STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
Treasure Island
5310 Ivan Drive
Lansing, MI 48917

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

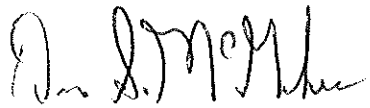
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Andre Manuel
7394 Noel Avenue
Dimondale, MI 48821

RE: Cease and Desist Illegal Gambling

Dear Mr. Manuel:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

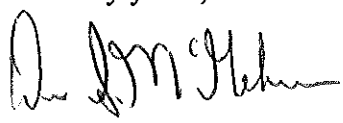
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Ivan Crossing LLC
Walter R. Miars, Registered Agent
1101 Lipsey
Charlotte, MI 48813

RE: Cease and Desist Illegal Gambling

Dear Mr. Miars:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Ivan Crossing LLC
Walter R. Miars, Registered Agent
1730 Glass Drive
Charlotte, MI 48813

RE: Cease and Desist Illegal Gambling

Dear Mr. Miars:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

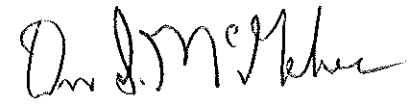
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
Lansing, Michigan 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Net Sweeps, LLC
Stephen J. Ells, Registered Agent
1521 Milano Court
Myrtle Beach, SC 29579

RE: Cease and Desist Illegal Gambling

Dear Mr. Ells:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

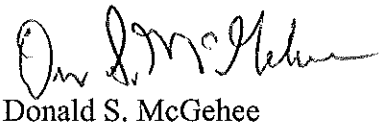
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

American Gaming Software, LLC
Rick Rose, Registered Agent
3362-A South Church Street
Burlington, NC 27215

RE: Cease and Desist Illegal Gambling

Dear Mr. Rose:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Blue Water Gaming Technology, Inc.
James T. Murphy, Registered Agent
1200 Riverplace Boulevard, Suite 902
Jacksonville, FL 32207

RE: Cease and Desist Illegal Gambling

Dear Mr. Murphy:

This office has confirmed that Treasure Island at 5310 Ivan in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Island violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Island, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

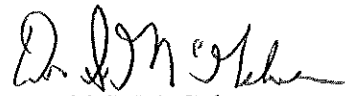
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Island is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Island and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
Players Club Internet Café
13404 East 11 Mile Road
Warren, MI 48089

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

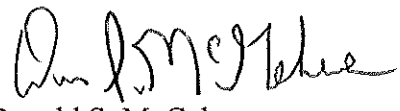
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Super Café of Warren, Inc.
Akeel Roger Brikho, Resident Agent
5745 W. Maple Rd., Ste. 212
West Bloomfield, MI 48322

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

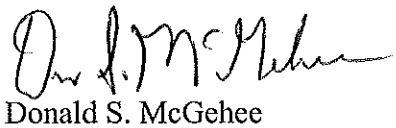
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Akeel Roger Brikho
8493 Hummingbird
Commerce Twp., MI 48382

RE: Cease and Desist Illegal Gambling

Dear Mr. Brikho:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

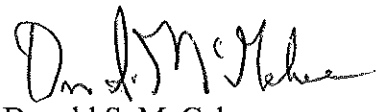
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Warren Shopping Plaza
Jerry R. Brady, General Partner
4578 Coachmaker Road
Bloomfield Hills, MI 48013

RE: Cease and Desist Illegal Gambling

Dear Mr. Brady:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Warren Shopping Plaza
Robert J. Crutcher, General Partner
20760 Coolidge Hwy.
Oak Park, MI 48237

RE: Cease and Desist Illegal Gambling

Dear Mr. Crutcher:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Phone-Sweeps, LLC
Fernando Di Carlo, Registered Agent & Manager
230 Osprey Lane
Flagler Beach, FL 32138

RE: Cease and Desist Illegal Gambling

Dear Mr. Di Carlo:

This office has confirmed that Players Club Internet Café at 13404 East 11 Mile Road in Warren, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

