

ILLINOIS GAMING BOARD

160 North LaSalle Street, 3rd Floor

Chicago, Illinois 60601

312-814-4700



**VIDEO GAMING
TRUST DISCLOSURE FORM**

Name of Trust:

Name of Trust Beneficiary completing this form:

Name of affiliated Applicant/Licensee for which this form is submitted:

Date (mm/dd/yyyy): _____

TYPE OF LICENSE FOR WHICH THIS FORM IS SUBMITTED (check all that apply)

Manufacturer Distributor Supplier Terminal Operator Licensed Video Gaming Location

POSITION/RELATIONSHIP WITH APPLICANT/LICENSEE (check all that apply)

Shareholder Partner Shareholder of parent or subsidiary corporation of Applicant

Other _____

PURPOSE OF TRUST DISCLOSURE FORM

The purpose of this form is to obtain basic information concerning trusts in which you may be involved as a beneficiary, contingent or otherwise. You must include information concerning all trusts, except land trusts, for which you are the beneficiary, including without limitation, living trusts and voting trusts. Additionally, this form must be submitted each time a trust with which you have such a relationship is established, amended or terminated. The Illinois Gaming Board ("Board") will use this form to decide whether it needs additional information from you and to further investigate your trust relationships.

In determining whether further investigation is necessary, the Board will consider factors, including but not limited to, the associations and relationships made and represented by the trusts, the purposes for which the trusts were created and whether the trusts contain or affect any gaming or gaming-related interests. Furthermore, the Board will look for any associations or relationships within the trusts that could impact negatively upon your character or the integrity of gaming in Illinois. For example, the Board will determine whether the trust is being used to pass benefits derived from Illinois video gaming operations to those who would otherwise be considered unsuitable for licensure or association with video gaming in Illinois. The Board will determine whether the trust is being used as a vehicle to subdivide your interests in Illinois licensees and affiliates and may consider such trusts as attributed interests regardless of your control over them. The Board also will look for any ability of the grantor, trustee or beneficiary to pledge, dispose or otherwise transfer interests in Illinois video gaming operations, as these actions require prior Board approval.

INSTRUCTIONS FOR VIDEO GAMING TRUST DISCLOSURE FORM

WARNING

BY FILING THIS FORM, YOU ACCEPT ANY RISK OF ADVERSE PUBLIC NOTICE, EMBARRASSMENT, CRITICISM, OR OTHER ACTION, OR FINANCIAL LOSS WHICH MAY RESULT FROM ACTION TAKEN OR NOT TAKEN WITH RESPECT TO THE FORM AND ANY LICENSE APPLICATION, AND EXPRESSLY WAIVE ANY CLAIM FOR DAMAGES AS A RESULT THEREOF. INFORMATION NOT REQUESTED IN THIS FORM OR IN ADDITION TO THAT PROVIDED IN RESPONSE TO THIS FORM MAY BE REQUESTED.

Read the entire Form before responding to the questions.

This form is an official document. You should respond to the questions contained herein to the Best of your Knowledge after substantial inquiry. Do not misstate or omit any material fact(s) as each statement made herein is subject to verification. **ANY misrepresentation, failure to reveal information or omission is grounds for denial of a license application. “A person who knowingly makes a false statement on an application is guilty of a Class A misdemeanor.” 230 ILCS 10/9(f).**

You are under a continuing duty to disclose promptly any changes in the information provided in this form and additional information and materials submitted to the Illinois Gaming Board. The duty to make such additional disclosures shall continue throughout any period of licensure granted by the Illinois Gaming Board associated with this Video Gaming Trust Disclosure Form.

Type or print the answers to questions in black ink. **All signatures should be in blue ink.** If a question does not apply to you, so state with “N/A.” If space available is insufficient, continue on a separate sheet of paper and precede each answer by labeling the section to which it is responsive. You must initial each page, as provided in the lower right hand corner. By placing your initials on each page, you are attesting to the accuracy and completeness of the information contained on that page.

REQUIRED FORMS AND DOCUMENTS

The following properly executed forms and documents are required prior to the processing of this Video Gaming Trust Disclosure Form:

1. Schedule of Exhibits.
2. Verification.
3. Trust agreement.

Complete and return the required forms and documents (1 original and 2 copies, each individually bound on the left side with a 3-ring binder, and 1 electronic copy in Portable Document Format on CD or DVD) to the Illinois Gaming Board. All materials submitted to the Illinois Gaming Board must be sent to:

Illinois Gaming Board
160 North LaSalle Street, 3rd Floor
Chicago, Illinois 60601-3103

DEFINITIONS FOR VIDEO GAMING LICENSE APPLICATIONS AND DISCLOSURE FORMS

For the purposes of all video gaming license applications and disclosure forms, the following terms shall have the following meanings:

Act: The Illinois Video Gaming Act.

