.

26 345. Hollywood Park Casino offers a number of blackjack, baccarat, pai gow, and
27 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
28

to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

346. Hollywood Park Casino offers the following games with Offer-Only rules:

- Turbo Blackjack
- Pure Spanish 21.5
- No Bust 21st Century Blackjack 4.0a Perfect Pairs
- Shaq Jack 21st Century Blackjack
- 2 Way Winner
- 21st Century Baccarat v 10.0
- EZ Baccarat Panda 8
- Dai Bacc
- Dragon Dai Bacc 2.0
- Golden Frog Baccarat
- Pan 9 Dragon 9 Bonus
- 2 Way Winner
- Face Up Pai Gow Poker
- Matched'em
- Mississippi Stud Poker
- Pai Gow Tiles
- Pan 9 Dragon 9 Bonus
- Party Craps
- Six Card Poker Two-Way Bad Beat
- Three Card Poker
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited

1 wager during the play of the game, and do not sufficiently distinguish the games from illegal
2 Nevada and New Jersey style-banked games.

3 347. Hollywood Park Casino offers the following games with Two-Hand Limit rules:

- 4 • No Bust 21st Century Blackjack 4.0a
- 5 • Casino War
- 6 • Crazy 4 Poker
- 7 • Fortune Pai Gow Poker
- 8 • Pai Gow Poker
- 9 • Pai Gow Poker Joker's Wild
- 10 • Ultimate Texas Hold'em

11 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
12 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
13 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
14 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
15 from illegal Nevada and New Jersey-style banked games.

16 348. Hollywood Park Casino offers the following games with Break rules:

- 17 • No Bust 21st Century Blackjack version 6.1
- 18 • Pure 21.5 Blackjack

19 These Break rules contain no effective requirement that the player-dealer position must
20 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
21 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 349. Regardless of what is required by game rules, Hollywood Park Casino and
25 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
26 analogous games offered at Hollywood Park Casino in a manner such that the player-dealer
27 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
28 maintaining or operating as a bank during game play, the TPP is not limited to only winning or

1 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
2 distinguished from illegal Nevada and New Jersey-style banked games.

3 350. Given the nature of the contractual relationship between Hollywood Park Casino
4 and the California TPP occupying the purported player-dealer position in Hollywood Park
5 Casino's games, Hollywood Park Casino possesses an illegal interest in the funds wagered, lost,
6 or won in its blackjack, baccarat, pai gow, and analogous games.

7 **DD. Hotel Del Rio & Casino**

8 351. Hotel Del Rio & Casino is not currently operating but is licensed to operate a card
9 room in Isleton, California.

10 352. Hotel Del Rio & Casino may offer a game utilizing a purported player-dealer
11 position occupied by a TPP employee ready to take all comers, pay all winners, and collect from
12 all losers. This game is a banked game operated in violation of the California Constitution and
13 Penal Code.

14 353. Hotel Del Rio & Casino may offer the following game with Offer-Only rules:

- 15
 - Three Card Poker 6 Card Bonus

16 These Offer-Only rules contain no requirement that the player-dealer position must continuously
17 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
18 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
19 wager during the play of the game, and do not sufficiently distinguish the games from illegal
20 Nevada and New Jersey style-banked games.

21 354. Plaintiffs reserve the right to supplement these allegations should Hotel Del Rio &
22 Casino begin operating after the filing of this action.

23 **EE. Hustler Casino**

24 355. Hustler Casino operates a card room in Gardena, California. One or more of the
25 California TPPs provide third-party proposition player services for Hustler Casino's games.

26 356. Hustler Casino offers a number of blackjack, baccarat, pai gow, and analogous
27 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
28

comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

357. Hustler Casino offers the following game that makes no mention of offering or rotating the player-dealer position in its rules:

- 13-Card Chinese Poker

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

358. Hustler Casino offers the following games with Offer-Only rules:

- 2 Way Winner
- RUYI Baccarat
- Super Pan 9
- Casino War
- Crazy 4 Poker
- Face Up Pai Gow Poker
- Mississippi Stud 3 Card Bonus
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

359. Hustler Casino offers the following games with Two-Hand Limit rules:

- No Bust 21st Century Blackjack 4.0a
- 21st Century Blackjack 4.0B
- 21st Century Baccarat version 8.0

- 21st Century Baccarat Royale 9.0 Version
- 21st Century Lucky 7 Baccarat
- Fortune Pai Gow Poker
- Let it Ride or Let it Ride Bonus
- Three Card Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

360. Hustler Casino offers the following games with Break rules:

- 21st Century Blackjack
- Hustler Casino Blackjack
- LA Blackjack
- 21st Century Blackjack Second Chances
- No Bust 21st Century Blackjack Buster Blackjack Side Bet Version 6.2
- 21st Century Baccarat
- Pai Gow Tiles
- Ultimate Texas Hold'em
- Caribbean Stud Poker
- Pai Gow Poker

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

361. Regardless of what is required by game rules, Hustler Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games

1 offered at Hustler Casino in a manner such that the player-dealer position does not continuously
2 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
3 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager
4 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
5 and New Jersey-style banked games.

6 362. Given the nature of the contractual relationship between Hustler Casino and the
7 California TPP occupying the purported player-dealer position in Hustler Casino's games, Hustler
8 Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat,
9 pai gow, and analogous games.

10 **FF. Kings Card Club**

11 363. Kings Card Club operates a card room in Stockton, California. One or more of the
12 California TPPs provide third-party proposition player services for Kings Card Club's games.

13 364. Kings Card Club offers a number of blackjack, baccarat, pai gow, and analogous
14 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
15 comers, pay all winners, and collect from all losers. All of these games are banked games
16 operated in violation of the California Constitution and Penal Code.

17 365. Kings Card Club offers the following game that makes no mention of offering or
18 rotating the player-dealer position in its rules:

- 19
 - Blackjack X

20 These rules contain no requirement that the player-dealer position must continuously and
21 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
22 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
23 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
24 and New Jersey style-banked games.

25 366. Kings Card Club offers the following games with Offer-Only rules:

- 26
 - Three Card Poker 6 Card Bonus
 - 27 • Pure 21.5 Blackjack
 - 28 • Pure Spanish 21.5

- Pai Gow Tiles
- Fortune Pai Gow Poker
- EZ Baccarat Panda 8
- Dragon Bonus Baccarat – Commission Free
- Dai Bacc
- Face Up Pai Gow Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

367. Regardless of what is required by game rules, Kings Card Club and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Kings Card Club in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

368. Given the nature of the contractual relationship between Kings Card Club and the California TPP occupying the purported player-dealer position in Kings Card Club's games, Kings Card Club possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

GG. Lake Bowl Cardroom

369. Lake Bowl Cardroom is not currently operating but is licensed to operate a card room in Folsom, California.

370. Lake Bowl Cardroom may offer a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready

1 to take all comers, pay all winners, and collect from all losers. All of these games are banked
2 games operated in violation of the California Constitution and Penal Code.

3 371. Lake Bowl Cardroom may offer the following game that makes no mention of
4 offering or rotating the player-dealer position in its rules:

- 5 • No Bust Blackjack

6 These rules contain no requirement that the player-dealer position must continuously and
7 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
8 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
9 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
10 and New Jersey style-banked games.

11 372. Lake Bowl Cardroom may offer the following game with Offer-Only rules:

- 12 • Three Card Poker 6 Card Bonus

13 These Offer-Only rules contain no requirement that the player-dealer position must continuously
14 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
15 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
16 wager during the play of the game, and do not sufficiently distinguish the games from illegal
17 Nevada and New Jersey style-banked games.

18 373. Lake Bowl Cardroom may offer the following game with Two-Hand Limit rules:

- 19 • Ultimate Texas Hold'em

20 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
21 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
22 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
23 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
24 from illegal Nevada and New Jersey-style banked games.

25 374. Lake Bowl Cardroom may offer the following games with Break rules:

- 26 • Pai Gow Tiles
- 27 • Pai Gow Poker
- 28 • No Bust 21st Century Blackjack

- No Bust 21st Century Blackjack 5.0

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

375. Plaintiffs reserve the right to supplement these allegations should Lake Bowl Cardroom begin operating after the filing of this action.

HH. Lake Elsinore Casino

376. Lake Elsinore Casino operates a card room in Elsinore, California. One or more of the California TPPs provide third-party proposition player services for Lake Elsinore Casino's games.

377. Lake Elsinore Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

378. Lake Elsinore Casino offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- EZ Baccarat Panda 8
- Fortune 7 Baccarat
- Let it Ride Bonus
- Pai Gow Poker
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

1 379. Lake Elsinore Casino offers the following games with Two-Hand Limit rules:

- 2 • Crazy 4 Poker
- 3 • Fortune Pai Gow Poker
- 4 • Three Card Poker
- 5 • Ultimate Texas Hold'em Bad Beat Bonus

6 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
7 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
8 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
9 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
10 from illegal Nevada and New Jersey-style banked games.

11 380. Lake Elsinore Casino offers the following games with Break rules:

- 12 • No Bust Blackjack
- 13 • Pure 21.5 Blackjack
- 14 • Pure 21.5 Blackjack with Red Flex Bet
- 15 • Caribbean Stud Poker

16 These Break rules contain no effective requirement that the player-dealer position must
17 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
18 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
19 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
20 from illegal Nevada and New Jersey-style banked games.

21 381. Regardless of what is required by game rules, Lake Elsinore Casino and California
22 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
23 games offered at Lake Elsinore Casino in a manner such that the player-dealer position does not
24 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
25 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
26 limited wager during the play of the game, and the games are not sufficiently distinguished from
27 illegal Nevada and New Jersey-style banked games.

1 382. Given the nature of the contractual relationship between Lake Elsinore Casino and
2 the California TPP occupying the purported player-dealer position in Lake Elsinore Casino's
3 games, Lake Elsinore Casino possesses an illegal interest in the funds wagered, lost, or won in its
4 blackjack, baccarat, pai gow, and analogous games.

5 **II. Larry Flynt's Lucky Lady Casino**

6 383. Larry Flynt's Lucky Lady Casino operates a card room in Gardena, California.
7 One or more of the California TPPs provide third-party proposition player services for Larry
8 Flynt's Lucky Lady Casino's games.

9 384. Larry Flynt's Lucky Lady Casino offers a number of blackjack, baccarat, pai gow,
10 and analogous games utilizing a purported player-dealer position occupied by a TPP employee
11 ready to take all comers, pay all winners, and collect from all losers. All of these games are
12 banked games operated in violation of the California Constitution and Penal Code.

13 385. Larry Flynt's Lucky Lady Casino offers the following games that make no
14 mention of offering or rotating the player-dealer position in their rules:

- 15 • Blackjack
- 16 • Fortune Pai Gow Poker 1.0
- 17 • Three Card Poker 6 Card Bonus
- 18 • Ultimate Texas Hold'em

19 These rules contain no requirement that the player-dealer position must continuously and
20 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
21 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
22 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
23 and New Jersey style-banked games.

24 386. Larry Flynt's Lucky Lady Casino offers the following games with Offer-Only
25 rules:

- 26 • ZooBac
- 27 • Dragon Dai Bacc
- 28 • RUYI Baccarat

- Casino War
- Crazy 4 Poker
- Face Up Pai Gow Poker
- Mississippi Stud 3 Card Bonus
- Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

387. Larry Flynt's Lucky Lady Casino offers the following game with Two-Hand Limit rules:

- 21st Century Blackjack 5.1 with Buster Blackjack and Perfect Pairs

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

388. Larry Flynt's Lucky Lady Casino offers the following games with Break rules:

- 21st Century Blackjack
- Pure 21.5 Blackjack
- Pure 21.5 Blackjack (3 to 2)

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games

1 from illegal Nevada and New Jersey-style banked games.

