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The _____ MICHIGAN GAMING _____ Newsletter



HARD ROCK INTERNATIONAL ACQUIRING JACK CINCINNATI CASINO

In a [press release](#) issued today, Hard Rock International announced that it is collaborating with VICI Properties, Inc. (VICI) to acquire the JACK Cincinnati Casino. Through the joint purchase, Hard Rock will acquire the operating assets of the casino, rebranding it Hard Rock Casino Cincinnati, while VICI will own the land and real estate assets.

JACK Entertainment issued a [press release](#) announcing the sale of JACK Cincinnati and of Turfway Park for a total price of \$780 Million, pending regulatory approval.

According to the press release, JACK Cleveland Casino and JACK Thistledown Racino will not be impacted by this transaction and JACK Entertainment will remain committed to investing in and operating these properties.

“We viewed the gaming industry as a catalyst for economic development in our local communities. After ten years, hundreds of millions of dollars of investment developing JACK Cincinnati Casino from the ground up, and establishing a strong customer-focused culture, we have successfully positioned JACK Cincinnati Casino for further future success,” said Matt Cullen, Chief Executive Officer of JACK Entertainment. “We are confident that Hard Rock and its world-renowned brand will be a great addition to the Queen City and the right choice to take JACK Cincinnati Casino and Turfway Park to the next level of growth. We chose to sell to Hard Rock, in large part, due to its great culture and quality of its leadership. They are an outstanding operator that JACK Cincinnati Casino and Turfway Park team members will enjoy working with as they continue to deliver excellent service to our guests.”

Dan Gilbert’s JACK Entertainment, LLC also owns Greektown Casino, and announced last November that it was selling the Detroit property to Penn Nation-

al and VICI. See our article in [Volume 24, Issue 36 of The Michigan Gaming News](#).

"Hard Rock has been the number one operator in Ohio since opening in the greater Cleveland market in 2013," said Jim Allen, chairman and CEO of Hard Rock International. "And now, we look forward to introducing our unique brand of casino entertainment to Cincinnati. On behalf of the 40,000 Hard Rock team members worldwide, I am pleased to welcome the more than 1,000 JACK Cincinnati employees into the Hard Rock family."

JACK Cincinnati is situated on 22 acres in the Broadway Commons area of downtown Cincinnati. The property features 100,000 square feet of gaming space with approximately 1,800 gaming machines and 100 table games. Additionally, the property contains 33,000 square feet of meeting space, six high-quality restaurants and two bars. New property improvements will be announced by Hard Rock later this year.

"We are proud to partner with Hard Rock, further diversifying our tenant roster with an international leader in gaming, entertainment and hospitality experiences and a renowned global platform of 245 hospitality venues across 75 countries," said John Payne, president and chief operating officer of VICI Properties.

The transaction is subject to regulatory approvals and customary closing conditions and is expected to close in late 2019. The acquisition is expected to be accretive immediately upon closing.

NIGC PRESENTS CERTIFICATE OF SELF-REGULATION TO THE POKAGON BAND OF POTAWATOMI

Per a [press release](#) dated March 25, 2019, the National Indian Gaming Commission (NIGC) presented a certificate of self-regulation to the Pokagon Band of Potawatomi at their annual citizen's meeting which was held at the Mendel Center at Lake Michigan College. The tribe's certificate of self-regulation went into effect on January 1st, 2019.

Under the Indian Gaming Regulatory Act (IGRA) and NIGC regulations (25 C.F.R. Part 518), self-regulation status allows a tribe to regulate Class II gaming with reduced oversight from the NIGC. The Commission only issues certificates of self-regulation to a tribe that can demonstrate it has satisfied the applicable requirements, which include a three-year review to ensure its gaming activities have been in compliance with the IGRA, NIGC regulations, and the tribe's laws and regulations.

"I commend the Tribe for being able to achieve self-regulation status under IGRA," said NIGC Chairman Jonodev Chaudhuri. "The Pokagon Band of Potawatomi has worked hard to reach this status and continues to demonstrate self-sufficiency and self-determination, key principles outlined in IGRA. The Tribe ensures that its operations will continue to benefit its citizens and communities for years to come.

As part of the self-regulation process, the NIGC spent a significant amount of time reviewing the Tribe's gaming regulatory structures. This review process ensures that the Tribe has conducted its gaming activity in a manner that effectively accounts for all gaming revenue; that it has a reputation for a safe, fair, and honest operation; and that it is free of criminal or dishonest activities. Additionally, the NIGC confirms that the Tribe's gaming operation is operated on a fiscally sound basis and that it has adequate systems for accounting, investigations, licensing, and enforcement.