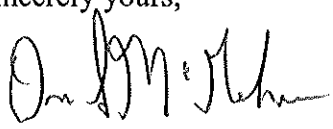
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Treasure Internet Lounge
Person in Charge
39109 Garfield Road
Clinton Twp., MI 48038

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure Internet Lounge at 39109 Garfield Road in Clinton Township, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Internet Lounge violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Internet Lounge, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Internet Lounge is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Internet Lounge and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Treasure Internet Lounge, LLC
Charisse Friscioni, Resident Agent
23002 Hoffman Street
St. Clair Shores, MI 48082

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure Internet Lounge at 39109 Garfield Road in Clinton Township, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Internet Lounge violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Internet Lounge, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Internet Lounge is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Internet Lounge and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Charisse Friscioni
23002 Hoffman Street
St. Clair Shores, MI 48082

RE: Cease and Desist Illegal Gambling

Dear Ms. Friscioni:

This office has confirmed that Treasure Internet Lounge at 39109 Garfield Road in Clinton Township, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Internet Lounge violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Internet Lounge, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Internet Lounge is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Internet Lounge and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Thomas Ciaramitaro
42850 Garfield, Ste. 101
Clinton Twp., MI 48038

Re: Treasure Internet Lounge, LLC

Dear Mr. Ciaramitaro:

Enclosed for your information is a copy of the cease and desist letter sent to Treasure Internet Lounge.

If you have any questions, please contact me.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Garpointe Plaza, LLC
Bennedetto Sorrentino, Resident Agent
35520 Forton Ct.
Clinton Twp., MI 48035

RE: Cease and Desist Illegal Gambling

Dear Mr. Sorrentino:

This office has confirmed that Treasure Internet Lounge at 39109 Garfield Road in Clinton Township, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Internet Lounge violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Internet Lounge, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Internet Lounge is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Internet Lounge and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Peter Lucido, P.C.
39999 Garfield Road
Clinton Township, MI 48038

Re: Garpointe Plaza, LLC and Treasure Internet Lounge

Dear Mr. Lucido:

Enclosed for your information is a copy of the cease and desist letter sent to both Garpointe Plaza, LLC and Treasure Internet Lounge.

If you have any questions, please contact me.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

World Touch Gaming, Inc.
c/o Paul Moriarity
1420 Oak Industrial Lane
Cumming, GA 30041

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure Internet Lounge at 39109 Garfield Road in Clinton Township, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure Internet Lounge violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure Internet Lounge, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure Internet Lounge is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure Internet Lounge and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Treasure One Cyber Café
Person in Charge
20785 E. 13 Mile Road
Roseville, MI 48066

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

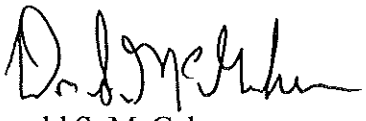
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Zodiacs Cyber Café, LLC
Charisse Friscioni, Registered Agent
20785 13 Mile Road
Roseville, MI 48066

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

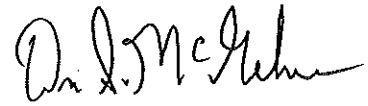
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
Lansing, Michigan 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Gerald J. Richter
6050 Livernois Rd.
Troy, MI 48098

Re: Zodiacs Cyber Café, LLC and Treasure One Cyber Café
Treasure One Cyber Cafe

Dear Mr. Richter:

Enclosed for your information is a copy of the cease and desist letter sent to both Zodiacs Cyber Café, LLC and Treasure One Cyber Cafe.

If you have any questions, please contact me.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Michael Kiryakoza, P.C.
29100 Northwestern Hwy., Ste. 310
Southfield, MI 48034

Re: 13 & Little Mack Center, L.L.C. d/b/a Rosemack Center and Treasure One Cyber Cafe

Dear Mr. Kiryakoza:

Enclosed for your information is a copy of the cease and desist letter sent to both 13 & Little Mack Center, L.L.C. and Treasure One Cyber Cafe.