2 389. Regardless of what is required by game rules, Larry Flynt's Lucky Lady Casino
3 and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow,
4 and analogous games offered at Larry Flynt's Lucky Lady Casino in a manner such that the
5 player-dealer position does not continuously and systematically rotate, the TPP is not otherwise
6 precluded from maintaining or operating as a bank during game play, the TPP is not limited to
7 only winning or losing a fixed and limited wager during the play of the game, and the games are
8 not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

9 390. Given the nature of the contractual relationship between Larry Flynt's Lucky Lady
10 Casino and the California TPP occupying the purported player-dealer position in Larry Flynt's
11 Lucky Lady Casino's games, Larry Flynt's Lucky Lady Casino possesses an illegal interest in the
12 funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

13 **JJ. Limelight Card Room**

14 391. Limelight Card Room operates a card room in Sacramento, California. One or
15 more of the California TPPs provide third-party proposition player services for Limelight Card
16 Room's games.

17 392. Limelight Card Room offers a number of blackjack, baccarat, pai gow, and
18 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
19 to take all comers, pay all winners, and collect from all losers. All of these games are banked
20 games operated in violation of the California Constitution and Penal Code.

21 393. Limelight Card Room offers the following games with Offer-Only rules:

- 22 • Commission-Free Baccarat Dragon Bonus
- 23 • Three Card Poker 6 Card Bonus
- 24 • EZ Baccarat Panda 8
- 25 • Pure Spanish 21.5
- 26 • Pure 21.5 Blackjack
- 27 • Fortune Pai Gow Poker
- 28 • Ultimate Texas Hold'em

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 394. Regardless of what is required by game rules, Limelight Card Room and
7 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
8 analogous games offered at Limelight Card Room in a manner such that the player-dealer
9 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
10 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
11 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
12 distinguished from illegal Nevada and New Jersey-style banked games.

13 395. Given the nature of the contractual relationship between Limelight Card Room and
14 the California TPP occupying the purported player-dealer position in Limelight Card Room's
15 games, Limelight Card Room possesses an illegal interest in the funds wagered, lost, or won in its
16 blackjack, baccarat, pai gow, and analogous games.

17 **KK. Livermore Casino**

18 396. Livermore Casino operates a card room in Livermore, California. One or more of
19 the California TPPs provide third-party proposition player services for Livermore Casino's
20 games.

21 397. Livermore Casino offers a number of blackjack, baccarat, pai gow, and analogous
22 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
23 comers, pay all winners, and collect from all losers. All of these games are banked games
24 operated in violation of the California Constitution and Penal Code.

25 398. Livermore Casino offers the following game that makes no mention of offering or
26 rotating the player-dealer position in its rules:

- 27
 - Buster Blackjack

28 These rules contain no requirement that the player-dealer position must continuously and

1 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
2 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
3 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
4 and New Jersey style-banked games.

5 399. Livermore Casino offers the following games with Offer-Only rules:

- 6 • Pure Spanish 21.5
- 7 • EZ Baccarat
- 8 • Three Card Poker 6 Card Bonus
- 9 • Ultimate Texas Hold'em

10 These Offer-Only rules contain no requirement that the player-dealer position must continuously
11 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
12 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
13 wager during the play of the game, and do not sufficiently distinguish the games from illegal
14 Nevada and New Jersey style-banked games.

15 400. Livermore Casino offers the following games with Two-Hand Limit rules:

- 16 • Fortune Pai Gow Poker 1.1
- 17 • Pai Gow Poker (Double Hand Poker)
- 18 • Three Card Poker

19 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
20 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
21 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 401. Livermore Casino offers the following games with Break rules:

- 25 • Pure 21.5 Blackjack

26 These Break rules contain no effective requirement that the player-dealer position must
27 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
28 operating as a bank during game play, do not limit a player-dealer to only winning or losing a

1 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
2 from illegal Nevada and New Jersey-style banked games.

3 402. Regardless of what is required by game rules, Livermore Casino and California
4 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
5 games offered at Livermore Casino in a manner such that the player-dealer position does not
6 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
7 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
8 limited wager during the play of the game, and the games are not sufficiently distinguished from
9 illegal Nevada and New Jersey-style banked games.

10 403. Given the nature of the contractual relationship between Livermore Casino and the
11 California TPP occupying the purported player-dealer position in Livermore Casino's games,
12 Livermore Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack,
13 baccarat, pai gow, and analogous games.

14 **LL. Lucky Chances Casino**

15 404. Lucky Chances Casino operates a card room in Colma, California. One or more of
16 the California TPPs provide third-party proposition player services for Lucky Chances Casino's
17 games.

18 405. Lucky Chances Casino offers a number of blackjack, baccarat, pai gow, and
19 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
20 to take all comers, pay all winners, and collect from all losers. All of these games are banked
21 games operated in violation of the California Constitution and Penal Code.

22 406. Lucky Chances Casino offers the following games with Offer-Only rules:

- 23 • Super Pan 9
- 24 • 21st Century Baccarat 8.3 Version
- 25 • EZ Baccarat
- 26 • Double Hand Poker (Pai Gow Poker)
- 27 • Face Up Pai Gow Poker
- 28 • Pai Gow Tiles

- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

407. Lucky Chances Casino offers the following games with Two-Hand Limit rules:

- Pure 21.5 Blackjack
- Casino War
- Fortune Pai Gow Poker
- Let it Ride Bonus 1.0
- Three Card Poker
- Ultimate Texas Hold'em Bad Beat Bonus

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

408. Regardless of what is required by game rules, Lucky Chances Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Lucky Chances Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

409. Given the nature of the contractual relationship between Lucky Chances Casino and the California TPP occupying the purported player-dealer position in Lucky Chances

Casino's games, Lucky Chances Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

MM. Marina Club

410. Marina Club operates a card room in Marina, California. One or more of the California TPPs provide third-party proposition player services for Marina Club's games.

411. Marina Club offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

412. Marina Club offers the following games with Offer-Only rules:

- Three Card Poker 6 Card Bonus
- ZooBac
- Face Up Pai Gow Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

413. Marina Club offers the following game with Break rules:

- No Bust 21st Century Blackjack 1.0

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

414. Regardless of what is required by game rules, Marina Club and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Marina Club in a manner such that the player-dealer position does not continuously and

1 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
2 during game play, the TPP is not limited to only winning or losing a fixed and limited wager
3 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
4 and New Jersey-style banked games.

5 415. Given the nature of the contractual relationship between Marina Club and the
6 California TPP occupying the purported player-dealer position in Marina Club's games, Marina
7 Club possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai
8 gow, and analogous games.

9 **NN. Mike's Card Casino**

10 416. Mike's Card Casino is not currently operating but is licensed to operate a card
11 room in Oakdale, California.

12 417. Mike's Card Casino may offer a number of blackjack, baccarat, pai gow, and
13 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
14 to take all comers, pay all winners, and collect from all losers. All of these games are banked
15 games operated in violation of the California Constitution and Penal Code.

16 418. Mike's Card Casino may offer the following games with Offer-Only rules:

- 17 • Three Card Poker 6 Card Bonus
- 18 • Pai Gow Poker with Wrangler Push and Outlaw 9 High or Better Bonus Bet

19 These Offer-Only rules contain no requirement that the player-dealer position must continuously
20 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
21 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
22 wager during the play of the game, and do not sufficiently distinguish the games from illegal
23 Nevada and New Jersey style-banked games.

24 419. Mike's Card Casino may offer the following game with Two-Hand Limit rules:

- 25 • Ultimate Texas Hold'em

26 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
27 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
28 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a

1 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
2 from illegal Nevada and New Jersey-style banked games.

3 420. Mike's Card Casino may offer the following game with Break rules:

- 4 • Cowboy Blackjack

5 These Break rules contain no effective requirement that the player-dealer position must
6 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
7 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
8 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
9 from illegal Nevada and New Jersey-style banked games.

10 421. Plaintiffs reserve the right to supplement these allegations should Mike's Card
11 Casino begin operating after the filing of this action.

12 **OO. Napa Valley Casino**

13 422. Napa Valley Casino operates a card room in American Canyon, California. One or
14 more of the California TPPs provide third-party proposition player services for Napa Valley
15 Casino games.

16 423. Napa Valley Casino offers a number of blackjack, baccarat, pai gow, and
17 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
18 to take all comers, pay all winners, and collect from all losers. All of these games are banked
19 games operated in violation of the California Constitution and Penal Code.

20 424. Napa Valley Casino offers the following game that makes no mention of offering
21 or rotating the player-dealer position in its rules:

- 22 • Pai Gow Poker

23 These rules contain no requirement that the player-dealer position must continuously and
24 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
25 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
26 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
27 and New Jersey style-banked games.

28 425. Napa Valley Casino offers the following games with Offer-Only rules:

- EZ Baccarat Panda 8
- Fortune Pai Gow Poker 1.0
- Pai Gow Tiles
- Ultimate Texas Hold'em

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

426. Napa Valley Casino offers the following games with Two-Hand Limit rules:

- No Bust 21st Century Blackjack (2002)
- 21st Century Blackjack 8.0 with Buster Blackjack Bonus Bet
- Three Card Poker 6 Card Bonus

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

427. Napa Valley Casino offers the following game with Break rules:

- No Bust 21st Century Blackjack 4.3

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

428. Regardless of what is required by game rules, Napa Valley Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Napa Valley Casino in a manner such that the player-dealer position does not

continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

429. Given the nature of the contractual relationship between Napa Valley Casino and the California TPP occupying the purported player-dealer position in Napa Valley Casino's games, Napa Valley Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

PP. Nineteenth Hole Casino and Lounge

430. Nineteenth Hole Casino and Lounge operates a card room in Antioch, California. One or more of the California TPPs provide third-party proposition player services for Nineteenth Hole Casino and Lounge's games.

431. Nineteenth Hole Casino and Lounge offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

432. Nineteenth Hole Casino and Lounge offers the following games that make no mention of offering or rotating the player-dealer position in their rules:

- California Blackjack 22
- No Bust 21st Century Blackjack
- Double Hand Poker
- Pai Gow Tiles

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

1 433. Nineteenth Hole Casino and Lounge offers the following game with Offer-Only
2 rules:

- 3 • Three Card Poker 6 Card Bonus

4 These Offer-Only rules contain no requirement that the player-dealer position must continuously
5 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
6 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
7 wager during the play of the game, and do not sufficiently distinguish the games from illegal
8 Nevada and New Jersey style-banked games.

9 434. Nineteenth Hole Casino and Lounge offers the following game with Break rules:

- 10 • Century 21 Blackjack

11 These Break rules contain no effective requirement that the player-dealer position must
12 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
13 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
14 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
15 from illegal Nevada and New Jersey-style banked games.

16 435. Regardless of what is required by game rules, Nineteenth Hole Casino and Lounge
17 and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow,
18 and analogous games offered at Nineteenth Hole Casino and Lounge in a manner such that the
19 player-dealer position does not continuously and systematically rotate, the TPP is not otherwise
20 precluded from maintaining or operating as a bank during game play, the TPP is not limited to
21 only winning or losing a fixed and limited wager during the play of the game, and the games are
22 not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

23 436. Given the nature of the contractual relationship between Nineteenth Hole Casino
24 and Lounge and the California TPP occupying the purported player-dealer position in Nineteenth
25 Hole Casino and Lounge's games, Nineteenth Hole Casino and Lounge possesses an illegal
26 interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous
27 games.
28

1 **QQ. Oaks Card Club**

2 437. Oaks Card Club operates a card room in Emeryville, California. One or more of
3 the California TPPs provide third-party proposition player services for Oaks Card Club's games.

4 438. Oaks Card Club offers a number of blackjack, baccarat, pai gow, and analogous
5 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
6 comers, pay all winners, and collect from all losers. All of these games are banked games
7 operated in violation of the California Constitution and Penal Code.

