

**STATE OF ILLINOIS  
ILLINOIS GAMING BOARD**

**IN RE THE DISCIPLINARY ACTION OF:**

**ILLINOIS GAMING INVESTORS LLC**

**DC-V-21-028**

**Licensed Terminal Operator**

**COMPLAINT FOR DISCIPLINARY ACTION**

The Illinois Gaming Board for its Complaint against Illinois Gaming Investors LLC states as follows:

**NATURE OF ACTION**

1. The Illinois Gaming Board (the “Board” or “IGB”) brings this action against Licensed Terminal Operator Illinois Gaming Investors LLC (“IGI”) for failure to inform the central communications system provider prior to clearing the meters of a video gaming terminal.
2. IGI conduct violates provisions of the Video Gaming Act (“VGA”), the Illinois Gambling Act (“IGA”) and the Board’s Adopted Rules on Video Gaming (the “Rules”) that prohibit Board licensees from engaging in any conduct that would discredit, or tend to discredit, or reflect adversely on the integrity of the Illinois gaming industry, including but not limited to, the failure to comply with the VGA, IGA, or the Rules.
3. The Board brings this action pursuant to Sections 78(a)(2), 78(a)(3) and 80 of the VGA, sections 5(b)(2), 5(c)(5), 5(c)(11), and 5(c)(15) of the IGA, and Sections 1800.260 and 1800.310 of the Rules. 230 ILCS 40/78; 230 ILCS 40/80; 230 ILCS 10/5; 11 Ill. Adm. Code §§ 1800.260, 1800.310.

**PARTIES AND RELEVANT PERSONS**

4. The Board is the Illinois regulatory agency charged with the responsibility of administering, regulating and enforcing the system of video gaming established by the VGA. The Board’s jurisdiction extends to every person, association, corporation, partnership, and trust involved in Illinois video gaming operations.
5. IGI is a Licensed Terminal Operator (License No. 100600254). As a Licensed Terminal Operator, IGI is required to comply with the VGA and the Rules

6. Tom Dal Pozzo (“Dal Pozzo”) is a Licensed Terminal Handler (License No. 150502244). At all times relevant, Dal Pozzo was employed by IGI.

### **FACTS**

7. On July 21, 2020, Dal Pozzo was servicing a video gaming terminal at Licensed Retail Establishment Ed Champ Enterprises, LLC d/b/a Farmers Inn (License No. 120703002) in Metcalf, Illinois.
8. Dal Pozzo did not notify the central communication system provider prior to clearing the progressive meters of the video gaming terminal.

### **COUNT I**

#### **Failure to Notify the Central Communications System Provider in Violation of 11 Ill. Adm. Code 1800.260(l), and 11 Ill. Adm. Code 1800.310(a)(1)**

9. The Board re-alleges and incorporates Paragraphs 1 through 8 above as if fully alleged herein.
10. Rule 260(l) requires all Licensed Terminal Handlers to “[i]nform the central communications system before clearing meters on a video gaming terminal.” 11 Ill. Adm. Code 1800.260(l).
11. Dal Pozzo, as a Licensed Terminal Handler, has an ongoing duty to inform the central communications system provider before clearing any meters on a video gaming terminal. 11 Ill. Adm. Code 1800.260(l).
12. IGI, as a Board licensee, is subject to discipline for any act or failure to act by its agents or employees that is injurious to the public health, safety, morals, good order and general welfare of the people of the State of Illinois, or that would discredit or tend to discredit the Illinois video gaming industry or the State of Illinois, including but not limited to failing to comply with State laws or regulations. 11 Ill. Adm. Code 1800.310(a)(1).
13. By failing to notify the central communications system provider prior to clearing the meters of a video gaming terminal, Dal Pozzo violated Rule 260(l).
14. Because Dal Pozzo violated Rule 260(l), IGI is subject to discipline pursuant to 11 Ill. Adm. Code 1800.310(a)(1).

WHEREFORE, based on the foregoing, IGI shall be FINED \$5,000 dollars.

Respectfully submitted,



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Marcus D. Fruchter  
Administrator  
Illinois Gaming Board

Dated: May 24, 2021

**NOTIFICATION OF PROPOSED DISCIPLINARY ACTION**

Pursuant to Rule 715, 11 Ill. Adm. Code 1800.715, the Administrator finds facts sufficient to authorize the issuance of a Disciplinary Complaint against Illinois Gaming Investors LLC and to propose the following discipline:

Licensed Terminal Operator Illinois Gaming Investors LLC (License No. 100600254 ) shall be fined \$5,000 dollars for violations of the Video Gaming Act and the Adopted Rules, as set forth in Disciplinary Complaint No. DC-V-21-028 unless it files an answer to the Disciplinary Complaint within 21 days from the date of service of the complaint.

If you choose to file an Answer, it will not be accepted unless it complies with every requirement listed in Section 720 of the Rules, 11 Ill. Adm. Code 1800.720. If you file an Answer that complies with all requirements under Rule 720, a hearing officer will be appointed to conduct a hearing. Failure to file an Answer within 21 days of receiving this Complaint will result in the proposed disciplinary action becoming effective and final. The Answer shall be either mailed or emailed to:

Illinois Gaming Board  
c/o Legal Department  
160 N. LaSalle St., Suite 300  
Chicago, IL 60601

**OR**

[igb.legal@igb.illinois.gov](mailto:igb.legal@igb.illinois.gov)



Dated: May 24, 2021

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Marcus D. Fruchter  
Administrator  
Illinois Gaming Board

**CERTIFICATE OF SERVICE**

I, Latosha Humphrey, certify that on Monday, May 24, 2021, I caused a copy of this disciplinary complaint to be transmitted by electronic mail pursuant to Illinois Gaming Board Video Gaming Rules 1800.140 and 1800.715 to the following addresses:



*/s/ Latosha Humphrey*

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Latosha Humphrey

Paralegal

Illinois Gaming Board