If you have any questions, please contact me.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Thomas Ciaramitaro
42850 Garfield, Ste. 101
Clinton Twp., MI 48038

Re: Zodiacs Cyber Café, LLC and Treasure One Cyber Café
Treasure One Cyber Cafe

Dear Mr. Ciaramitaro:

Enclosed for your information is a copy of the cease and desist letter sent to both Zodiacs Cyber Café, LLC and Treasure One Cyber Cafe.

If you have any questions, please contact me.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Paula Friscioni
34631 Mercer, Apt. 1
Fraser, MI 48026-3582

RE: Cease and Desist Illegal Gambling

Dear Ms. Friscioni:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

13 & Little Mack Center, LLC
d/b/a Rosemack Center
Raad Kouza, Resident Agent
P. O. Box 237
Belleville, MI 48112

RE: Cease and Desist Illegal Gambling

Dear Mr. Kouza:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

13 & Little Mack Center, LLC
d/b/a Rosemack Center
Raad Kouza, Resident Agent
42195 Kouza Ct.
Van Buren Twp., MI 48111

RE: Cease and Desist Illegal Gambling

Dear Mr. Kouza:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

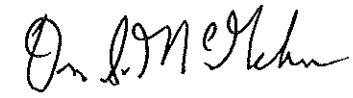
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

World Touch Gaming, Inc.
c/o Paul Moriarity
1420 Oak Industrial Lane
Cumming, GA 30041

RE: Cease and Desist Illegal Gambling

Dear Ms. Friscioni:

This office has confirmed that Treasure One Cyber Café at 20785 E. 13 Mile Road in Roseville, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Treasure One Cyber Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Treasure One Cyber Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

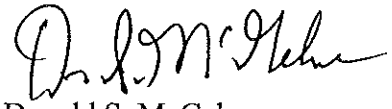
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Treasure One Cyber Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Treasure One Cyber Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
Super Café Internet Café
27258 Eureka Road
Taylor, MI 48180

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Super Café Internet Café at 27258 Eureka Road Taylor, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Super Café Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Super Café Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Super Café Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Super Café Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Super Café, Inc.
Akeel Brikho, Registered Agent
5745 W. Maple Road, Ste. 212
West Bloomfield, MI 48322

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Super Café Internet Café at 27258 Eureka Road Taylor, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Super Café Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Super Café Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

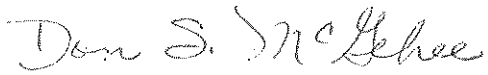
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Super Café Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Super Café Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Akeel Roger Brikho
8493 Hummingbird
Commerce Twp., MI 48382

RE: Cease and Desist Illegal Gambling

Dear Mr. Brikho:

This office has confirmed that Super Café Internet Café at 27258 Eureka Road Taylor, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Super Café Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Super Café Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Super Café Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Super Café Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Eureka & Inkster, LLC
Ramis Kouza, Resident Agent
P. O. Box 237
Belleville, MI 48112

RE: Cease and Desist Illegal Gambling

Dear Mr. Kouza:

This office has confirmed that Super Café Internet Café at 27258 Eureka Road Taylor, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Super Café Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Super Café Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Super Café Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Super Café Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Phone-Sweeps, LLC
Fernando Di Carlo, Registered Agent & Manager
230 Osprey Lane
Flagler Beach, FL 32138

RE: Cease and Desist Illegal Gambling

Dear Mr. Di Carlo:

This office has confirmed that Super Café Internet Café at 27258 Eureka Road Taylor, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Super Café Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Super Café Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Super Café Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Super Café Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don. S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
Players Club Pontiac Internet Café
775 Baldwin Road # A
Pontiac, MI 48340

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road, #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

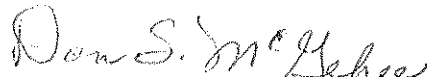
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Players Club of Pontiac, Inc.
Akeel Roger Birkho, Resident Agent
5745 West Maple Road, Ste. 212
West Bloomfield, MI 48322

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Akeel Birkho
8493 Hummingbird
Commerce Twp., MI 48382