8 439. Oaks Card Club offers the following game that makes no mention of offering or
9 rotating the player-dealer position in its rules:

- 10 • Super Pan 9

11 These rules contain no requirement that the player-dealer position must continuously and
12 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
13 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
14 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
15 and New Jersey style-banked games.

16 440. Oaks Card Club offers the following games with Offer-Only rules:

- 17 • Pure 21.5 Blackjack
18 • ZooBac
19 • Pai Gow Poker (Double Hand Poker)
20 • Pai Gow Tiles
21 • Three Card Poker 1.3 (6 Card Bonus)
22 • California Aces

23 These Offer-Only rules contain no requirement that the player-dealer position must continuously
24 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
25 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
26 wager during the play of the game, and do not sufficiently distinguish the games from illegal
27 Nevada and New Jersey style-banked games.

28 441. Oaks Card Club offers the following game with Two-Hand Limit rules:

- Buster Blackjack Bonus Bet

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

442. Oaks Card Club offers the following games with Break rules:

- 21st Century Blackjack (No Bust)
- No Bust 21st Century Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

443. Regardless of what is required by game rules, Oaks Card Club and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Oaks Card Club in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

444. Given the nature of the contractual relationship between Oaks Card Club and the California TPP occupying the purported player-dealer position in Oaks Card Club's games, Oaks Card Club possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

1 **RR. Ocean's Eleven Casino**

2 445. Ocean's Eleven Casino operates a card room in Oceanside, California. One or
3 more of the California TPPs provide third-party proposition player services for Ocean's Eleven
4 Casino's games.

5 446. Ocean's Eleven Casino offers a number of blackjack, baccarat, pai gow, and
6 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
7 to take all comers, pay all winners, and collect from all losers. All of these games are banked
8 games operated in violation of the California Constitution and Penal Code.

9 447. Ocean's Eleven Casino offers the following games that make no mention of
10 offering or rotating the player-dealer position in their rules:

- 11 • California Baccarat
- 12 • Buster Blackjack

13 These rules contain no requirement that the player-dealer position must continuously and
14 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
15 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
16 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
17 and New Jersey style-banked games.

18 448. Ocean's Eleven Casino offers the following games with Offer-Only rules:

- 19 • Pure Spanish 21.5
- 20 • 21st Century Blackjack 8.0
- 21 • California Baccarat 2.0
- 22 • Dragon Dai Bacc
- 23 • EZ Baccarat Panda 8
- 24 • Face Up Pai Gow Power
- 25 • Fortune Pai Gow Poker
- 26 • Pai Gow Tiles
- 27 • Three Card Poker 6 Card Bonus
- 28 • Dai Bacc

- Super Pan Nine

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

449. Ocean's Eleven Casino offers the following games with Two-Hand Limit rules:

- 21st Century Blackjack
- No Bust 21st Century Blackjack 6.0 version
- EZ Baccarat
- Pai Gow Poker
- Three Card Poker
- Ultimate Texas Hold'em

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

450. Ocean's Eleven Casino offers the following games with Break rules:

- 21st Century Baccarat Face Up Version with Tie Hands
- Caribbean Stud Poker

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

451. Regardless of what is required by game rules, Ocean's Eleven Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and

1 analogous games offered at Ocean's Eleven Casino in a manner such that the player-dealer
2 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
3 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
4 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
5 distinguished from illegal Nevada and New Jersey-style banked games.

6 452. Given the nature of the contractual relationship between Ocean's Eleven Casino
7 and the California TPP occupying the purported player-dealer position in Ocean Eleven Casino's
8 games, Ocean's Eleven Casino possesses an illegal interest in the funds wagered, lost, or won in
9 its blackjack, baccarat, pai gow, and analogous games.

10 **SS. Oceana Cardroom**

11 453. Oceana Cardroom is not currently operating but is licensed to operate a card room
12 in Oceano, California.

13 454. Oceana Cardroom may offer a number of baccarat, pai gow, and analogous games
14 utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers,
15 pay all winners, and collect from all losers. All of these games are banked games operated in
16 violation of the California Constitution and Penal Code.

17 455. Oceana Cardroom may offer the following games that makes no mention of
18 offering or rotating the player-dealer position in its rules:

- 19 • Three Card Poker 6 Card Bonus
- 20 • EZ Baccarat
- 21 • Ultimate Texas Hold'em

22 These rules contain no requirement that the player-dealer position must continuously and
23 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
24 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
25 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
26 and New Jersey style-banked games.

27 456. Oceana Cardroom may offer the following game with Offer-Only rules:

- 28 • Fortune Pai Gow Poker

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 457. Plaintiffs reserve the right to supplement these allegations should Oceana
7 Cardroom begin operating after the filing of this action.

8 **TT. Oceanview Casino**

9 458. Oceanview Casino operates a card room in Santa Cruz, California. One or more of
10 the California TPPs provide third-party proposition player services for Oceanview Casino's
11 games.

12 459. Oceanview Casino offers a number of blackjack and analogous games utilizing a
13 purported player-dealer position occupied by a TPP employee ready to take all comers, pay all
14 winners, and collect from all losers. All of these games are banked games operated in violation of
15 the California Constitution and Penal Code.

16 460. Oceanview Casino offers the following games with Offer-Only rules:

- 17 • Pure 21.5 Blackjack
- 18 • Three Card Poker 6 Card Bonus

19 These Offer-Only rules contain no requirement that the player-dealer position must continuously
20 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
21 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
22 wager during the play of the game, and do not sufficiently distinguish the games from illegal
23 Nevada and New Jersey style-banked games.

24 461. Regardless of what is required by game rules, Oceanview Casino and California
25 TPPs have operated and continue to operate all the blackjack and analogous games offered at
26 Oceanview Casino in a manner such that the player-dealer position does not continuously and
27 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
28 during game play, the TPP is not limited to only winning or losing a fixed and limited wager

1 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
2 and New Jersey-style banked games.

3 462. Given the nature of the contractual relationship between Oceanview Casino and
4 the California TPP occupying the purported player-dealer position in Oceanview Casino's games,
5 Oceanview Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack
6 and analogous games.

7 **UU. Outlaws Card Parlour**

8 463. Outlaws Card Parlour operates a card room in Atascadero, California. One or
9 more of the California TPPs provide third-party proposition player services for Outlaws Card
10 Parlour's games.

11 464. Outlaws Card Parlour offers a number of blackjack and analogous games utilizing
12 a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all
13 winners, and collect from all losers. All of these games are banked games operated in violation of
14 the California Constitution and Penal Code.

15 465. Outlaws Card Parlour offers the following games with Offer-Only rules:

- 16 • Pure 21.5 Blackjack
- 17 • Three Card Poker 6 Card Bonus

18 These Offer-Only rules contain no requirement that the player-dealer position must continuously
19 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
20 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
21 wager during the play of the game, and do not sufficiently distinguish the games from illegal
22 Nevada and New Jersey style-banked games.

23 466. Regardless of what is required by game rules, Outlaws Card Parlour and California
24 TPPs have operated and continue to operate all the blackjack and analogous games offered at
25 Outlaws Card Parlour in a manner such that the player-dealer position does not continuously and
26 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
27 during game play, the TPP is not limited to only winning or losing a fixed and limited wager
28

1 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
2 and New Jersey-style banked games.

3 467. Given the nature of the contractual relationship between Outlaws Card Parlour and
4 the California TPP occupying the purported player-dealer position in Outlaws Card Parlour's
5 games, Outlaws Card Parlour possesses an illegal interest in the funds wagered, lost, or won in its
6 blackjack and analogous games.

7 **VV. The Palace Poker Casino**

8 468. The Palace Poker Casino operates a card room in Hayward, California. One or
9 more of the California TPPs provide third-party proposition player services for the Palace Poker
10 Casino's games.

11 469. The Palace Poker Casino offers a number of blackjack, baccarat, pai gow, and
12 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
13 to take all comers, pay all winners, and collect from all losers. All of these games are banked
14 games operated in violation of the California Constitution and Penal Code.

15 470. The Palace Poker Casino offers the following game that makes no mention of
16 offering or rotating the player-dealer position in its rules:

- 17
 - No Bust 21st Century Blackjack

18 These rules contain no requirement that the player-dealer position must continuously and
19 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
20 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
21 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
22 and New Jersey style-banked games.

23 471. The Palace Poker Casino offers the following games with Offer-Only rules:

- 24
 - 21st Century Blackjack 9.0 Buster Blackjack and Perfect Pair Bonus Bet
 - 25 • EZ Baccarat Panda 8
 - 26 • Face Up Pai Gow Poker
 - 27 • Fortune Pai Gow Poker
 - 28 • Fortune Pai Gow Poker 2.0

- Pai Gow Tiles
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

472. Regardless of what is required by game rules, the Palace Poker Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at the Palace Poker Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

473. Given the nature of the contractual relationship between the Palace Poker Casino and the California TPP occupying the purported player-dealer position in the Palace Poker Casino's games, the Palace Poker Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

WW. Parkwest Bicycle Casino

474. Parkwest Bicycle Casino operates a card room in Bell Gardens, California. One or more of the California TPPs provide third-party proposition player services for Parkwest Bicycle Casino's games.

475. Parkwest Bicycle Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

476. Parkwest Bicycle Casino offers the following games that make no mention of offering or rotating the player-dealer position in their rules:

- No Bust Blackjack
- No Bust 21st Century Blackjack Second Chances
- 21st Century Baccarat Face Up Version with Tie Bet
- Fast 9
- Bonanza Pai Gow Tiles
- Fortune Pai Gow Poker
- Super Pai Gow Poker (or Qualifier Pai Gow)

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

477. Parkwest Bicycle Casino offers the following games with Offer-Only rules:

- 21st Century Blackjack Switch
- 21st Century Free Bet Blackjack
- 21st Century Baccarat 10.0
- Big Bonus Baccarat
- Cash-in Baccarat
- Dai Bacc
- Dragon Bonus Baccarat- Commission Free
- Super Pan 9
- Super Pan 9 Super Tie Bonus
- 3 Card Poker
- Ace Up Pai Gow Poker
- Face Up Pai Gow Poker
- Looney 4 Poker
- Lucky Pai Gow Poker
- Mississippi Stud Poker

- Pai Gow Poker
- Pai Gow Poker Tiles
- Three Card Poker 6 Card Bonus
- Ultimate War

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

478. Parkwest Bicycle Casino offers the following games with Two-Hand Limit rules:

- 21st Century Baccarat 8.0
- 21st Century Baccarat 9.0
- EZ Baccarat
- No Commission Baccarat 1.0
- Casino War
- Crazy 4 Poker
- Let it Ride Bonus 1.0
- Three Card Poker
- Triple Action Poker
- Triple Draw Poker
- Triple Draw Poker 1.0
- Ultimate Texas Hold'em
- Pan 9 with Dragon 9 Bonus Bet
- Caribbean Stud Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games

1 from illegal Nevada and New Jersey-style banked games.

2 479. Parkwest Bicycle Casino offers the following games with Break rules:

- 3 • 21st Century Blackjack Second Edition
- 4 • No Bust 21st Century Blackjack 4.0
- 5 • No Bust 21st Century Blackjack 5.0
- 6 • No Bust 21st Century Blackjack 6.0
- 7 • 21st Century Baccarat 5.0
- 8 • Caribbean Stud Poker (Pair-Up Version)
- 9 • Reverse Bet Pai Gow Tiles

10 These Break rules contain no effective requirement that the player-dealer position must
11 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
12 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
13 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
14 from illegal Nevada and New Jersey-style banked games.

15 480. Regardless of what is required by game rules, Parkwest Bicycle Casino and
16 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
17 analogous games offered at Parkwest Bicycle Casino in a manner such that the player-dealer
18 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
19 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
20 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
21 distinguished from illegal Nevada and New Jersey-style banked games.