Administrator: The chief executive officer responsible for the day-to-day operations of the Illinois Gaming Board.

Affiliate: An Affiliate of a person is a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, such person.

Affiliated Entity: An Affiliated Entity of a person is any Business Entity that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with, the person.

Amusement Machine Route Operation: An operation which involves the installation, operation, and/or service of vending machines, coin-operated amusement devices, and/or Gaming Equipment in retail stores and other establishments including, but not limited to, Convenience Stores, bars, restaurants, liquor stores, Veterans Organizations, Fraternal Organizations, and truck stops.

Applicant: As the context requires, either (i) in the case of a person applying for any video gaming license, the Individual or Business Entity for whom the Application is being submitted to the Illinois Gaming Board, or (ii) in the case of a person submitting a video gaming disclosure form, the Individual or Business Entity for whom an Application is being submitted or has been submitted to the Illinois Gaming Board and with which the form is associated.

Application: All material submitted, including the instructions, definitions, forms and other documents issued by the Illinois Gaming Board, comprising the video gaming license application submitted to the Illinois Gaming Board.

Associated Video Gaming Equipment: Ticket payout systems and validation procedures; wireless, promotional and bonusing systems; kiosks; gaming-related peripherals; hardware, software and systems; and other gaming devices and equipment for compliance with: (i) Illinois laws, regulations, and requirements as codified or otherwise set forth; and (ii) Board-approved video gaming industry standards.

Attributed Interest: A direct or Indirect Interest in an enterprise deemed to be held by an Individual not through the Individual's actual holdings but either through the holdings of the Individual's relatives or through a third party or parties on behalf of the Individual pursuant to a plan, arrangement or agreement.

Beneficiary: Person for whose current, contingent or future benefit property is held in Trust.

Best of its Knowledge or Best of My Knowledge: One's knowledge after substantial inquiry.

Board: The Illinois Gaming Board.

Business Entity: A partnership, incorporated or unincorporated association or group, firm, corporation, limited liability company, partnership for shares, Trust, Sole Proprietorship or other business enterprise.

Contingent Beneficiary: Person designated by Grantor to receive benefit of property held in Trust if the primary Beneficiary is unable or unwilling to take it.

Control(s): The possession, direct or indirect, of the power to direct or cause the direction of the management, operation or policies of an Individual or Business Entity, whether through the ownership of voting securities, by contract, or otherwise.

Convenience Store: A retail store that is open long hours, sells motor fuel, and a limited selection of snacks and general goods.

Debt Instrument: Any bond, loan, mortgage, Trust deed, note, debenture, subordination, guaranty, letter of credit, Security Agreement, surety agreement, pledge, chattel mortgage or form of indebtedness.

Distributor: An Individual, partnership, or corporation licensed under the Act to buy, sell, lease, or distribute Video Gaming Terminals or major components or parts of Video Gaming Terminals to or from Terminal Operators.

Enforce a Security Interest: To transfer possession of ownership or title pursuant to a Security Interest.

Fraternal Organization: An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from federal income taxation under Section 501(c)(8) or (C)(10) of the Internal Revenue Code.

Game: A gambling activity which is played for money, property, or anything of value, including without limitation those played with cards, chips, tokens, vouchers, dice, implements, or electronic, electrical, or mechanical devices or machines.

Gaming: The dealing, operating, carrying on, conducting, maintaining or exposing for play any Game.

Gaming Equipment: A machine, mechanism, device or implement which effects the result of a Game by determining win or loss, including without limitation electronic, electrical, or mechanical devices or machines, software, cards, or dice, and any representative of value used with any Game, including without limitation chips, tokens, or electronic debit cards and related hardware and software.

Gaming Operation: The conducting of Gaming or the providing or servicing of Gaming Equipment.

Gaming Property Collateral: Video Gaming Equipment subject to a Security Interest.

Gaming-related: Anything related to the dealing, operating, carrying on, conducting, transporting, maintaining or exposing for play of any Game.

Grantor: The settlor or creator of a Trust.

Illinois Resident:

- (1) With respect to an Individual, an Individual who is either: (i) domiciled in Illinois or maintains a bona fide place of abode in Illinois; or (ii) is required to file an Illinois tax return during the taxable year.
- (2) With respect to a corporation, any corporation organized under the laws of this State and any foreign corporation with a certificate of authority to transact business in Illinois. A foreign corporation not authorized to transact business in this State is a nonresident of this State.
- (3) With respect to a partnership, a partnership in which any partner is an Illinois resident, or where the partnership has an office and is doing business in Illinois.
- (4) With respect to an irrevocable Trust, a Trust where the grantor was an Illinois resident individual at the time such Trust became irrevocable.