RE: Cease and Desist Illegal Gambling

Dear Mr. Birkho:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

JK Management, Inc.
775 Baldwin Ave.
Pontiac, MI 48340

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Issam Kejbou
12647 Hamilton
Hamtramck, MI 48203

RE: Cease and Desist Illegal Gambling

Dear Mr. Kejbou:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Phone-Sweeps, LLC
Fernando Di Carlo, Registered Agent & Manager
230 Osprey Lane
Flagler Beach, FL 32138

RE: Cease and Desist Illegal Gambling

Dear Mr. Di Carlo:

This office has confirmed that Players Club Pontiac Internet Café at 775 Baldwin Road #A in Pontiac, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for phone cards and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing customers who purchase phone cards with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Players Club Pontiac Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits

accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Players Club Pontiac Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Players Club Pontiac Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or

misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Players Club Pontiac Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Don S. McGehee

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
West Point Business Center & Internet Café
1493 S. Linden
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may

result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Gaming Products, Inc.
Richard Froom, Resident Agent
1493 S. Linden
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may

result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Richard Froom
1493 S. Linden
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Mr. Froom:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

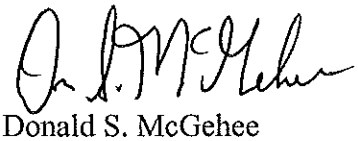
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Christopher Murillo
4426 Secretariat Ct.
Medina, OH 44256

RE: Cease and Desist Illegal Gambling

Dear Mr. Murillo:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

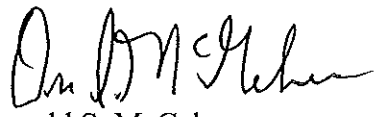
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Christopher J. Freeman
P. O. Box 4396
Copley, OH 44321

Re: Gaming Products, Inc. and 1493 Linden Road Holdings LLC

Dear Mr. Freeman:

Enclosed for your information is a copy of the cease and desist letter sent to both Gaming Products, Inc. and 1493 Linden Road Holdings LLC.

If you have any questions, please contact me.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

West Pointe Plaza, LLC
Harold Foutch, Resident Agent
G-4488 Corunna Road
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Mr. Foutch:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may

result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

1493 Linden Road Holdings, LLC
c/o National Registered Agents, Inc.
712 Abbott Road
East Lansing, MI 48823

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may

result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Video Gaming Technologies, Inc.
Todd McTavish, Registered Agent
155 Franklin Rd., Ste. 255
Brentwood, TN 37027

RE: Cease and Desist Illegal Gambling

Dear Mr. McTavish:

This office has confirmed that West Point Business Center & Internet Café, 1493 S. Linden in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of West Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as West Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

West Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may

result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place West Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
Spin City Internet Café LLC
2117 S. Cedar Street, Suite B
Lansing, MI 48910

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Spin City Internet Café LLC
Andre Manuel, Resident Agent
2117 S. Cedar Street, Suite B
Lansing, MI 48910

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

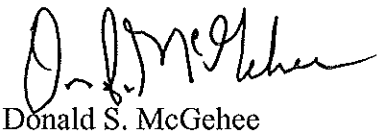
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Andre Manuel
7394 Noel Avenue
Dimondale, MI 48821

RE: Cease and Desist Illegal Gambling

Dear Mr. Manuel:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

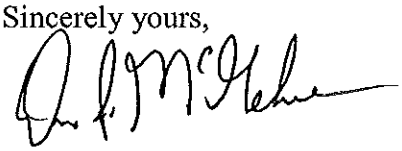
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Larry D. Fowler
406 W. Ottawa Street
Lansing, MI 48933

RE: Cease and Desist Illegal Gambling

Dear Mr. Fowler:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Net Sweeps, LLC
Stephen J. Ells, Registered Agent
1521 Milano Court
Myrtle Beach, SC 29579

RE: Cease and Desist Illegal Gambling

Dear Mr. Ells:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

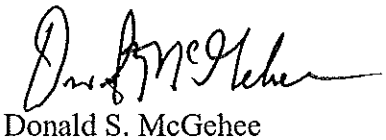
The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