22 481. Given the nature of the contractual relationship between Parkwest Bicycle Casino
23 and the California TPP occupying the purported player-dealer position in Parkwest Bicycle
24 Casino's games, Parkwest Bicycle Casino possesses an illegal interest in the funds wagered, lost,
25 or won in its blackjack, baccarat, pai gow, and analogous games.

1 **XX. Parkwest Casino 580**

2 482. Parkwest Casino 580 operates a card room in Livermore, California. One or more
3 of the California TPPs provide third-party proposition player services for Parkwest Casino 580's
4 games.

5 483. Parkwest Casino 580 offers a number of blackjack, baccarat, pai gow, and
6 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
7 to take all comers, pay all winners, and collect from all losers. All of these games are banked
8 games operated in violation of the California Constitution and Penal Code.

9 484. Parkwest Casino 580 offers the following game that makes no mention of offering
10 or rotating the player-dealer position in its rules:

- 11 • Buster Blackjack

12 These rules contain no requirement that the player-dealer position must continuously and
13 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
14 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
15 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
16 and New Jersey style-banked games.

17 485. Parkwest Casino 580 offers the following games with Offer-Only rules:

- 18 • Blackjack X
19 • Cash-in Baccarat
20 • Jade Baccarat
21 • Ace Up Pai Gow Poker
22 • Lucky Pai Gow Poker
23 • Pai Gow Poker with Triple Bonus Bets
24 • 3 Card Poker
25 • Ultimate Pai Gow Poker
26 • Ultimate War

27 These Offer-Only rules contain no requirement that the player-dealer position must continuously
28 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a

1 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
2 wager during the play of the game, and do not sufficiently distinguish the games from illegal
3 Nevada and New Jersey style-banked games.

4 486. Parkwest Casino 580 offers the following game with Two-Hand Limit rules:

- 5 • Royal Pai Gow Poker

6 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
7 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
8 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
9 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
10 from illegal Nevada and New Jersey-style banked games.

11 487. Parkwest Casino 580 offers the following games with Break rules:

- 12 • Commission-Free Baccarat Dragon Bonus
- 13 • Pai Gow Poker (Double Hand Poker)

14 These Break rules contain no effective requirement that the player-dealer position must
15 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
16 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
17 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
18 from illegal Nevada and New Jersey-style banked games.

19 488. Regardless of what is required by game rules, Parkwest Casino 580 and California
20 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
21 games offered at Parkwest Casino 580 in a manner such that the player-dealer position does not
22 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
23 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
24 limited wager during the play of the game, and the games are not sufficiently distinguished from
25 illegal Nevada and New Jersey-style banked games.

26 489. Given the nature of the contractual relationship between Parkwest Casino 580 and
27 the California TPP occupying the purported player-dealer position in Parkwest Casino 580's
28

1 games, Parkwest Casino 580 possesses an illegal interest in the funds wagered, lost, or won in its
2 blackjack, baccarat, pai gow, and analogous games.

3 **YY. Parkwest Casino Cordova**

4 490. Parkwest Casino Cordova operates a card room in Rancho Cordova, California.
5 One or more of the California TPPs provide third-party proposition player services for Parkwest
6 Casino Cordova's games.

7 491. Parkwest Casino Cordova offers a number of blackjack, baccarat, pai gow, and
8 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
9 to take all comers, pay all winners, and collect from all losers. All of these games are banked
10 games operated in violation of the California Constitution and Penal Code.

11 492. Parkwest Casino Cordova offers the following game that makes no mention of
12 offering or rotating the player-dealer position in its rules:

13

- Mini Pai Gow

14 These rules contain no requirement that the player-dealer position must continuously and
15 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
16 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
17 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
18 and New Jersey style-banked games.

19 493. Parkwest Casino Cordova offers the following games with Offer-Only rules:

- 20
 - Blackjack X
 - 21 • Cash-in Baccarat
 - 22 • Ace Up Pai Gow Poker
 - 23 • Lucky Pai Gow Poker
 - 24 • Pai Gow Poker with Triple Bonus Bets
 - 25 • 3 Card Poker
 - 26 • Two Card Peek
 - 27 • Ultimate Pai Gow Poker
 - 28 • Ultimate War

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 494. Parkwest Casino Cordova offers the following game with Two-Hand Limit rules:

- 7 • Ultimate Texas Hold'em

8 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
9 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
10 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
11 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
12 from illegal Nevada and New Jersey-style banked games.

13 495. Parkwest Casino Cordova offers the following games with Break rules:

- 14 • Commission-Free Baccarat Dragon Bonus
- 15 • Commission-Free Baccarat
- 16 • Pai Gow Poker

17 These Break rules contain no effective requirement that the player-dealer position must
18 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
19 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
20 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
21 from illegal Nevada and New Jersey-style banked games.

22 496. Regardless of what is required by game rules, Parkwest Casino Cordova and
23 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
24 analogous games offered at Parkwest Casino Cordova in a manner such that the player-dealer
25 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
26 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
27 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
28 distinguished from illegal Nevada and New Jersey-style banked games.

1 497. Given the nature of the contractual relationship between Parkwest Casino Cordova
2 and the California TPP occupying the purported player-dealer position in Parkwest Casino
3 Cordova's games, Parkwest Casino Cordova possesses an illegal interest in the funds wagered,
4 lost, or won in its blackjack, baccarat, pai gow, and analogous games.

5 **ZZ. Parkwest Casino Lodi**

6 498. Parkwest Casino Lodi operates a card room in Lodi, California. One or more of
7 the California TPPs provide third-party proposition player services for Parkwest Casino Lodi's
8 games.

9 499. Parkwest Casino Lodi offers a number of blackjack, baccarat, pai gow, and
10 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
11 to take all comers, pay all winners, and collect from all losers. All of these games are banked
12 games operated in violation of the California Constitution and Penal Code.

13 500. Parkwest Casino Lodi offers the following games with Offer-Only rules:

- 14 • Blackjack X
- 15 • Cash-in Baccarat
- 16 • Ace Up Pai Gow Poker
- 17 • Cal Quick Draw Poker
- 18 • Looney 4 Poker
- 19 • Lucky Pai Gow Poker
- 20 • Pai Gow Poker with Triple Bonus Bets
- 21 • Pai Gow Tiles
- 22 • Three Card Poker
- 23 • Two Card Peek
- 24 • Ultimate Pai Gow Poker
- 25 • Ultimate War

26 These Offer-Only rules contain no requirement that the player-dealer position must continuously
27 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
28 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited

1 wager during the play of the game, and do not sufficiently distinguish the games from illegal
2 Nevada and New Jersey style-banked games.

3 501. Parkwest Casino Lodi offers the following game with Two-Hand Limit rules:

- 4 • Ultimate Texas Hold'em

5 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
6 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
7 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
8 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
9 from illegal Nevada and New Jersey-style banked games.

10 502. Parkwest Casino Lodi offers the following games with Break rules:

- 11 • Commission-Free Baccarat
- 12 • Three Card Texas Hold'em

13 These Break rules contain no effective requirement that the player-dealer position must
14 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
15 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
16 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
17 from illegal Nevada and New Jersey-style banked games.

18 503. Regardless of what is required by game rules, Parkwest Casino Lodi and
19 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
20 analogous games offered at Parkwest Casino Lodi in a manner such that the player-dealer
21 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
22 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
23 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
24 distinguished from illegal Nevada and New Jersey-style banked games.

25 504. Given the nature of the contractual relationship between Parkwest Casino Lodi and
26 the California TPP occupying the purported player-dealer position in Parkwest Casino Lodi's
27 games, Parkwest Casino Lodi possesses an illegal interest in the funds wagered, lost, or won in its
28 blackjack, baccarat, pai gow, and analogous games.

1 **AAA. Parkwest Casino Lotus**

2 505. Parkwest Casino Lotus operates a card room in Sacramento, California. One or
3 more of the California TPPs provide third-party proposition player services for Parkwest Casino
4 Lotus' games.

5 506. Parkwest Casino Lotus offers a number of blackjack, baccarat, pai gow, and
6 analogous games utilizing a purported player-dealer position occupied by a TPP employee ready
7 to take all comers, pay all winners, and collect from all losers. All of these games are banked
8 games operated in violation of the California Constitution and Penal Code.

9 507. Parkwest Casino Lotus offers the following games that make no mention of
10 offering or rotating the player-dealer position in their rules:

- 11 • Mini Pai Gow
- 12 • Pai Gow Tiles
- 13 • Buster Blackjack

14 These rules contain no requirement that the player-dealer position must continuously and
15 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
16 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
17 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
18 and New Jersey style-banked games.

19 508. Parkwest Casino Lotus offers the following games with Offer-Only rules:

- 20 • Blackjack X
- 21 • EZ Baccarat Panda 8
- 22 • Cash-in Baccarat
- 23 • Big Bonus Baccarat
- 24 • Ace Up Pai Gow Poker
- 25 • Lucky Pai Gow Poker
- 26 • Mah-Jong Pai Gow
- 27 • Pai Gow Poker with Triple Bonus Bets
- 28 • 3 Card Poker

- Ultimate Pai Gow Poker
- Ultimate Texas Hold'em
- Ultimate War
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

509. Parkwest Casino Lotus offers the following games with Two-Hand Limit rules:

- EZ Baccarat
- Royal Pai Gow Poker

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

510. Parkwest Casino Lotus offers the following game with Break rules:

- Commission-Free Baccarat

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

511. Regardless of what is required by game rules, Parkwest Casino Lotus and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Parkwest Casino Lotus in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from

maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

512. Given the nature of the contractual relationship between Parkwest Casino Lotus and the California TPP occupying the purported player-dealer position in Parkwest Casino Lotus' games, Parkwest Casino Lotus possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

BBB. Parkwest Casino Manteca

513. Parkwest Casino Manteca operates a card room in Manteca, California. One or more of the California TPPs provide third-party proposition player services for Parkwest Casino Manteca's games.

514. Parkwest Casino Manteca offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

515. Parkwest Casino Manteca offers the following games with Offer-Only rules:

- Pure 21.5 Blackjack with Buster Blackjack
- EZ Baccarat Panda 8
- Commission-Free Baccarat Dragon Bonus
- Cash-in Baccarat
- 3 Card Poker
- Ace Up Pai Gow Poker
- Lucky Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker 6 Card Bonus
- Ultimate Texas Hold'em

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a

1 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
2 wager during the play of the game, and do not sufficiently distinguish the games from illegal
3 Nevada and New Jersey style-banked games.

4 516. Parkwest Casino Manteca offers the following game with Two-Hand Limit rules:

- 5 • Fortune Pai Gow Poker

6 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
7 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
8 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
9 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
10 from illegal Nevada and New Jersey-style banked games.

11 517. Parkwest Casino Manteca offers the following game with Break rules:

- 12 • No Bust 21st Century Blackjack

13 These Break rules contain no effective requirement that the player-dealer position must
14 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
15 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
16 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
17 from illegal Nevada and New Jersey-style banked games.

18 518. Regardless of what is required by game rules, Parkwest Casino Manteca and
19 California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and
20 analogous games offered at Parkwest Casino Manteca in a manner such that the player-dealer
21 position does not continuously and systematically rotate, the TPP is not otherwise precluded from
22 maintaining or operating as a bank during game play, the TPP is not limited to only winning or
23 losing a fixed and limited wager during the play of the game, and the games are not sufficiently
24 distinguished from illegal Nevada and New Jersey-style banked games.

25 519. Given the nature of the contractual relationship between Parkwest Casino Manteca
26 and the California TPP occupying the purported player-dealer position in Parkwest Casino
27 Manteca's games, Parkwest Casino Manteca possesses an illegal interest in the funds wagered,
28 lost, or won in its blackjack, baccarat, pai gow, and analogous games.

