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KING COUNTY
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CASE #: 26-2-04647-6 SEA

**STATE OF WASHINGTON
KING COUNTY SUPERIOR COURT**

STATE OF WASHINGTON,

Plaintiff,

V.

PLAYTIKA SANTA MONICA, LLC;
PLAYTIKA SANTA MONICA HOLDINGS, LLC; PLAYTIKA UK – HOUSE OF FUN LIMITED; PLAYTIKA LTD.; PLAYTIKA HOLDING CORP.; PRODUCT MADNESS INC.; BIG FISH GAMES, INC.; PLARIUM LLC; PIXEL UNITED HOLDINGS LIMITED; ARISTOCRAT TECHNOLOGIES, INC.; and ARISTOCRAT LEISURE LIMITED.

Defendants.

NO.

COMPLAINT FOR CIVIL
PENALTIES AND FOR INJUNCTIVE
AND OTHER RELIEF UNDER
WASHINGTON STATE'S
CONSUMER PROTECTION ACT
AND THE RECOVERY OF MONEY
LOST AT GAMBLING ACT

1. INTRODUCTION

1.1 All gambling activities are strictly regulated in Washington State “[o]n account of ties to organized crime, money laundering, gambling addiction, underage gambling, and other societal ills[.]” *Roussou v. State*, 170 Wn.2d 70, 82, 239 P.3d 1084 (2010) (citation modified). This includes a statewide ban on all online gambling activities as “[i]nternet gambling introduces new ways to exacerbate these same threats to health, welfare, safety, and morals.” *Id.* (emphasis omitted).

1 1.2 Despite this, Defendants Playtika Santa Monica, LLC; Playtika Santa Monica
2 Holdings, LLC; Playtika Ltd.; Playtika UK – House of Fun Limited; and Playtika Holding Corp.
3 (hereinafter collectively, Playtika), as well as Defendants Product Madness Inc.; Big Fish
4 Games, Inc.; Plarium LLC; Pixel United Holdings Limited; Aristocrat Technologies, Inc.; and
5 Aristocrat Leisure Limited (hereinafter collectively, Aristocrat), own, operate, develop, market,
6 promote, and advertise sixteen (16) digital and/or electronic applications (Casino Apps) in
7 Washington, which conduct, host, encourage, aid, and/or abet illegal and unlicensed online
8 gambling activities.

9 1.3 While Defendants' Casino Apps are free to download and access, Defendants
10 make enormous sums of money from players making in-app purchases of coins, chips, and/or
11 credits to gamble with. These Casino Apps make gambling activities available to anyone,
12 anywhere, and at any time of day. Regardless of age, any person with access to the internet can
13 access Defendants' Casino Apps, and from the comfort of home or while on the move, spend
14 exorbitant amounts of money gambling at any hour.

15 1.4 Defendants have violated Washington laws and regulations, as well as profited
16 from hundreds of thousands of Washington consumers and collected millions of dollars, all
17 through online gambling activities that are banned in the state. Over 150,000 Washingtonians
18 actively play Defendants' Casino Apps each month.¹ Collectively, Washington players have
19 spent over \$225 million gambling in Defendants' Casino Apps since September 2020.²

20 1.5 Washington's gambling laws and regulations are well known to Defendants. In
21 *Kater v. Churchill Downs Inc.*, 886 F.3d 784 (9th Cir. 2018), the Ninth Circuit held that virtual
22 coins in Casino Apps are a thing of value, and therefore, Casino Apps violate Washington's
23 gambling laws. As a result, in 2020, both Playtika and Aristocrat settled consumer class actions

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¹ Approximately 96,350 Washingtonians actively play Playtika's Casino Apps every month and
25 56,870 Washingtonians actively play Aristocrat's Casino Apps every month.

26 ² Washington consumers have spent over \$151 million in Playtika's Casino Apps and over \$74 million in
Aristocrat's Casino Apps.

1 relating to Washington players, which had alleged violations of Washington's Gambling Act
2 (RCW 9.46) and Washington's Consumer Protection Act (RCW 19.86).