Immediate Family: Spouse (other than a spouse who is legally separated from the Individual under a decree of divorce or separate maintenance), parents, grandparents, siblings, children and grandchildren, step-children, whether by blood, marriage, or adoption.

Indirect Interest: An interest in a Business Entity that is deemed to be held by an Applicant or a licensee not through the Applicant's or licensee's actual holdings in the Business Entity, but through the Applicant's or licensee's holdings in other Business Entities.

Individual: Any natural person.

Licensed Fraternal Establishment: A location licensed under the Act where a qualified Fraternal Organization that derives its charter from a national Fraternal Organization regularly meets.

Licensed Retail Establishment: A location licensed under the Act where alcoholic liquor is drawn, poured, mixed, or otherwise served for consumption on the premises. Licensed Retail Establishment does not include a Licensed Fraternal Establishment, Licensed Veterans Establishment, or a Licensed Truck Stop Establishment.

Licensed Technician: An individual who is licensed under the Act to repair, service, and maintain Video Gaming Terminals.

Licensed Terminal Handler: A person, including but not limited to an employee or independent contractor working for a manufacturer, distributor, supplier, technician, or terminal operator, who is licensed under the Act to possess or control a Video Gaming Terminal or to have access to the inner workings of a Video Gaming Terminal. A licensed terminal handler does not include an individual, partnership, or corporation defined as a manufacturer, distributor, supplier, technician, or terminal operator under the Act.

Licensed Truck Stop Establishment: A facility licensed under the Act that is at least a 3-acre facility with a Convenience Store and with separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code.

Licensed Veterans Establishment: A location licensed under the Act where a qualified Veterans Organization that derives its charter from a national Veterans Organization regularly meets.

Licensed Video Gaming Location: A Licensed Retail Establishment, Licensed Fraternal Establishment, Licensed Veterans Establishment, or Licensed Truck Stop Establishment.

Liquor License: A license issued by a governmental body authorizing the holder to sell and offer for sale at retail alcoholic liquor for use or consumption.

Major Components or Parts: Components or parts that comprise the inner workings and peripherals of a Video Gaming Terminal, including but not limited to the device's hardware, software, human interface devices, interface ports, power supply, ticket payout system, bill validator, printer and any component which effects or could effect the result of a Game played on the device.

Manage: To exercise executive, administrative, and/or supervisory direction.

Manufacturer: An individual, partnership, or corporation that is licensed under the Act and that manufactures or assembles Video Gaming Terminals.

Nominee: Any Individual or Business Entity that holds as owner of record the legal title to tangible or an intangible personality or real property, including without limitation any stock, bond, debenture, note, investment contract or real estate on behalf of another Individual or Business Entity, and as such is designated and authorized to act on his or its behalf with respect to such property.

Ownership Interest: Includes, but is not limited to, direct, indirect, beneficial or Attributed Interest, or holder of stock options, convertible debt, warrants or stock appreciation rights, or holder of any beneficial ownership or leasehold interest in a Business Entity.

Person with Significant Influence and Control:

- (1) Each person in whose name the Liquor License is maintained for each Licensed Video Gaming Location;
- (2) Each person who holds, directly or indirectly, a Substantial Interest in an Applicant or licensee;
- (3) Each person who, in the opinion of the Administrator, has the ability to Control the activities of the corporate Applicant or licensee, or elect a majority of the board of directors of that corporation, other than a bank or other licensed lending institution which holds a mortgage or other lien acquired in the ordinary course of business;
- (4) For any Applicant or licensee that is not a corporation, persons who, in the opinion of the Administrator, have the ability to Control the Applicant or licensee; or
- (5) Persons having the power to exercise significant influence over decisions concerning any part of the Applicant's or licensee's Video Gaming Operation.

Public Official: An Individual who is elected to office pursuant to Illinois statute, or who is appointed to an office which is established under and the qualifications and duties of which are prescribed by Illinois statute to discharge a public duty for the state or any of its political subdivisions.

Publicly Held Company: A company that has filed a registration statement with the Securities and Exchange Commission and its shares are traded on a national stock exchange.

Secured Party: A person who is a lender, seller, or other person who holds a valid security interest.

Security: An ownership right or creditor relationship.

Security Agreement: An agreement that creates or provides a security interest, including but not limited to a Use Agreement.