1 **CCC. Parkwest Casino Sonoma**

2 520. Parkwest Casino Sonoma is not currently operating but is licensed to operate a
3 card room in Petaluma, California.

4 521. Parkwest Casino Sonoma may offer a number of baccarat, pai gow, and analogous
5 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
6 comers, pay all winners, and collect from all losers. All of these games are banked games
7 operated in violation of the California Constitution and Penal Code.

8 522. Parkwest Casino Sonoma may offer the following games that makes no mention of
9 offering or rotating the player-dealer position in its rules:

- 10 • Two Card Peek
11 • Party Craps

12 These rules contain no requirement that the player-dealer position must continuously and
13 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
14 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
15 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
16 and New Jersey style-banked games.

17 523. Parkwest Casino Sonoma may offer the following games with Offer-Only rules:

- 18 • Mini Pai Gow
19 • Ultimate War
20 • Ultimate Pai Gow Poker
21 • Blackjack X Magic 7
22 • Blackjack X
23 • Cal Quick Draw Poker
24 • Blackjack X with Buster Blackjack Bonus Bet Version 1.1
25 • Blackjack X with Buster Blackjack Bonus Bet Version 1.2
26 • Blackjack X with Buster Blackjack Bonus Bet Version 1.3
27 • Blackjack X with Buster Blackjack and Jack Magic Bonus Bet
28 • Pai Gow Poker with Triple Bonus Bets

- Cash-In Baccarat
- Lucky Pai Gow Poker
- 3 Card Poker
- Ace Up Pai Gow Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

524. Parkwest Casino Sonoma may offer the following game with Two-Hand Limit rules:

- Ultimate Texas Hold'em

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

525. Parkwest Casino Sonoma may offer the following games with Break rules:

- Pai Gow Double Hand Poker
- 3 Card Texas Hold'em
- Cal Blackjack Version 2.0 Up Card Luck
- Commission-Free Baccarat

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

1 526. Plaintiffs reserve the right to supplement these allegations should Parkwest Casino
2 Sonoma begin operating after the filing of this action.

3 **DDD. Pinnacle Casino**

4 527. Pinnacle Casino is not currently operating but is licensed to operate a card room in
5 Soledad, California.

6 528. Pinnacle Casino may offer a number of blackjack and analogous games utilizing a
7 purported player-dealer position occupied by a TPP employee ready to take all comers, pay all
8 winners, and collect from all losers. All of these games are banked games operated in violation of
9 the California Constitution and Penal Code.

10 529. Pinnacle Casino may offer the following game with Offer-Only rules:

- 11 • Three Card Poker 6 Card Bonus

12 These Offer-Only rules contain no requirement that the player-dealer position must continuously
13 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
14 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
15 wager during the play of the game, and do not sufficiently distinguish the games from illegal
16 Nevada and New Jersey style-banked games.

17 530. Pinnacle Casino may offer the following game with Break rules:

- 18 • No Bust 21st Century Blackjack 4.01

19 These Break rules contain no effective requirement that the player-dealer position must
20 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
21 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 531. Plaintiffs reserve the right to supplement these allegations should Pinnacle Casino
25 begin operating after the filing of this action.

26 **EEE. Player's Casino**

27 532. Player's Casino operates a card room in Ventura, California. One or more of the
28 California TPPs provide third-party proposition player services for Player's Casino's games.

1 533. Player's Casino offers a number of blackjack, baccarat, pai gow, and analogous
2 games utilizing a purported player-dealer position occupied by a TPP employee ready to take all
3 comers, pay all winners, and collect from all losers. All of these games are banked games
4 operated in violation of the California Constitution and Penal Code.

5 534. Player's Casino offers the following games with Offer-Only rules:

- 6 • 21st Century Blackjack Switch
- 7 • 21st Century Blackjack 5.0 with Buster Blackjack Bonus Bet
- 8 • EZ Baccarat Panda 8
- 9 • Golden Frog Baccarat
- 10 • Three Card Poker 6 Card Bonus

11 These Offer-Only rules contain no requirement that the player-dealer position must continuously
12 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
13 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
14 wager during the play of the game, and do not sufficiently distinguish the games from illegal
15 Nevada and New Jersey style-banked games.

16 535. Player's Casino offers the following games with Two-Hand Limit rules:

- 17 • Fortune Pai Gow Poker
- 18 • Ultimate Texas Hold'em

19 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
20 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
21 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
22 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
23 from illegal Nevada and New Jersey-style banked games.

24 536. Regardless of what is required by game rules, Player's Casino and California TPPs
25 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
26 offered at Player's Casino in a manner such that the player-dealer position does not continuously
27 and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a
28 bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager

1 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
2 and New Jersey-style banked games.

3 537. Given the nature of the contractual relationship between Player's Casino and the
4 California TPP occupying the purported player-dealer position in Player's Casino's games,
5 Player's Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack,
6 baccarat, pai gow, and analogous games.

7 **FFF. Rogelio's**

8 538. Rogelio's is not currently operating but is licensed to operate a card room in
9 Isleton, California.

10 539. Rogelio's may offer a blackjack game utilizing a purported player-dealer position
11 occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers.
12 This game is a banked games operated in violation of the California Constitution and Penal Code.

13 540. Rogelio's may offer the following game with Break rules:

- 14
 - Pure 21.5 Blackjack

15 These Break rules contain no effective requirement that the player-dealer position must
16 continuously and systematically rotate, do not otherwise preclude a player from maintaining or
17 operating as a bank during game play, do not limit a player-dealer to only winning or losing a
18 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
19 from illegal Nevada and New Jersey-style banked games.

20 541. Plaintiffs reserve the right to supplement these allegations should Rogelio's begin
21 operating after the filing of this action.

22 **GGG. The Saloon at Stones Gambling Hall**

23 542. The Saloon at Stones Gambling Hall operates a card room in Citrus Heights,
24 California. One or more of the California TPPs provide third-party proposition player services
25 for The Saloon at Stones Gambling Hall's games.

26 543. The Saloon at Stones Gambling Hall offers a number of blackjack, baccarat, pai
27 gow, and analogous games utilizing a purported player-dealer position occupied by a TPP
28

employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

544. The Saloon at Stones Gambling Hall offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- EZ Baccarat Panda 8
- Caribbean Stud
- Face Up Pai Gow Poker
- Joker's Wild Pai Gow Poker
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

545. The Saloon at Stones Gambling Hall offers the following games with Two-Hand Limit rules:

- Fortune Pai Gow Poker
- Pai Gai Poker
- Ultimate Texas Hold'em
- Ultimate Texas Hold'em Bad Beat Bonus

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

546. The Saloon at Stones Gambling Hall offers the following games with Break rules:

- No Bust 21st Century Blackjack 4.0

- No Bust 21st Century Blackjack 4.0 Buster Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

547. Regardless of what is required by game rules, the Saloon at Stones Gambling Hall and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at the Saloon at Stones Gambling Hall in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

548. Given the nature of the contractual relationship between the Saloon at Stones Gambling Hall and the California TPP occupying the purported player-dealer position in the Saloon at Stones Gambling Hall's games, the Saloon at Stones Gambling Hall possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

HHH. Seven Mile Casino

549. Seven Mile Casino operates a card room in Chula Vista, California. One or more of the California TPPs provide third-party proposition player services for Seven Mile Casino's games.

550. Seven Mile Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

551. Seven Mile Casino offers the following game that makes no mention of offering or rotating the player-dealer position in its rules:

- Buster Blackjack

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

552. Seven Mile Casino offers the following games with Offer-Only rules:

- Pure Spanish 21.5
- No Bust 21st Century Buster Blackjack 4.0 with Lucky Bonus Bet
- EZ Baccarat Panda 8
- Seven Mile Baccarat
- Fortune Pai Gow Poker
- Supreme 99
- Ultimate Texas Hold'em Bad Beat Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

553. Seven Mile Casino offers the following games with Two-Hand Limit rules:

- 21st Century Blackjack
- No Bust 21st Century Blackjack 6.0 version

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

554. Seven Mile Casino offers the following games with Break rules:

- No Bust 21st Century Blackjack 4.0
- No Bust 21st Century Blackjack 4.01

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

555. Regardless of what is required by game rules, Seven Mile Casino and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Seven Mile Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

556. Given the nature of the contractual relationship between Seven Mile Casino and the California TPP occupying the purported player-dealer position in Seven Mile Casino's games, Seven Mile Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

III. Stars Casino

557. Stars Casino operates a card room in Tracy, California. One or more of the California TPPs provide third-party proposition player services for Stars Casino's games.

558. Stars Casino offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

559. Stars Casino offers the following game that makes no mention of offering or rotating the player-dealer position in its rules:

- Double Hand Poker

1 These rules contain no requirement that the player-dealer position must continuously and
2 systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank
3 during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager
4 during the play of the game, and do not sufficiently distinguish the games from illegal Nevada
5 and New Jersey style-banked games.

6 560. Stars Casino offers the following games with Offer-Only rules:

- 7 • Pure Spanish 21.5
- 8 • EZ Baccarat Panda 8
- 9 • Face Up Pai Gow Poker
- 10 • Let it Ride Bonus
- 11 • Pai Gow Tiles
- 12 • Super Pan 9
- 13 • Three Card Poker 6 Card Bonus
- 14 • ZooBac

15 These Offer-Only rules contain no requirement that the player-dealer position must continuously
16 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
17 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
18 wager during the play of the game, and do not sufficiently distinguish the games from illegal
19 Nevada and New Jersey style-banked games.

20 561. Stars Casino offers the following games with Two-Hand Limit rules:

- 21 • No Bust Blackjack
- 22 • Pure 21.5 Blackjack with Buster Bonus Bet
- 23 • Fortune Pai Gow Poker
- 24 • Ultimate Texas Hold'em

25 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
26 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
27 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
28 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games

1 from illegal Nevada and New Jersey-style banked games.

2 562. Regardless of what is required by game rules, Stars Casino and California TPPs
3 have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games
4 offered at Stars Casino in a manner such that the player-dealer position does not continuously and
5 systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank
6 during game play, the TPP is not limited to only winning or losing a fixed and limited wager
7 during the play of the game, and the games are not sufficiently distinguished from illegal Nevada
8 and New Jersey-style banked games.

9 563. Given the nature of the contractual relationship between Stars Casino and the
10 California TPP occupying the purported player-dealer position in Stars Casino's games, Stars
11 Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat,
12 pai gow, and analogous games.

13 **JJJ. The Tavern at Stones Gambling Hall**

14 564. The Tavern at Stones Gambling Hall operates a card room in Citrus Heights,
15 California. One or more of the California TPPs provide third-party proposition player services
16 for the Tavern at Stones Gambling Hall's games.

17 565. The Tavern at Stones Gambling Hall offers a number of blackjack, baccarat, pai
18 gow, and analogous games utilizing a purported player-dealer position occupied by a TPP
19 employee ready to take all comers, pay all winners, and collect from all losers. All of these
20 games are banked games operated in violation of the California Constitution and Penal Code.

21 566. The Tavern at Stones Gambling Hall offers the following games with Offer-Only
22 rules:

- 23 • Pure Spanish 21.5
- 24 • 21st Century Blackjack Switch
- 25 • No Bust 21st Century Buster Blackjack 4.0 with Lucky Bonus Bet
- 26 • EZ Baccarat Panda 8
- 27 • Dai Bacc
- 28 • ZooBac

- Commission Free Fortune Pai Gow Poker
- Face Up Pai Gow Poker
- Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker
- Three Card Poker Six Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

567. The Tavern at Stones Gambling Hall offers the following games with Two-Hand Limit rules:

- Casino War
- Fortune Pai Gow Poker
- Ultimate Texas Hold'em Bad Beat Downs

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

568. The Tavern at Stones Gambling Hall offers the following games with Break rules:

- No Bust 21st Century Blackjack 4.0
- No Bust 21st Century Buster Blackjack 4.0

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games

1 from illegal Nevada and New Jersey-style banked games.