"We are honored to be the first tribe in Michigan and Indiana to receive a Certificate of Self-Regulation from the National Indian Gaming Commission. This achievement emphasizes the Pokagon Band's dedication and commitment to regulatory excellence and the preservation of our Tribal sovereignty," said Matthew Wesaw, Chairman of the Pokagon Band of Potawatomi Indians. "I want to thank the Pokagon Band Gaming Commission for their continued diligence and determination that not only made self-regulation possible

but also ensures that our gaming operations are conducted honestly and free from unlawful conduct and corruptive elements.”

The Pokagon Band of Potawatomi is just the fifth tribe to be granted a self-regulation certificate from the NIGC.

MUSKEGON LITTLE RIVER BAND CASINO PROPOSAL COMMENT PERIOD EXTENDED

In a notice published in the Federal Register on March 18, 2019, the U.S. Department of Interior reopened the public comment period for the Fruitport Township proposed casino project. As detailed in [Volume 24 Issue 39 of The Michigan Gaming Newsletter](#), The Little River Band of Ottawa Indians seek to build a \$180 million casino in Fruitport Township. The public comment period originally ended January 8, 2019. While the DIA did not give a reason for the reopening, the recent government shutdown handcuffed the BIA in receiving and processing comments. The comment period now ends on April 17, 2019.

SIXTH CIRCUIT OPINION UPHOLDING TRIBAL SOVEREIGNTY APPEALED TO THE US SUPREME COURT

On March 18, 2019, Buchwald Capital Advisors, LLC filed a petition for writ of certiorari with the United States Supreme Court in its bankruptcy dispute with the Greektown Litigation Trust. As detailed in [Volume 25 Issue 6 of The Michigan Gaming Newsletter](#), the dispute centered around whether sovereign immunity applies to the Sault Ste Marie Tribe of Chippewa Indians and the Kewadin Tribal Gaming Authority in bankruptcy proceedings. In proceedings relating back to the Greektown Casino bankruptcy in 2008, the bankruptcy litigation trustee has continued to seek to avoid conveyances and recover transfers totaling \$177 million that were made by the Tribe and Kewadin in 2005.

MGM NORTHFIELD PARK IN OHIO OPENS

On April 9, 2019, MGM will celebrate the official switchover of the Hard Rock Rocksino outside of Cleveland. During opening ceremonies, MGM will unveil the iconic MGM Lion statue as well as celebrate the company’s entry into the Ohio gaming marketplace.

The press release stated: “Community leaders, guests, team members and MGM senior leadership will share this exciting milestone at Ohio’s award-winning, gaming, dining, and entertainment destination.”

MGM purchased the site from Hard Rock for \$1 billion in July 2018. The official switchover occurred on April 1, 2019. In connection with the switchover, MGM announced plans to rebrand the Hard Rock Café as the TAP Sports Bar, as well as rename several of the property’s shops, bars, venues and restaurants. The facility has historically been the most profitable of Ohio’s casinos. As a racino, it is not permitted to offer table games or as wide a variety of slot machines as a casino resort. Despite these restrictions, it generated \$256 million in slots revenue in 2018.

PROBLEM GAMBLING ADVOCACY DAY IS APRIL 10 IN WASHINGTON, D.C.

The National Council on Problem Gambling (NCPG) has sent out a reminder that Problem Gambling Advocacy Day is Wednesday, April 10, 2019 in Washington, D.C. Registration is required and there is no fee. Deadline to register is Thursday, April 4, 2019 at 4:00 PM EDT due to Capitol security requirements. [Please click here to register](#) or review more information.

Events surrounding advocacy day will begin on the evening of Tuesday, April 9th with a welcome reception and dinner. Advocacy day will com-

mence on the 10th with an orientation for stakeholders on Capitol Hill.

Orientation will be followed by an open briefing on problem gambling for Congressional representatives and staff, highlighting the most pressing issues currently facing the field.

After the briefing, advocates will spend the rest of the day visiting the offices of Congressional representatives in the House and Senate to share stories about the problem gambling related issues going on in their communities and across the nation at large.

Featured Panelists for this event are:

- **Stephen Crosby** - Former Founding Chair of the Massachusetts Gaming Commission and current Board Member of NCPG
- **Randy Livingston** - Former professional basketball player and Assistant Coach at LSU, Mr. Livingston is in recovery from his gambling addiction.

To learn more about the NCPG and view more upcoming events, please visit the [NCPG website](#).