Security Interest: An interest in property that secures the payment or performance of an obligation or judgment.

Sole Proprietor: An Individual who in his or her own name owns 100% of the assets and who is solely liable for the debts of a business.

Substantial Interest: With respect to a partnership, a corporation, an organization, an association, a business, or a limited liability company means:

- (1) When, with respect to a Sole Proprietorship, an Individual or his or her spouse owns, operates, Manages, or conducts, directly or indirectly, the organization, association, or business, or any part thereof; or
- (2) When, with respect to a partnership, the Individual or his or her spouse shares in any of the profits, or potential profits, of the partnership activities; or
- (3) When, with respect to a corporation, an Individual or his or her spouse is an officer or director or the individual or his or her spouse is a holder, directly or beneficially, of 5% or more of any class of stock of the corporation; or
- (4) When, with respect to a limited liability company, an Individual or his or her spouse is a member, or the Individual or his or her spouse is a holder, directly or beneficially, of 5% or more of the membership interest of the limited liability company; or
- (5) When, with respect to any other organization not covered in 1), 2), 3), or 4) above, an Individual or his or her spouse is an officer or manages the business affairs, or the Individual or his or her spouse is the owner of, or otherwise controls, 10% or more of the assets of the organization; or
- (6) When an Individual or his or her spouse furnishes 5% or more of the capital, whether in cash, goods, or services, for the operation of any business, association, or organization during any calendar year.

For purposes of this definition, "Individual" includes all Individuals or their spouses whose combined interest would qualify as a Substantial Interest under this definition and whose activities with respect to an organization, association, or business are so closely aligned or coordinated as to constitute the activities of a single entity.

Substantial Owner: The holder of at least 25% of the total combined voting power of a corporation or at least 25% of the total value of shares of all classes of stock of a corporation; or at least 25% interest in a partnership; or at least 25% of the value of a Trust computed actuarially; or at least 25% of the legal or beneficial interest in any other Business Entity. For purposes of computing the forgoing percentages, a holder shall be deemed to own any stock or other interest in a Business Entity, whether owned as a direct or Indirect Interest.

Successor Trustee: A Trustee who succeeds an earlier Trustee.

Supplier: An individual, partnership, or corporation that is licensed under the Act to supply Major Components or Parts to Video Gaming Terminals to Terminal Operators.

Terminal Operator: An Individual, partnership, or corporation that is licensed under the Act and that owns, services, and maintains Video Gaming Terminals for placement in Licensed Video Gaming Locations.

Truck Stop Establishment: A facility with a valid liquor license issued by the Illinois Liquor Control Commission that is at least a 3-acre facility with a Convenience Store and with separate diesel islands for fueling commercial motor vehicles and parking spaces for commercial motor vehicles as defined in Section 18b-101 of the Illinois Vehicle Code.

Trust: a property interest held by one person (the Trustee) at the request of another (the Grantor) for the benefit of a third party (the Beneficiary).

Trustee: Person who holds legal title to property in a Trust for the benefit of the Beneficiaries of the Trust.

Use Agreement: A contractual agreement between a Terminal Operator and a Licensed Video Gaming Location establishing terms and conditions for placement and operation of Video Gaming Terminals by the Terminal Operator within the premises of the Licensed Video Gaming Location.

Veterans Organization: An organization or institution organized and conducted on a not-for-profit basis with no personal profit inuring to anyone as a result of the operation and that is exempt from federal income taxation under Section 501(c)(19) of the Internal Revenue Code.

Video Gaming Equipment: Video Gaming Terminals, Associated Video Gaming Equipment, and Major Components or Parts.

Video Gaming Operation: As the context requires, the conducting of video gaming and all related activities.

Video Gaming Terminal: An electronic video game machine that, upon insertion of cash, is available to play or simulate the play of a video game, including but not limited to video poker, line up, and blackjack, as authorized by the Board utilizing a video display and microprocessors in which the player may receive free games or credits that can be redeemed for cash. The term does not include a machine that directly dispenses coins, cash, or tokens or is for amusement purposes only.

SECTION 1 – TRUST INFORMATION

A. Identifying Information

Your Name	
Name of Trust	
Trust Identification Number	Date Trust Created (mm/dd/yyyy)

B. Provide the date of and describe all amendments to the Trust. If additional space is needed, submit this information on a separate sheet of paper and submit as Exhibit 1(B).

Date of Amendment (mm/dd/yyyy)	Description of Amendment
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Date of Amendment (mm/dd/yyyy)	Description of Amendment
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SECTION 2 – TRUST PARTICIPANTS

A. Provide the information requested below for each Grantor of the Trust. If additional space is needed, submit this information on a separate sheet of paper and submit as Exhibit 2(A).