2 569. Regardless of what is required by game rules, the Tavern at Stones Gambling Hall
3 and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow,
4 and analogous games offered at the Tavern at Stones Gambling Hall in a manner such that the
5 player-dealer position does not continuously and systematically rotate, the TPP is not otherwise
6 precluded from maintaining or operating as a bank during game play, the TPP is not limited to
7 only winning or losing a fixed and limited wager during the play of the game, and the games are
8 not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

9 570. Given the nature of the contractual relationship between the Tavern at Stones
10 Gambling Hall and the California TPP occupying the purported player-dealer position in the
11 Tavern at Stones Gambling Hall's games, the Tavern at Stones Gambling Hall possesses an
12 illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and
13 analogous games.

14 **KKK. Towers Casino**

15 571. Towers Casino operates a card room in Grass Valley, California. One or more of
16 the California TPPs provide third-party proposition player services for Towers Casino's games.

17 572. Towers Casino offers a number of blackjack and pai gow games utilizing a
18 purported player-dealer position occupied by a TPP employee ready to take all comers, pay all
19 winners, and collect from all losers. All of these games are banked games operated in violation of
20 the California Constitution and Penal Code.

21 573. Towers Casino offers the following game with Offer-Only rules:

- 22 • Fortune Pai Gow Poker

23 These Offer-Only rules contain no requirement that the player-dealer position must continuously
24 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
25 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
26 wager during the play of the game, and do not sufficiently distinguish the games from illegal
27 Nevada and New Jersey style-banked games.

28 574. Towers Casino offers the following game with Break rules:

- No Bust 21st Century Blackjack with Buster Bet

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

575. Regardless of what is required by game rules, Towers Casino and California TPPs have operated and continue to operate all the blackjack and pai gow games offered at Towers Casino in a manner such that the player-dealer position does not continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

576. Given the nature of the contractual relationship between Towers Casino and the California TPP occupying the purported player-dealer position in Towers Casino's games, Towers Casino possesses an illegal interest in the funds wagered, lost, or won in its blackjack and pai gow games.

LLL. Tres Lounge and Casino

577. Tres Lounge and Casino is not currently operating but is licensed to operate a card room in Watsonville, California.

578. Tres Lounge and Casino may offer baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

579. Tres Lounge and Casino may offer the following games with Offer-Only rules:

- 21st Century Baccarat
- EZ Baccarat Panda 8
- Fortune Pai Gow Poker

- Pai Gow Poker
- Pai Gow Tiles
- Three Card Poker

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

580. Plaintiffs reserve the right to supplement these allegations should Tres Lounge and Casino begin operating after the filing of this action.

MMM. Turlock Poker Room

581. Turlock Poker Room operates a card room in Turlock, California. One or more of the California TPPs provide third-party proposition player services for Turlock Poker Room's games.

582. Turlock Poker Room offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

583. Turlock Poker Room offers the following game that makes no mention of offering or rotating the player-dealer position in its rules:

- 3 Card Hold'em

These rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

584. Turlock Poker Room offers the following games with Offer-Only rules:

- Pure Spanish 21.5

- Commission-Free Baccarat Dragon Bonus
- Crazy 4 Poker
- Face Up Pai Gow Poker
- Three Card Poker 6 Card Bonus

These Offer-Only rules contain no requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey style-banked games.

585. Turlock Poker Room offers the following games with Two-Hand Limit rules:

- Fortune Pai Gow Poker
- Three Card Poker
- Ultimate Texas Hold'em

These Two-Hand-Limit rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

586. Turlock Poker Room offers the following game with Break rules:

- Pure 21.5 Blackjack

These Break rules contain no effective requirement that the player-dealer position must continuously and systematically rotate, do not otherwise preclude a player from maintaining or operating as a bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game, and do not sufficiently distinguish the games from illegal Nevada and New Jersey-style banked games.

587. Regardless of what is required by game rules, Turlock Poker Room and California TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous games offered at Turlock Poker Room in a manner such that the player-dealer position does not

continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and limited wager during the play of the game, and the games are not sufficiently distinguished from illegal Nevada and New Jersey-style banked games.

588. Given the nature of the contractual relationship between Turlock Poker Room and the California TPP occupying the purported player-dealer position in Turlock Poker Room's games, Turlock Poker Room possesses an illegal interest in the funds wagered, lost, or won in its blackjack, baccarat, pai gow, and analogous games.

NNN. Westlane Card Room

589. Westlane Card Room operates a card room in Stockton, California. One or more of the California TPPs provide third-party proposition player services for Westlane Card Room's games.

590. Westlane Card Room offers a number of blackjack, baccarat, pai gow, and analogous games utilizing a purported player-dealer position occupied by a TPP employee ready to take all comers, pay all winners, and collect from all losers. All of these games are banked games operated in violation of the California Constitution and Penal Code.

591. Westlane Card Room offers the following games with Offer-Only rules:

- Pai Gow Tiles
- EZ Baccarat
- Blackjack X
- Dragon Bonus Baccarat – Commission Free
- Pure Spanish 21.5
- Three Card Poker 6 Card Bonus
- Fortune Pai Gow Poker
- Dai Bacc
- Ultimate Texas Hold'em
- Face Up Pai Gow Poker

1 These Offer-Only rules contain no requirement that the player-dealer position must continuously
2 and systematically rotate, do not otherwise preclude a player from maintaining or operating as a
3 bank during game play, do not limit a player-dealer to only winning or losing a fixed and limited
4 wager during the play of the game, and do not sufficiently distinguish the games from illegal
5 Nevada and New Jersey style-banked games.

6 592. Westlane Card Room offers the following games with Two-Hand Limit rules:

- 7 • 21st Century Blackjack 7.0

8 These Two-Hand-Limit rules contain no effective requirement that the player-dealer position
9 must continuously and systematically rotate, do not otherwise preclude a player from maintaining
10 or operating as a bank during game play, do not limit a player-dealer to only winning or losing a
11 fixed and limited wager during the play of the game, and do not sufficiently distinguish the games
12 from illegal Nevada and New Jersey-style banked games.

13 593. Regardless of what is required by game rules, Westlane Card Room and California
14 TPPs have operated and continue to operate all the blackjack, baccarat, pai gow, and analogous
15 games offered at Westlane Card Room in a manner such that the player-dealer position does not
16 continuously and systematically rotate, the TPP is not otherwise precluded from maintaining or
17 operating as a bank during game play, the TPP is not limited to only winning or losing a fixed and
18 limited wager during the play of the game, and the games are not sufficiently distinguished from
19 illegal Nevada and New Jersey-style banked games.

20 594. Given the nature of the contractual relationship between Westlane Card Room and
21 the California TPP occupying the purported player-dealer position in Westlane Card Room's
22 games, Westlane Card Room possesses an illegal interest in the funds wagered, lost, or won in its
23 blackjack, baccarat, pai gow, and analogous games.

24 **000. Card Rooms Without Posted Rules**

25 595. Defendants California Club Casino, Casino Royale, Golden State Casino,
26 Hacienda Casino, Jalisco Pool Room, La Primavera Pool Hall & Café, Racxx, and the River Card
27 Room are licensed gaming establishments that are currently not operating and have no posted
28 rules on the Bureau of Gambling Control's website. To the extent any of the above Defendants

begin to operate and/or post rules after the filing of this action, Plaintiffs reserve the right to supplement their allegations.

FIRST CAUSE OF ACTION

**Declaration that blackjack-style games are illegal banked games in violation of the
California Constitution
Against All Defendants
(Tribal Nations Access to Justice Act)**

596. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through 595 as if fully set forth herein.

597. Blackjack is a banked game in which a player or entity possessing an odds-based advantage takes on all comers, pays all winners, and collects from all losers.

598. Regardless of the superficial changes Defendant California card rooms make to the rules or names of blackjack-style games, they retain the fundamental characteristics of a banked game.

599. Consistent with the type of banked games offered in Nevada and New Jersey casinos, in Defendants' blackjack-style games, a player or entity possessing an odds-based advantage takes on all comers, pays all winners, and collects from all losers.

600. Defendant California TPPs maintain and operate a bank by maintaining and occupying the player-dealer position in the blackjack-style games offered by Defendant California card rooms. Nothing in the rules of the blackjack-style games offered and operated by Defendants preclude the TPP from maintaining or operating as a bank during game play.

601. Consistent with the type of banked games offered in Nevada and New Jersey casinos, in Defendants' blackjack-style games, the player or entity banking the game is not limited to winning or losing only a fixed and limited wager during the play of the game. Uncertainty over how much the player or entity banking the game will win or lose is typical of a banked game.

602. Consistent with the type of banked games offered in Nevada and New Jersey casinos, Defendant California card rooms and Defendant California TPPs possess an interest in the wagers made in Defendants' blackjack-style games. Given the contractual relationship

1 between the parties, Defendant California card rooms and Defendant California TPPs collectively
2 operate as a “house” to bank the games.

3 603. Thus, the blackjack-style games offered and operated by Defendants violate
4 Section 19 of Article IV of the California Constitution.

5 **SECOND CAUSE OF ACTION**

6 **Declaration that blackjack-style games are illegal banked games in violation of the**
7 **California Penal Code**
8 **Against All Defendants**
9 **(Tribal Nations Access to Justice Act)**

10 604. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through
11 603 as if fully set forth herein.

12 605. California Penal Code Section 330 prohibits the playing of “twenty-one” and “any
13 banking or percentage game played with cards.”

14 606. Blackjack and “twenty-one” are the same game, and therefore expressly prohibited
15 by Penal Code Section 330.

16 607. Blackjack is also a banking game played with cards. Regardless of the superficial
17 changes Defendant California card rooms make to the rules or names of blackjack-style games,
18 they remain banked games in which a player or entity possessing an odds-based advantage takes
19 on all comers, pays all winners, and collects from all losers. Defendant California TPPs maintain
20 and operate a bank by maintaining and occupying the player-dealer position in the blackjack-style
21 games offered by Defendant California card rooms.

22 608. The blackjack-style games offered and operated by Defendants also violate Penal
23 Code Sections 330 and 330.11 because nothing in the rules precludes the TPP from maintaining
24 or operating as a bank during game play.

25 609. The blackjack-style games offered and operated by Defendants also violate Penal
26 Code Sections 330 and 330.11 because they do not ensure that the player-dealer “is able to win or
27 lose only a fixed and limited wager during the play of the game.”

28 610. The blackjack-style games offered and operated by Defendants are thus illegal
banked games under the California Penal Code.

1 **THIRD CAUSE OF ACTION**

2 **Declaration that baccarat-style games are illegal banked games in violation of the California**
3 **Constitution**
4 **Against All Defendants**
5 **(Tribal Nations Access to Justice Act)**

6 611. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through
7 610 as if fully set forth herein.

8 612. Baccarat is a banked game in which a player or entity possessing an odds-based
9 advantage takes on all comers, pays all winners, and collects from all losers.

10 613. Regardless of the superficial changes Defendant California card rooms make to the
11 rules or names of baccarat-style games, they retain the fundamental characteristics of a banked
12 game.

13 614. Consistent with the type of banked games offered in Nevada and New Jersey
14 casinos, in Defendants' baccarat-style games, a player or entity possessing an odds-based
15 advantage takes on all comers, pays all winners, and collects from all losers.

16 615. Defendant California TPPs maintain and operate a bank by maintaining and
17 occupying the player-dealer position in the baccarat-style games offered by Defendant California
18 card rooms. Nothing in the rules of the baccarat-style games offered and operated by Defendants
19 preclude the TPP from maintaining or operating as a bank during game play.