3 **II. PARTIES**

4 **A. Plaintiff**

5 2.1 The Plaintiff is the State of Washington (State). The Attorney General is
6 authorized to commence this action pursuant to RCW 19.86.080 and RCW 19.86.140. The State,
7 by and through the Attorney General and the Complex Litigation Division, brings this action to
8 address practices that violate the Consumer Protection Act relating to the operation and
9 marketing of casino applications. The Attorney General is also authorized to bring this action
10 under RCW 43.10.030, *see State v. City of Sunnyside*, 3 Wn.3d 279, 550 P.3d 31 (2024), to
11 vindicate the rights of the public pursuant to the statutory cause of action recognized in
12 RCW 4.24.070 because gambling, online gambling, the Washington Gambling Act (RCW 9.46),
13 and the Recovery of Money Lost at Gambling Act (RCW 4.24.070) are matters of public concern
14 per RCW 9.46.010. *See Rousso*, 170 Wn.2d at 82; *O'Neil v. Crampton*, 18 Wn.2d 579, 583-84,
15 140 P.2d 308 (1943).

16 **B. Defendants**

17 **1. Playtika**

18 2.2 Defendant Playtika Santa Monica, LLC is a Nevada company with its principal
19 office located in Henderson, Nevada. Playtika Santa Monica, LLC conducts business throughout
20 this County, Washington State, and the United States.

21 2.3 Defendant Playtika Santa Monica Holdings, LLC is a Nevada company with its
22 principal office located in Henderson, Nevada. Playtika Santa Monica Holdings, LLC conducts
23 business throughout this County, Washington State, and the United States.

24 2.4 Defendant Playtika UK – House of Fun Limited is a United Kingdom corporation
25 with its principal office located in London, England. Playtika UK – House of Fun Limited
26 conducts business throughout this County, Washington State, and the United States.

1 2.5 Defendant Playtika Ltd. is an Israeli corporation with its principal office located
2 in Herzliya Pituarch, Israel. Playtika Ltd. is the founding company of Playtika, and was founded
3 in 2010 as a gaming company, which according to the founder and CEO “focused on classic
4 games that people have played for many years, such as slots, bingo, poker and solitaire” in order
5 “[t]o maximize our chance of success[.]”³ Playtika Ltd. conducts business throughout this
6 County, Washington State, and the United States.

7 2.6 Defendant Playtika Holding Corp. is a Delaware corporation and Nasdaq publicly
8 traded company with its principal United States office located in Henderson, Nevada, and its
9 principal executive office, according to its Securities and Exchange Commission (SEC) filings,
10 located at Playtika Ltd.’s office in Herzliya Pituarch, Israel. Playtika Holding Corp. is the parent
11 company to wholly-owned subsidiaries: Playtika Santa Monica, LLC; Playtika Santa Monica
12 Holdings, LLC; Playtika UK – House of Fun Limited; and Playtika Ltd. Playtika Holding Corp.
13 conducts business throughout this County, Washington State, and the United States.

14 **2. Aristocrat**

15 2.7 Defendant Product Madness Inc. is a Delaware corporation with its principal
16 office located in Seattle, Washington. Product Madness Inc. conducts business throughout this
17 County, Washington State, and the United States.

18 2.8 Defendant Big Fish Games, Inc. is a Washington corporation with its principal
19 office located in Las Vegas, Nevada. Big Fish Games, Inc. conducts business throughout this
20 County, Washington State, and the United States.

21 2.9 Defendant Plarium LLC is a Delaware company with its principal office located
22 in Herzliya, Israel. Plarium LLC conducts business throughout this County, Washington State,
23 and the United States.

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26 ³ Playtika Holding Corp., *Form S-1 Registration Statement Under the Securities Act of 1933* at 97, United
States Securities and Exchange Commission (U.S. SEC) (Dec. 18, 2020), https://www.sec.gov/Archives/edgar/data/1828016/000119312520321440/d55817ds1.htm#rom55817_14.

1 2.10 Defendant Pixel United Holdings Limited is a United Kingdom corporation with
2 its principal office located in London, England. Pixel United Holdings Limited conducts
3 business throughout this County, Washington State, and the United States.

4 2.11 Defendant Aristocrat Technologies, Inc. is a Nevada corporation with its
5 principal office located in Las Vegas, Nevada. Aristocrat Technologies, Inc. conducts business
6 throughout this County, Washington State, and the United States.