American Gaming Software, LLC
Rick Rose, Registered Agent
3362-A South Church Street
Burlington, NC 27215

RE: Cease and Desist Illegal Gambling

Dear Mr. Rose:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Blue Water Gaming Technology, Inc.
James T. Murphy, Registered Agent
1200 Riverplace Boulevard, Suite 902
Jacksonville, FL 32207

RE: Cease and Desist Illegal Gambling

Dear Mr. Murphy:

This office has confirmed that Spin City Internet Café LLC at 2117 S. Cedar Street, Suite B, in Lansing, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of Spin City Internet Café LLC violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as Spin City Internet Café LLC, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

Spin City Internet Café LLC is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place Spin City Internet Café LLC and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Person in Charge
East Point Business Center & Internet Café
3097 Genesee Road
Flint, MI 48506

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Gaming Products, Inc.
Richard Froom, Resident Agent
1493 S. Linden
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

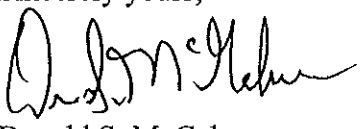
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Mr. Richard Froom
1493 S. Linden
Flint, MI 48532

RE: Cease and Desist Illegal Gambling

Dear Mr. Froom:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

Christopher J. Freeman
P. O. Box 4396
Copley, OH 44321

Re: Gaming Products, Inc. and 3097 Genesee Road Holdings LLC

Dear Mr. Freeman:

Enclosed for your information is a copy of the cease and desist letter sent to both Gaming Products, Inc. and 3097 Genesee Road Holdings LLC.

If you have any questions, please contact me.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Christopher Murillo
4426 Secretariat Ct.
Medina, OH 44256

RE: Cease and Desist Illegal Gambling

Dear Mr. Murillo:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

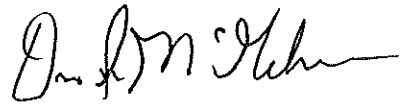
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. BOX 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

3097 Genesee Road Holdings LLC
c/o National Registered Agents, Inc.
712 Abbot Road
East Lansing, MI 48823

RE: Cease and Desist Illegal Gambling

Dear Madam/Sir:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result

in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

TJC Investment Co., LLC
Todd Craven, Resident Agent
4117 Meyers Road
Waterford, MI 48329

RE: Cease and Desist Illegal Gambling

Dear Mr. Craven:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.*, and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,

Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL

P.O. Box 30736
LANSING, MICHIGAN 48909-8236

BILL SCHUETTE
ATTORNEY GENERAL

June 8, 2012

CERTIFIED MAIL

Video Gaming Technologies, Inc.
Todd McTavish, Registered Agent
155 Franklin Rd., Ste. 255
Brentwood, TN 37027

RE: Cease and Desist Illegal Gambling

Dear Mr. McTavish:

This office has confirmed that East Point Business Center & Internet Café at 3097 Genesee Road in Flint, Michigan, constitutes an illegal gambling house and, thus, a public nuisance. This conclusion arises from the business's ongoing practice of receiving money from customers in exchange for internet access and chances to win prizes by playing computer-based casino-style games. Accordingly, the business and anyone affiliated with its operation, as well as the building's owner and lessee, are ordered to cease this illegal activity or face possible criminal charges or civil action to abate the nuisance.

Specifically, the parties mentioned above must cease and desist their ongoing practice of providing paying customers with opportunities to play casino-style games and awarding prizes to successful players. This activity violates the Michigan Gaming Control and Revenue Act (the Gaming Act), MCL 432.201 *et seq.,* and multiple provisions of the Michigan Penal Code, MCL 750.1 *et seq.*, such as MCL 750.372. Michigan's gambling prohibitions do not contain an exception for what are sometimes described as Internet Sweepstakes businesses.