20 616. Consistent with the type of banked games offered in Nevada and New Jersey
21 casinos, in Defendants' baccarat-style games, the player or entity banking the game is not limited
22 to winning or losing only a fixed and limited wager during the play of the game. Uncertainty
23 over how much the player or entity banking the game will win or lose is typical of a banked
24 game.

25 617. Consistent with the type of banked games offered in Nevada and New Jersey
26 casinos, the purported player-dealer in Defendants' baccarat-style games does not play a hand of
27 cards or make specific bets in the game. The purported player-dealer's only role in Defendants'
28 baccarat-style games is to serve as a bank, paying winners and collecting from losers.

618. Consistent with the type of banked games offered in Nevada and New Jersey casinos, Defendant California card rooms and Defendant California TPPs possess an interest in the wagers made in Defendants’ baccarat-style games. Given the contractual relationship between the parties, Defendant California card rooms and Defendant California TPPs collectively operate as a “house” to bank the games.

619. The baccarat-style games offered and operated by Defendants thus violate Section 19 of Article IV of the California Constitution.

FOURTH CAUSE OF ACTION

**Declaration that baccarat-style games are illegal banked games in violation of the California Penal Code
Against All Defendants
(Tribal Nations Access to Justice Act)**

620. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through 619 as if fully set forth herein.

621. California Penal Code Section 330 prohibits the playing of “any banking or percentage game played with cards.”

622. Baccarat is a banking game played with cards. Regardless of the superficial changes Defendant California card rooms make to the rules and names of baccarat-style games, they remain banked games in which a player or entity possessing an odds-based advantage takes on all comers, pays all winners, and collects from all losers. Defendant California TPPs maintain and operate a bank by occupying the purported player-dealer position in the baccarat-style games offered by Defendant California card rooms.

623. The baccarat-style games offered and operated by Defendants also violate Penal Code Sections 330 and 330.11 because they do not feature an actual player-dealer position because the person or entity occupying the position is not a player-participant in the game, as required by Cal. Bus. & Prof. Code Section 19805(ag). The purported player-dealer does not play a hand of cards or make specific bets in the game. The purported player-dealer's only role in Defendants' baccarat-style games is to serve as a bank, paying winners and collecting from losers.

624. The baccarat-style games offered and operated by Defendants also violate Penal Code Sections 330 and 330.11 because the TPP or any other player occupying the purported player-dealer position wins or loses more than a fixed and limited wager during the play of the game because the purported player-dealer does not make an actual wager against any of the other players.

625. The baccarat-style games offered and operated by Defendants also violate Penal Code Sections 330 and 330.11 because nothing in the rules precludes the TPP from maintaining or operating as a bank during game play.

626. The baccarat-style games offered and operated by Defendants are illegal banked games under the California Penal Code.

FIFTH CAUSE OF ACTION

**Declaration that any games with Offer-Only rules are illegal banked games
Against All Defendants
(Tribal Nations Access to Justice Act)**

627. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through 626 as if fully set forth herein.

628. Defendants offer and operate blackjack, baccarat, pai gow, and analogous games with “Offer-Only” rules.

629. “Offer-Only” rules specify that the player-dealer position need only be offered to, not actually rotated to, other players at the table. Offer-Only rules lack any requirement or mechanism that, either expressly or in effect, prevents a player from staying in the player-dealer position for a sustained period if other players decline the offer.

630. Pursuant to Offer-Only rules, a TPP in a contractual relationship with a card room may occupy the player-dealer position for a sustained period, and thus operate as a bank for the game—taking all comers, paying all winners, and collecting from all losers.

631. When played in card rooms, games with Offer-Only rules in fact allow a TPP in a contractual relationship with a card room to occupy the player-dealer position for a sustained period, and thus operate as a bank for the game—taking all comers, paying all winners, and collecting from all losers.

632. The games with Offer-Only rules offered and operated by Defendants violate Penal Code Sections 330 and 330.11 because they do not require that the player-dealer position must rotate in a continuous and systematic manner.

633. The games with Offer-Only rules offered and operated by Defendants violate Penal Code Sections 330 and 330.11 because they do not preclude a player from maintaining or operating as a bank during game play.

634. The games with Offer-Only rules offered and operated by Defendants violate Penal Code Sections 330 and 330.11 because they do not render the maintenance of or operation of a bank impossible.

635. The games with Offer-Only rules offered and operated by Defendants violate Penal Code Sections 330 and 330.11 because they do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game.

636. The games with Offer-Only rules offered and operated by Defendants violate Section 19 of Article IV of the California Constitution because their rules do not sufficiently distinguish the games they govern from banked games offered in Nevada and New Jersey casinos.

637. The games with Offer-Only rules offered and operated by Defendants are illegal banked games.

SIXTH CAUSE OF ACTION

**Declaration that any games with Two-Hand-Limit rules are illegal banked games
Against all Defendants
(Tribal Nations Access to Justice Act)**

638. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through 637 as if fully set forth herein.

639. Defendants offer and operate blackjack, baccarat, pai gow, and analogous games with “Two-Hand-Limit” rules.

640. “Two-Hand-Limit” rules specify that the player-dealer position should not continue to reside with the same player for more than two consecutive hands, but contain no mechanism to prevent that outcome in practice.

1 641. Pursuant to Two-Hand-Limit rules, a TPP in a contractual relationship with a card
2 room may occupy the player-dealer position for a sustained period, and thus operate as a bank for
3 the game—taking all comers, paying all winners, and collecting from all losers.

4 642. When played in card rooms, games with Two-Hand-Limit rules in fact allow a
5 TPP in a contractual relationship with a card room to occupy the player-dealer position for a
6 sustained period, and thus operate as a bank for the game—taking all comers, paying all winners,
7 and collecting from all losers.

8 643. The games with Two-Hand-Limit rules offered and operated by Defendants violate
9 Penal Code Sections 330 and 330.11 because they do not effectively require that the player-dealer
10 position must rotate in a continuous and systematic manner.

11 644. The games with Two-Hand-Limit rules offered and operated by Defendants violate
12 Penal Code Sections 330 and 330.11 because they do not preclude a player from maintaining or
13 operating as a bank during game play.

14 645. The games with Two-Hand-Limit rules offered and operated by Defendants violate
15 Penal Code Sections 330 and 330.11 because they do not render the maintenance of or operation
16 of a bank impossible.

17 646. The games with Two-Hand-Limit rules offered and operated by Defendants violate
18 Penal Code Sections 330 and 330.11 because they do not limit a player-dealer to only winning or
19 losing a fixed and limited wager during the play of the game.

20 647. The games with Two-Hand-Limit rules offered and operated by Defendants violate
21 Section 19 of Article IV of the California Constitution because their rules do not sufficiently
22 distinguish the games they govern from banked games offered in Nevada and New Jersey casinos.

23 648. The games with Two-Hand-Limit rules offered and operated by Defendants are
24 illegal banked games.

1 **SEVENTH CAUSE OF ACTION**

2 **Declaration that any games with Break rules are illegal banked games**
3 **Against all Defendants**
4 **(Tribal Nations Access to Justice Act)**

5 649. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through
6 648 as if fully set forth herein.

7 650. Defendants offer and operate blackjack, baccarat, pai gow, and analogous games
8 with “Break” rules.

9 651. “Break” rules specify that a game must be “broke” or stopped if a person occupies
10 the player-dealer position for more than two consecutive hands, but they do not specify what
11 constitutes a break in the game, how long the game must be stopped, or whether players must
12 leave the table before play may resume again.

13 652. Pursuant to Break rules, a TPP in a contractual relationship with a card room may
14 occupy the player-dealer position for a sustained period, and thus operate as a bank for the
15 game—taking all comers, paying all winners, and collecting from all losers.

16 653. When played in card rooms, games with Break rules in fact allow a TPP in a
17 contractual relationship with a card room to occupy the player-dealer position for a sustained
18 period, and thus operate as a bank for the game—taking all comers, paying all winners, and
19 collecting from all losers.

20 654. The games with Break rules offered and operated by Defendants violate Penal
21 Code Sections 330 and 330.11 because they do not effectively require that the player-dealer
22 position must rotate in a continuous and systematic manner.

23 655. The games with Break rules offered and operated by Defendants violate Penal
24 Code Sections 330 and 330.11 because they do not preclude a player from maintaining or
25 operating as a bank during game play.

26 656. The games with Break rules offered and operated by Defendants violate Penal
27 Code Sections 330 and 330.11 because they do not render the maintenance of or operation of a
28 bank impossible.

657. The games with Break rules offered and operated by Defendants violate Penal Code Sections 330 and 330.11 because they do not limit a player-dealer to only winning or losing a fixed and limited wager during the play of the game.

658. The games with Break rules offered and operated by Defendants violate Section 19 of Article IV of the California Constitution because their rules do not sufficiently distinguish the games they govern from banked games offered in Nevada and New Jersey casinos.

659. The games with Break rules offered and operated by Defendants are illegal banked games.

EIGHTH CAUSE OF ACTION

**Declaration that California TPPs provide card rooms an illegal interest in games
Against all Defendants
(Tribal Nations Access to Justice Act)**

660. Plaintiffs hereby incorporate by reference the allegations of paragraphs 1 through
659 as if fully set forth herein.

661. California Business and Professions Code Section 19984(a) prohibits “[a]ny agreement, contract, or arrangement between a gambling enterprise and a third-party provider of proposition player services” wherein the gambling enterprise has “any interest, whether direct or indirect, in funds wagered, lost, or won.”

662. Defendant California TPPs enter into contracts with Defendant California card rooms wherein the TPP pays the card room for the right to occupy the player-dealer position in blackjack, baccarat, pai gow, and analogous games. The only source of revenue TPPs possess to pay the card rooms pursuant to those contracts is the TPPs' winnings from occupying the player-dealer position in those games.

663. TPPs benefit economically when card rooms ensure that the player-dealer position does not rotate away from the TPP because the TPP can maximize the odds-based advantage of the position. The more money TPPs are able to generate from occupying the player-dealer position and banking games, the more Defendant California card rooms will be able to demand from Defendant California TPPs for those contractual rights.

664. As a result, Defendant California card rooms have an unlawful interest in the funds wagered, lost, and won in the games they offer or operate where a TPP occupies the player-dealer position and banks the game.

665. The blackjack, baccarat, pai gow, and analogous games that give Defendant California card rooms an interest in Defendant California TPPs' winnings or losses are illegal games under California Business and Professions Code Section 19984.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs prayer for judgment as follows:

1. For the declarations requested above;
2. For injunctive relief sufficient to enjoin the conduct addressed above;
3. For such other and further relief as the Court deems just and proper.

Dated: February 18, 2025

KEKER, VAN NEST & PETERS LLP

By:

Alan Funder

ELLIOT R. PETERS
R. ADAM LAURIDSEN
JULIA L. ALLEN
MAYA JAMES

Attorneys for Plaintiffs

I am employed in the City and County of San Francisco, State of California in the office of a member of the bar of this court at whose direction the following service was made. I am over the age of eighteen years and not a party to the within action. My business address is Keeker, Van Nest & Peters LLP, 633 Battery Street, San Francisco, CA 94111-1809.

TRIBAL NATIONS ACCESS TO JUSTICE ACT (SB 549) MATTER

☒ by regular **UNITED STATES MAIL** by placing a copy in a sealed envelope addressed as shown below. I am readily familiar with the practice of Kecker, Van Nest & Peters LLP for collection and processing of correspondence for mailing. According to that practice, items are deposited with the United States Postal Service at San Francisco, California on that same day with postage thereon fully prepaid. I am aware that, on motion of the party served, service is presumed invalid if the postal cancellation date or the postage meter date is more than one day after the date of deposit for mailing stated in this affidavit.