7 2.12 Defendant Aristocrat Leisure Limited is an Australian corporation and a publicly
8 traded company on the Australian Securities Exchange with its principal office located in
9 North Ryde, New South Wales, Australia. It is also the ultimate parent company to wholly-
10 owned subsidiaries: Product Madness Inc.; Big Fish Games, Inc.; Pixel United Holdings
11 Limited; and Aristocrat Technologies, Inc. Prior to February 13, 2025, Plarium LLC was also a
12 wholly-owned subsidiary of Aristocrat Leisure Limited, but on that date, Plarium LLC was sold
13 to Modern Times Group.⁴ Prior to the sale, Big Fish Games, Inc., Product Madness Inc., and
14 Plarium LLC were sister companies, Pixel United Holdings Limited and Aristocrat
15 Technologies, Inc. were their parent companies, and Aristocrat Leisure Limited was the ultimate
16 parent to Pixel United Holdings Limited and Aristocrat Technologies, Inc.⁵ Aristocrat Leisure
17 Limited conducts business throughout this County, Washington State, and the United States.

18 **C. Agency and Concert of Action**

19 **1. Playtika**

20 2.13 At all times herein mentioned, the Playtika Defendants, and/or each of them,
21 hereinabove, were the agents, employees, partners, aiders and abettors, co-conspirators, and/or
22 joint venturers of each of the other Playtika Defendants named herein and were at all times
23 operating and acting within the purpose and scope of said agency, service, employment,

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⁴ Aristocrat, *Completion of Strategic Review of Casual and Mid-core Gaming Assets* (Feb. 13, 2025),
<https://ir.aristocrat.com/static-files/61dced30-8efa-4bb1-9495-6e54dfc813ea>.

25 ⁵ Dean Takahashi, *How Big Fish Games is focusing on its core business of casual mobile games*,
26 GamesBeat (June 18, 2025), <https://venturebeat.com/games/how-big-fish-games-is-focusing-on-its-core-business-of-casual-mobile-games/>.

1 partnership, enterprise, conspiracy, and/or joint venture, and each Playtika Defendant has ratified
2 and approved the acts of each of the remaining Playtika Defendants. Each of the Playtika
3 Defendants aided and abetted, encouraged, and/or rendered substantial assistance to the other
4 Playtika Defendants in breaching their legal obligations and/or violating Washington laws. In
5 taking action to aid and abet and substantially assist the commission of these separate wrongful
6 acts and other wrongdoings complained of, as alleged herein, each of the Playtika Defendants
7 acted with an awareness of its primary wrongdoing and realized that its conduct would
8 substantially assist the accomplishment of the numerous occasions of wrongdoing.

9 2.14 According to its 2020 S-1 Registration Statement to the SEC, Playtika Holding
10 Corp. “make[s] available to new games and game studios as soon as they become part of [its]
11 portfolio” a suite of tools and/or services to successfully operate and/or monetize the games of
12 its subsidiaries, including but not limited to: “[m]eta-games and monetization events”;
13 “[p]ayment systems and payment page optimization tools”; “[l]oyalty programs”; “[d]ata
14 analytics infrastructure”; “[t]ailored user data”; “tools and software for customer relationship
15 management”; a “[s]uite of tools and systems enabling outbound communication with players”;
16 “[e]nhanced tools for managing user acquisition and retargeting campaigns, and operating
17 ad-monetization and cross-promotion activities”; and “[s]oftware and algorithms to support
18 artificial intelligence and machine learning models to enhance and supplement traditional data
19 analytics[.]”⁶

20 2.15 In addition to the suite of tools and/or services that Playtika Holding Corp.
21 provides to all of its subsidiaries, each of the Playtika Defendants aid, abet, encourage, and/or
22 render substantial assistance to one another in order to monetize Playtika’s Casino Apps.
23 According to a marketing director for one of Playtika Holding Corp.’s subsidiaries, “[t]here’s a
24 very close connection” amongst subsidiaries and with the parent and founding companies in

⁶ Playtika Holding Corp., *Form S-1 Registration Statement Under the Securities Act of 1933* at 102-103, U.S. SEC (Dec. 18, 2020), https://www.sec.gov/Archives/edgar/data/1828016/000119312520321440/d55817ds1.htm#rom55817_14.