More specifically, the Gaming Act prohibits a party from conducting a gambling operation without a license issued by the Michigan Gaming Control Board. A party who operates an unlicensed gambling operation is guilty of a felony punishable by imprisonment for up to 10 years or a fine of up to $100,000.00, or both. MCL 432.218(1)(a).

Additionally, unless an exception applies, the Michigan Penal Code broadly prohibits any kind of gambling, which generally involves the elements of consideration, prize, and chance. The continued operation of East Point Business Center & Internet Café violates several provisions of the Penal Code that prohibit certain gambling-related activity. For example, MCL 750.301 prohibits accepting money with the understanding that money will be paid to any person contingent upon the happening of an uncertain event:

> Any person or his or her agent or employee who, directly or indirectly, takes, receives, or accepts from any person any money or valuable thing with the agreement, understanding or allegation that any money or valuable thing will be paid or delivered to any person where the payment or delivery is alleged to be or will be contingent upon the result of any race, contest, or game or upon the happening of any event not known by the parties to be certain, is guilty of a misdemeanor punishable by imprisonment for not more than 1 year or a fine of not more than $1,000.00.

The Penal Code further prohibits keeping or occupying a building used for gambling, MCL 750.302; keeping or maintaining a gaming room, gaming table, or game of skill for hire, gain, or reward, MCL 750.303; using a computer program, computer, computer system, or computer network to commit a crime, MCL 752.796; promoting a lottery for money, MCL 750.372(1); and setting up or aiding in the setting up, managing, or drawing of a lottery or gift enterprise, *id.*

Michigan's Courts broadly interpret the anti-gambling laws in this state "'with the view of remedying the mischief intended to be prevented, and to suppress all evasions for the continuance of the mischief.'" *Attorney General v Powerpick Players Club of Michigan*, 287 Mich App 13, 37 (2010) (quoting *People v McPhee,* 139 Mich 687, 690 (1905)). Internet Sweepstakes businesses, such as East Point Business Center & Internet Café, subject the public to the "mischief intended to be prevented" by Michigan's gambling prohibitions. Without the type of regulations that govern legalized gambling in Michigan, the public lacks assurance that these businesses accurately pay winning players or appropriately follow tax and other laws. Additionally, lack of oversight could lead to increased crime and compulsive gambling.

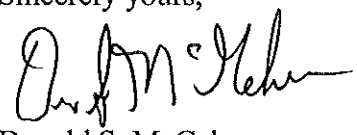
Notably, Michigan law allows for the seizure of any evidence of gaming, including but not limited to money, records, gambling devices, and material used in connection with promoting gambling or the gambling place. MCL 750.308. Further, items seized as evidence of gambling are subject to forfeiture and disposition by the seizing agency. MCL 750.308a.

The Public Nuisance statute, through an order of abatement, also allows for "remov[ing] from the building or place all furniture, fixtures and contents therein and [directing] the sale thereof in the manner provided for the sale of chattels under execution, and the effectual closing of the building or place against its use for any purpose, and so keeping it closed for a period of 1 year." MCL 600.3825.

East Point Business Center & Internet Café is also violating the Consumer Protection Act (CPA) by promoting and falsely representing to the public that its business is legal. Section 3 of the CPA, MCL 445.903(1)(a), prohibits representations that cause a probability of confusion or misunderstanding as to their approval. A persistent and knowing violation of this law may result in a court assessing a civil penalty of $25,000, along with costs and attorney fees, in favor of the Attorney General. See MCL 445.905.

The statutes and possible legal actions stated in this letter are by no means exhaustive; this letter is intended only to place East Point Business Center & Internet Café and persons affiliated with its operation, including the owner and lessee of the premises where it is located, on notice that the business is violating the laws prohibiting this form of gambling. If this activity fails to cease within 14 days of your receipt of this letter, our office will take legal action to stop it. This may include filing criminal charges or a civil action to abate the nuisance, as well as seizure and forfeiture of evidence of gambling.

Sincerely yours,



Donald S. McGehee
Division Chief
Alcohol and Gambling Enforcement Division
(517) 241-0210
Fax: (517) 241-1074