☒ by E-MAIL VIA PDF FILE (for only those parties where e-mail is designated in the service list below), by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error.

SEE ATTACHED SERVICE LIST

Executed on February 18, 2025, at San Francisco, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Kfloremllove

Kelly F. Love

SERVICE LIST

<p><u>VIA EMAIL</u> Attorneys for Defendants <u>K&M Casinos, Inc. (d/b/a 500 Club Casino a.k.a. 500 Club); Polvora, Inc. (d/b/a Ace & Vine); Richard Scott (d/b/a Casino Chico); Casino Merced, Inc. (d/b/a Casino Merced); Golden Valley Casino, LLC (d/b/a Golden Valley Casino); Lucky Tree Entertainment, Inc. (d/b/a La Primavera Pool Hall & Café); Waldemar Dreher (d/b/a Lake Bowl Cardroom); Sidjon Corporation (d/b/a Livermore Casino); Lucky Chances, Inc. (d/b/a Lucky Chances Casino); LEB Holdings, Inc. (d/b/a Oceana Cardroom); Pinnacle Casino, LLC (d/b/a Pinnacle Casino); Full Rack Entertainment, Inc. (d/b/a Towers Casino); Central Valley Gaming, LLC (d/b/a Turlock Poker Room)</u></p> <p>Jarhett P. Blonien Danielle Guard J. Blonien APLC 1121 L Street, Suite 105 Sacramento, CA 95814 jarhett@jblonien.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants <u>Acme Player Services, LLC; Arise, LLC; Blackstone Gaming, LLC; CalProp Services, LLC; Certified Network M, Inc.; F2 TPS, LLC; Faros Unlimited, Inc.; Fortunate Players Group, Inc.; Fortune Gaming Associates; Global Player Services, Inc.; Halcyon Gaming, LLC; KB Ventures; KBCH Consultants, Inc.; Knighted Ventures, LLC; L.E. Gaming, Inc.; Network Management Group, Inc.; Pacific Gaming Services, LLC; Players Edge Services; Progressive Gaming, LLC; Qualified Player Services, LLC; Phuong-Anh Kim Do (d/b/a The Independent); and Wahba, LLC]</u></p> <p>Matthew H. Kahn Gibson, Dunn & Crutcher LLP One Embarcadero Center, Suite 2600 San Francisco, CA 94111-3715 MKahn@gibsondunn.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Artichoke Joe's (d/b/a Artichoke Joe's Casino)</u></p> <p>James Hartnett Robb & Ross 204 Upland Court Redwood City, CA 94062 hartnettjim@comcast.net</p>
<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Sutter's Place, Inc. (d/b/a Bay 101)</u></p> <p>Richard Patch Sarah Peterson Franklin Krbechek Coblentz Patch Duffy & Bass LLP One Montgomery Street, Suite 3000 San Francisco, CA 94104 rrp@coblentzlaw.com speterson@coblentzlaw.com frbechek@coblentzlaw.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants <u>Lamar V. Wilkinson (d/b/a California Club Casino); California Grand Casino; and Oaks Card Room Limited Partnership (d/b/a Oaks Card Club)</u></p> <p>David M. Fried 6 Beach Rd., #1115 Tiburon, CA 94920 dmfried12@gmail.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Garden City, Inc. (d/b/a Casino M8trix)</u></p> <p>Maureen Harrington Rachel Thomas Shaela Prince Cherie Karwoski Greenfield LLP 55 S. Market Street, Suite 1500 San Jose, CA 95113 mharrington@greenfieldlaw.com rthomas@greenfieldlaw.com sprince@greenfieldlaw.com ckarwoski@greenfieldlaw.com</p>

<p><u>VIA EMAIL</u> Attorneys for Defendant <u>EMZE LLC (d/b/a Casino Marysville)</u></p> <p>Gerald Richelson Millstein & Associates P.C. 100 The Embarcadero, Penthouse San Francisco, CA 94105 grichelson@millstein-law.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants <u>Epoch Casino, Inc. (d/b/a Epoch Casino); Joseph Anthony Melech (d/b/a Hotel del Rio and Casino); Oakdale LLC (d/b/a Mike's Card Casino); and Rogelio's Inc.</u></p> <p>Richard Pachter The Law Offices of Richard Pachter 555 University Avenue, Suite 200 Sacramento, CA 95825-6585 richard@pachterlaw.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Central Coast Casino Grover Beach, Inc. (d/b/a Central Coast Casino)</u></p> <p>Gregory A. Connell 412 Marsh Street San Luis Obispo, CA 93401 gconnell@connell-lawfirm.com</p>
<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Kern County Associates, L.P. (d/b/a Golden West Casino)</u></p> <p>Adrian Sawyer Rebecca Maclaren Sawyer & Labar LLP 1700 Montgomery Street, Suite 108 San Francisco, CA 94111 sawyer@sawyerlabar.com maclaren@sawyerlabar.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants <u>Club One Casino, Inc. (d/b/a Club One Casino); GLCR, Inc. (d/b/a The Deuce Lounge & Casino; d/b/a Tres Lounge and Casino)</u></p> <p>Charles L. Doerksen Doerksen Taylor 2125 Kern Street., Suite 307 Fresno, CA 93721 cld@doerksentaylor.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants <u>California Commerce Club, Inc. (d/b/a Commerce Casino & Hotel); Oceans 11 Casino, LLC (d/b/a Ocean's Eleven Casino); Celebrity Casinos, Inc. (d/b/a Crystal Casino)</u></p> <p>Kevin Calia Eva Schueller Illovsy, Gates & Calia LLP 1611 Telegraph Avenue, Suite 806 Oakland, CA 94612 kevin@illovskygates.com eschueller@illovskygates.com</p>
<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Wizard Gaming, Inc. (d/b/a Diamond Jim's Casino)</u></p> <p>William R. Warne 621 Capitol Mall, 18th Floor Sacramento, CA 95814 wwarne@downeybrand.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Michael G. Lincoln (d/b/a Racxx)</u></p> <p>Richard M. Watts, Jr. Peterson Watts Law Group, LLP 2267 Lava Ridge Court Ste. 210 Roseville, CA 95661, rwatts@petersonwatts.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendant <u>Players Poker Club, Inc.(d/b/a Player's Casino a.k.a. Players Casino)</u></p> <p>David J. Noonan Noonan Lance Boyer & Banach, LLP 701 Island Avenue, Suite 400 San Diego, CA 92101 dnoonan@noonanlance.com</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>VIA EMAIL</u> Attorneys for Defendant <u>Hollywood Park Casino Company, LLC (d/b/a Hollywood Park Casino)</u> Steven J. Olson O'Melveny & Myers LLP 400 South Hope Street, Suite 1900 Los Angeles, CA 90071 solson@omm.com Vision Winter O'Melveny & Myers LLP 1999 Avenue of the Stars, 8th Floor Los Angeles, CA 90067 vwinter@omm.com	<u>VIA EMAIL</u> Attorneys for Defendants <u>El Dorado LF, LLC (d/b/a Hustler Casino); Casino, LLC (d/b/a Larry Flynt's Lucky Lady Casino; and Hacienda LF, LLC (d/b/a Hacienda Casino)</u> Paul J. Cambria, Jr. Jonathan W. Brown Lipsitz Green Scime Gambria LLP 42 Delaware Avenue Buffalo, NY 14202 pcambria@lglaw.com jbrown@lglaw.com	<u>VIA EMAIL</u> Attorneys for Defendant <u>Sahara Dunes Casino, L.P. (d/b/a Lake Elsinore Hotel and Casino)</u> Stephen L. Schreiner Solomon Ward Sidenwurm & Smith LLP 401 B Street, Suite 1200 San Diego, CA 92101 sschreiner@swsslaw.com
---	---	--

<p><u>VIA EMAIL</u> Attorneys for Defendants Parkwest Bicycle Casino, LLC (d/b/a Parkwest Bicycle Casino) Parkwest Casino 580, LLC (d/b/a Parkwest Casino 580); Cal-Pac Rancho Cordova, LLC (d/b/a Parkwest Casino Cordova); Lodi Cardroom, Inc. (d/b/a Parkwest Casino Lodi); The Silver F, Inc. (d/b/a Parkwest Casino Lotus); Parkwest Casino Manteca, LLC (d/b/a Parkwest Casino Manteca); Cal-Pac Sonoma, LLC (d/b/a Parkwest Casino Sonoma); and The River Cardroom, Inc. (d/b/a River Card Room)</p> <p>Scott B. Garner Umberg Zipser LLP 1920 Main Street, Suite 750 Irvine, California 92614 sgarner@umbergzipser.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants Stone South Bay Corporation (d/b/a Seven Mile Casino); King's Management Corporation (d/b/a The Saloon at Stones Gambling Hall; d/b/a The Tavern at Stones Gambling Hall)</p> <p>John L. Schwab Munger, Tolles & Olson LLP 350 S. Grand Avenue, 50th Floor Los Angeles, CA 90071-3426 John.Schwab@mto.com</p> <p>Benjamin J. Horwich Julianna Yee Munger, Tolles & Olson LLP 560 Mission Street, 27th Floor San Francisco, CA 94105-2907 Ben.Horwich@mto.com juliana.yee@mto.com</p>	<p><u>VIA EMAIL</u> Attorneys for Defendants ABA Properties LLC (d/b/a The Aviator Casino)</p> <p>Old Town Investments, Inc.(d/b/a Bankers Casino); Randy A. Yapple (d/b/a Blacksheep Casino Company); Capitol Casino, a California Corporation (d/b/a Capitol Casino a.k.a. Capitol Casino, Inc.; Casino 99, LLC (d/b/a. Casino 99); Casino Poker Club, Inc. (d/b/a Casino Club); Delta C., LP (d/b/a Cameo Club; d/b/a Kings Card Club; d/b/a Westlake Card Room); Ky Phuon (d/b/a Garlic City Club); Limelight Cardroom Trust (d/b/a Limelight Card Room); Marina Club Casino, LLC (d/b/a Marina Club); BVK Gaming, Inc. (d/b/a Napa Valley Casino); Veronica S. Chohrach (d/b/a Oceanview Casino; Outlaws 101 LLC (d/b/a Outlaws Card Parlour); Palace Poker Casino, LLC (d/b/a Palace Poker Casino); Stars Gaming, Inc.(d/b/a Stars Casino); Westlane Card Room (a.k.a. Delta C, LP); The Nineteenth Hole General Partnership (d/b/a The Nineteenth Hole Casino and Lounge); and Empire Sportsmen's Association</p> <p>Michael G. Colantuono Matthew C. Slentz Sarah L. Smale Colantuono, Highsmith, & Whatley, PC 420 Sierra College Drive, Suite 140 Grass Valley, CA 95945-5091 mcolantuono@chwlaw.us mslentz@chwlaw.us</p>
---	--	---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>VIA EMAIL</u> Attorneys for Defendant <u>Hawaiian Gardens Casino, Inc.</u> <u>(d/b/a The Gardens Casino)</u> Michael Attanasio Ryan Stevens Julia Thomas Cooley LLP 10265 Science Center Drive San Diego, CA 92121-1117 mattanasio@cooley.com rstevens@cooley.com jthomas@cooley.com	<u>VIA EMAIL</u> <u>Raphael P. Quiroga (d/b/a Jalisco</u> <u>Pool Room)</u> Rafael P. Quiroga 920 Guadalupe Street Guadalupe, CA 93434 rquiroga@msn.com	<u>VIA MAIL</u> <u>Sacramento Casino Casino Royale,</u> <u>LLC (d/b/a Casino Royale)</u> William Blanas, Registered Agent 1041 Tennyson Way Carmichael, CA 95608
--	--	---