1 Israel.⁷ “A lot of trips [to Israel] are made. A lot of intelligence and operational secrets are traded.
2 Tactics and strategies are shared. In that way we’ve benefited. It’s not only technology. . . . We
3 get all the exposure and experience on how to retain people and monetize people, how to make
4 a good mobile game. That exists within Playtika. We’ve had huge strategy sessions. We have
5 very good data modeling, whether it’s platforms, technology, or ways of looking at data. All
6 that’s coming from Israel.”⁸ Further elaborating on this agency and/or concert of action amongst
7 subsidiaries and with the parent companies, the marketing director stated: “Playtika has
8 obviously mastered [player] monetization as well as retention. We benefited from those practices
9 and learned a lot from the other guys, the Slotomania and Bingo Blitz teams.”⁹

10 **2. Aristocrat**

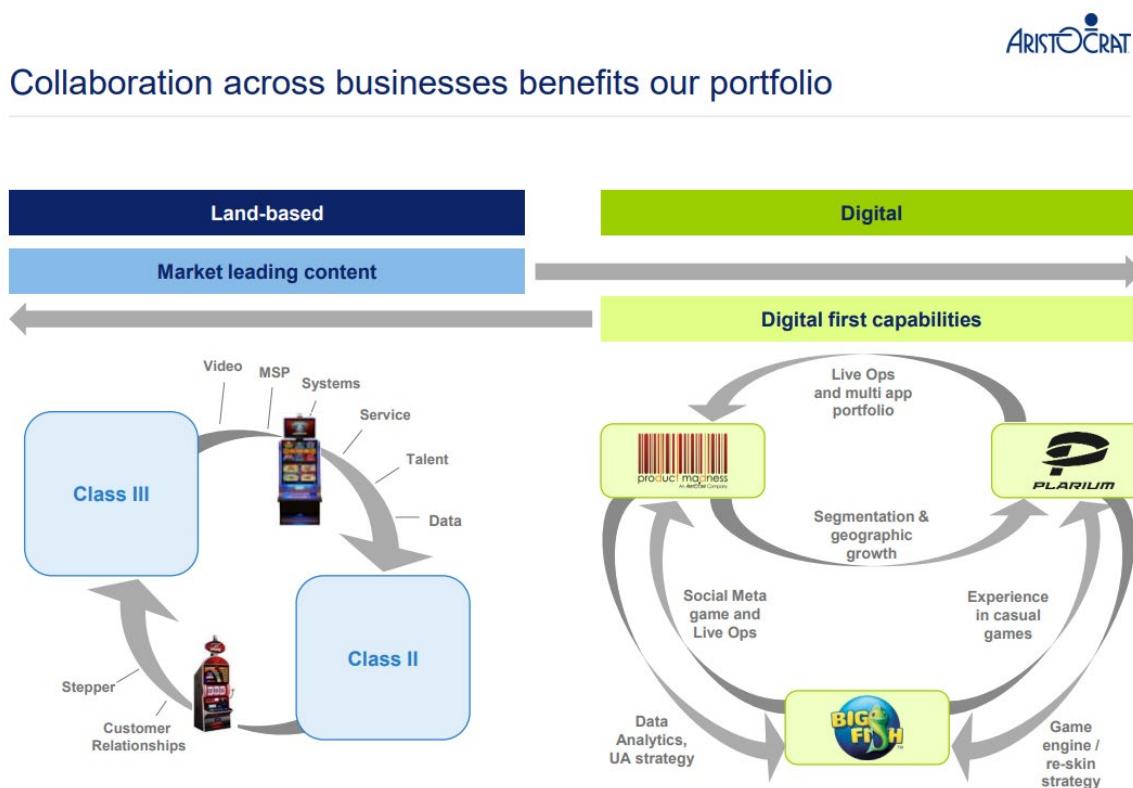
11 2.16 At all times herein mentioned, the Aristocrat Defendants, and/or each of them,
12 hereinabove, were the agents, employees, partners, aiders and abettors, co-conspirators, and/or
13 joint venturers of each of the other Aristocrat Defendants named herein and were at all times
14 operating and acting within the purpose and scope of said agency, service, employment,
15 partnership, enterprise, conspiracy, and/or joint venture, and each Aristocrat Defendant has
16 ratified and approved the acts of each of the remaining Aristocrat Defendants. Each of the
17 Aristocrat Defendants aided and abetted, encouraged, and/or rendered substantial assistance to
18 the other Aristocrat Defendants in breaching their legal obligations and/or violating Washington
19 laws. In taking action to aid and abet and substantially assist the commission of these separate
20 wrongful acts and other wrongdoings complained of, as alleged herein, each of the Aristocrat
21 Defendants acted with an awareness of its primary wrongdoing and realized that its conduct
22 would substantially assist the accomplishment of the numerous occasions of wrongdoing.