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	

B. Provide the information requested below for each Trustee of the Trust. If there are any Successor Trustees delineated in the Trust, list them as well as the circumstances that would give rise to their becoming a Trustee. If additional space is needed, submit this information on a separate sheet of paper and submit as Exhibit 2(B).

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	
<input type="checkbox"/> Trustee Circumstances for Successor Trustee becoming Trustee: <input type="checkbox"/> Successor Trustee			

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	
<input type="checkbox"/> Trustee Circumstances for Successor Trustee becoming Trustee: <input type="checkbox"/> Successor Trustee			

C. Provide the information requested below for each Beneficiary of the Trust, *including yourself*. If there are any Contingent Beneficiaries delineated in the Trust, list them as well as the circumstances that would give rise to their becoming a Beneficiary. If additional space is needed, submit this information on a separate sheet of paper and submit as Exhibit 2(C).

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	
<input type="checkbox"/> Beneficiary Circumstances for Contingent Beneficiary becoming Beneficiary: <input type="checkbox"/> Contingent Beneficiary			

Name		Email Address	
Title	Date of birth (mm/dd/yyyy)	Sex <input type="checkbox"/> male <input type="checkbox"/> female	Social Security Number or FEIN
Street Address		City/State/Zip Code	
Phone	Mobile Phone	Facsimile	
<input type="checkbox"/> Beneficiary <input type="checkbox"/> Contingent Beneficiary	Circumstances for Contingent Beneficiary becoming Beneficiary:		

- D. Are any of the persons named in the answers to questions 2(A), 2(B) or 2(C) above a Person with Significant Influence and Control, a Licensed Video Gaming Location, Terminal Operator, Manufacturer, Supplier, Distributor or Applicant for a license pursuant to the Video Gaming Act? Yes No If the answer is "yes," identify those persons below.

Name	Name
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SECTION 3 – TRUST INCOME, BENEFITS & CONTROL

- A. Is the Trust revocable? Yes No If the answer is "yes," submit as Exhibit 3(A) a detailed statement describing the circumstances under which it is revocable. If the answer is "no," was the Grantor an Illinois Resident Individual at the time the Trust became irrevocable? Yes No.
- B. Submit as Exhibit 3(B) a detailed statement describing all property held by the Trust (the Trust *corpus*) including, but not limited to, all real property, personal property, and future interests.
- C. Does the Trust receive income or hold stock or any other form of interest or rights in the ownership of any Gaming-related Business Entity in any jurisdiction? Yes No If the answer is "yes," submit as Exhibit 3(C) a statement setting forth the name of the entity and the form and extent of the interest held.
- D. Can any of the interests in the Trust be pledged or assigned? Yes No If the answer is "yes," submit as Exhibit 3(D) a statement setting forth in detail the circumstances under which the interests can be pledged or assigned.
- E. Submit as Exhibit 3(E) a statement setting forth in detail the Trustee's powers and responsibilities under the Trust, including whether the powers and responsibilities are conditional or shared with any others. If applicable, describe the nature of any conditions or contingencies and the names and addresses of those whom the Trustee shares powers and responsibilities.
- F. Submit as Exhibit 3(F) a copy of the Trust agreement.

**VIDEO GAMING TRUST DISCLOSURE FORM
SCHEDULE OF EXHIBITS**

(Print name)

If an Exhibit is not applicable, indicate N.A.

Exhibit Number	Person who prepared or directed preparation of Exhibit (state which)	Official Title
1(B)		
2(A)		
2(B)		
2(C)		
3(A)		
3(B)		
3(C)		
3(D)		
3(E)		
3(F)		

VERIFICATION

State of _____)
) ss
County of _____)

I, _____, being first duly sworn upon oath or affirmation, depose
(Your Name)
and state:

“Undersigned swears and certifies under penalty of law that all answers and information provided in this Video Gaming Trust Disclosure Form and associated documents are true, correct and complete to the Best of my Knowledge. Undersigned acknowledges that any misrepresentation, failure to reveal or update information or omission is grounds for denial of a license and/or revocation of any license for which this form is submitted or with which this form is associated. Undersigned acknowledges that any misrepresentation, failure to reveal or update information or omission is grounds for the Illinois Gaming Board to require my disassociation with any licensee or person for which this form is submitted or with which this form is associated.”

By: _____

SUBSCRIBED and SWORN to before me this

_____ day of _____, 20__

Notary Public

Notary Public in and for the

County of _____,

State of _____.