23 ⁷ Dean Takahashi, *World Series of Poker: How Playtika’s Montreal team has kept the mobile game on top*,
24 GamesBeat (June 18, 2025), <https://venturebeat.com/games/world-series-of-poker-how-playtikas-montreal-team-has-kept-the-mobile-game-on-top/2/>.

25 ⁸ *Id.*

26 ⁹ Dean Takahashi, *World Series of Poker: How Playtika’s Montreal team has kept the mobile game on top*,
27 GamesBeat (June 18, 2025), <https://venturebeat.com/games/world-series-of-poker-how-playtikas-montreal-team-has-kept-the-mobile-game-on-top/>.

1 2.17 According to Aristocrat Leisure Limited's 2018 Investor Day Presentation,
2 Aristocrat benefits from collaboration across its subsidiaries:



17 Source: Aristocrat, *Aristocrat Leisure Limited, 2018 Investor Day* at 22 (May 1, 2018),
18 <https://ir.aristocrat.com/static-files/d1bc4ec5-72eb-45ab-8875-05b88a73f263>.

1 2.18 Not only that, Product Madness Inc. and Big Fish Games, Inc. collaborate on
2 Casino Apps:



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16 Source: *id.* at 48.

17 2.19 In addition to this collaboration across Aristocrat companies, each of the
18 Aristocrat Defendants aid, abet, encourage, and/or render substantial assistance to one another.
19 When the head of growth marketing for Product Madness Inc. was asked during an interview
20 how closely Product Madness Inc. works with Big Fish Games, Inc. and Plarium LLC, he
21 responded: “[w]e work very closely with them. Everybody knows we have usual catch-ups with
22 the whole of [] plarium teams and the big fish teams especially on the marketing side.
23 Whenever any big changes are about to happen in marketing world, we sort of stick together and
24 we do a lot of brainstorming.”¹⁰ Further elaborating on this agency and/or concert of action

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¹⁰ HyprMX, *HyprChats: Product Madness @ PGC London* at 8:56, YouTube (Mar. 3, 2023),
26 <https://youtu.be/CeFf10B87OQ?si=6c3fxaRSI5cD1b8I>.

1 amongst subsidiaries and with Aristocrat Leisure Limited, the CEO of global gaming at
2 Aristocrat Leisure Limited, Hector Fernandez, detailed in a 2022 investor call how different
3 Aristocrat companies work together to test run and refine land-based slot machines (i.e., slot
4 machines in brick-and-mortar casinos) in casino apps first: “we had the strategy of releasing
5 some games digitally and then getting player feedback, real time feedback and as we got that
6 feedback, like Cashman Bingo is a good example of that, we made changes to the game and then
7 we launched it in the land-based environment. What we have seen is those games that we did
8 digitally first and then learned and made changes, they’ve actually been number one or number
9 two in the Eilers Report^[11] and that’s really exciting to see.”¹² According to Trevor Croker, CEO
10 and Managing Director of Aristocrat Leisure Limited, the exchange of content and collaboration
11 across Aristocrat’s land-based and digital gaming companies goes both ways: “[s]o we’ve been
12 releasing more games into our Social Casino portfolio, both as land based games going to social
13 and also digital first games. We’ve talked to you a few times about digital first in the past and
14 we’re now seeing games that have been released digital first and coming back to land based
15 gaming and being successful in land based gaming from day one. So that strategy is starting to
16 really show some benefit to us and benefit both in the digital business but also in bringing better
17 games to our gaming business as well.”¹³

III. JURISDICTION AND VENUE

19 3.1 Defendants are subject to regulation under Washington's Gambling Act
20 (RCW 9.46), Recovery of Money Lost at Gambling Act (RCW 4.24.070), and Consumer
21 Protection Act (RCW 19.86). These statutes are within the subject matter jurisdiction of this
22 Court.

²³ 11 “Eilers & Krejcik Gaming, LLC is a boutique research and consulting firm focused on servicing the
²⁴ gaming equipment, interactive gaming, and sports betting sectors within the global gaming industry.” See Eilers & Krejcik Gaming, LLC, *About Us*, <https://ekgamingllc.com/about/> (last visited Jan. 16, 2026).

²⁵ ¹² Intrado, *Aristocrat Leisure Limited - Management Roundtable* at 8 (Mar. 9, 2022), <https://ir.aristocrat.com/static-files/429b39eb-8216-48ad-8bf5-f80a96422ba1>.

¹³ Intrad, *Aristocrat Leisure Limited, Virtual Investor Roundtable* at 14 (Sept. 27, 2022), <https://ir.aristocrat.com/static-files/2a1c67e3-3c4b-4d8b-9077-383e50a81266>.

3.2 Personal jurisdiction is appropriate under RCW 19.86.160, RCW 4.28.180, and RCW 4.28.185(1)(a) because Defendants have engaged in the conduct set forth in this Complaint in King County and elsewhere in the state of Washington, and because Defendants have conducted substantial and continuous business activities within this state, all of which has had the impact in this state which RCW 19.86 reprehends. Moreover, Defendant Product Madness Inc.'s principal place of business is in King County, Defendant Big Fish Games, Inc. is a Washington corporation, and Defendants Product Madness Inc. and Aristocrat Technologies, Inc. are registered to do business in Washington State.

3.3 Venue is proper in King County pursuant to RCW 4.12.020, RCW 4.12.025, and Local Civil Rule 82 because Defendants transact, or transacted, business in King County by offering, operating, conducting, marketing, promoting, and/or distributing unlicensed and illegal gambling activities, bingo games, and/or gambling devices to consumers in King County, as described more fully below.

IV. FACTS

A. Defendants' Casino Apps

4.1 Playtika owns and/or operates nine electronic mobile applications in Washington, each of which conducts online gambling activities for-profit and promotes, encourages, assists, aids, and/or abets players to gamble at unlicensed and illegal slots and poker games, as well as play unlicensed and illegal bingo games and scratchcards. The names of these nine applications are: Slotomania; House of Fun; Caesar's Casino Slots (Caesar); Vegas Downtown Slots (Vegas); World Series of Poker (WSOP); Poker Heat; Monopoly Poker; Governor of Poker 3 (Governor); and Bingo Blitz (collectively, Playtika's Casino Apps).

4.2 Aristocrat owns and/or operates seven electronic mobile applications in Washington, each of which conducts online gambling activities for-profit and promotes, encourages, assists, aids, and/or abets players to gamble at unlicensed and illegal slots and poker games. The names of these seven applications are: Big Fish Casino; Jackpot Magic Slots;

1 Lightning Link Casino; Cashman Casino; Heart of Vegas; Mighty Fu Casino; and NFL
2 Superbowl Slots Casino (collectively, Aristocrat's Casino Apps).

3 **1. Slot Machine Casino Apps**

4 **a. Design of the games**

5 4.3 All of Aristocrat's Casino Apps and four of Playtika's Casino Apps primarily
6 offer slot machine games (Slot Machine Casino Apps). The four Slot Machine Casino Apps
7 owned, designed, and/or operated by Playtika are: Slotomania; House of Fun; Caesar; and Vegas.

8 4.4 The Slot Machine Casino Apps are not static. Defendants can and do update and
9 make small changes to their Slot Machine Casino Apps throughout time. However, what remains
10 constant is that the Slot Machine Casino Apps offer and encourage players to gamble at hundreds
11 to thousands of slot machine games.

12 4.5 Each slot machine in each Casino App looks, sounds, and functions like a
13 traditional, land-based slot machine. Each slot machine has (1) three or more reels or rotating
14 drums that display various symbols, numbers, or themed icons, which align to determine the
15 outcome of a slot machine spin; (2) a "spin" button, a "max bet" button, and control mechanisms
16 and/or buttons to increase or decrease a player's bet amount to certain pre-set bet amounts, which
17 are controlled by Defendants¹⁴; (3) paylines¹⁵; (4) a bill acceptor or software mechanism that
18 verifies the existence and/or validity of a player's currency before they bet and adds or subtracts
19 credits to the player's balance depending on whether they win or lose a spin; (5) a visual display
20 or interface which includes images associated with the theme of the game, such as the

21 ¹⁴ For example, if the minimum bet is 1,000 and the maximum bet is 1 million, then the player might be
22 given the option to bet at pre-set amounts within that range, such as 2,500, 25,000, 50,000, 125,000, 250,000,
23 500,000, and 750,000. The player can only bet at these pre-set amounts. The player cannot choose, for example, to
bet 1,050.

24 ¹⁵ Slot machine paylines show the pattern a player needs to line up matching symbols to win. Paylines can
25 be horizontal, vertical, diagonal, or in a zigzag pattern. A basic example of a payline is a slot machine game where
lining up three matching symbols in a horizontal line garners a win. In this example, if the slot machine's theme is
fruit, this might look like matching up three identical pictures of cherries in a horizontal line for a win.
See, e.g., Sam Coyle, *What are Slot Paylines? Slot Paylines Explained*, PokerNews (Nov. 9, 2023),
<https://www.pokernews.com/casino/slots/slot-paylines-explained.htm>.

1 Buffalo Gold slot machine which shows charging buffalo, and the display or interface also shows
2 a player's current balance, winnings, progressive meters indicating the current value of jackpots,
3 the reels, and the buttons; and (6) sound effects, including but not limited to, a button sound for
4 when a player presses the "spin" button or adjusts their bet amount, a spinning sound for when
5 the reels are spinning, and a celebratory sound for when a player wins.

6 4.6 Just like traditional, land-based slot machines, a game at a slot machine in the
7 Casino Apps has a very short duration of play. The time between when the player sets their bet
8 and presses the "spin" button to when the player discovers whether they have won or lost is
9 usually less than 10 seconds.

10 4.7 Each slot machine in each Casino App also includes (1) a random number
11 generator or computer algorithm that makes the result of each spin random, but which also
12 follows the retention ratio or betting odds set by the Defendants; (2) a payout system or software
13 mechanism which determines how much a player wins based on the symbols that land along the
14 paylines, and this system is activated when a winning combination is achieved; and (3) a
15 retention ratio or betting odds set by the Defendants.

16 4.8 The possibility of winning at each slot machine depends on a chance mechanism
17 that operates by way of a software installation onto a player's cell phone and/or other electronic
18 devices. Defendants have complete control over the software, which means they can change
19 and/or update the mechanisms of chance, retention ratios, betting odds, payout systems, paylines,
20 and/or random number generators at any time.

21 4.9 Defendants designed the slot machines in the Casino Apps to resemble and/or
22 replicate traditional, land-based slot machines. This includes converting popular classics from
23 land-based casinos into electronic contests of chance available on player's electronic devices.

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1 4.10 Playtika “is on a mission to transform beloved slots into digital treasures.”¹⁶
2 “*Regal Riches*™ is just one of many crowd-favorite slot themes that Slotomania is bringing
3 directly from casino floors to players’ phones[.]”¹⁷ As admitted by Playtika, they “enrich[] [their]
4 game offerings with high quality ‘real world’ content.”¹⁸ The goal being to give “players the
5 Las Vegas experience at the palm of their hand[.]”¹⁹

6 4.11 Aristocrat’s “core business” is sales and operations for land-based casinos,
7 namely the manufacture, distribution, and operation of land-based slot machines, which
8 represented 62% of its revenue in 2018.²⁰ In particular, Aristocrat markets itself as a company
9 that offers popular land-based slot machines in its Casino Apps. Aristocrat represents that it is
10 “the expert in real casino slots that brought casino players virtual slots and casinos like Cashman
11 Casino, Mighty Fu and Heart of Vegas!”²¹ “As a leader in real Vegas and Macau slot machines,
12 Product Madness by Aristocrat now brings virtual slot casino games popular with players at
13 home and abroad”²² “Heart of Vegas features 11 games that are found in Las Vegas and in
14 casinos around the world with several more games slated to be released in the app in the near
15 future.”²³ Aristocrat describes Big Fish Casino as an app where a gambler can “[p]lay all your

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¹⁶ Playtika Holding Corp, *Reign Supreme with Regal Riches! Slotomania’s Latest Virtual Slot Game from IGT*, PR Newswire (Mar. 28, 2025, at 08:00 ET), <https://www.prnewswire.com/news-releases/reign-supreme-with-regal-riches-slotomanias-latest-virtual-slot-game-from-igt-302413395.html>.

¹⁷ *Id.*

¹⁸ Playtika, *Prepared Remarks, FY2025 Q1* at 4, <https://investors.playtika.com/static-files/a0da0225-8357-48b8-9819-93683f0706fc> (last visited Jan. 16, 2026).

¹⁹ Playtika Holding Corp, *Ty Pennington Partners with Caesars Slots for New Sweepstakes Awarding a \$2,500 Caesars Rewards® Gift Card Each Week!*, PR Newswire (Mar. 14, 2024, at 08:00 ET), <https://www.prnewswire.com/news-releases/ty-pennington-partners-with-caesars-slots-for-new-sweepstakes-awarding-a-2-500-caesars-rewards-gift-card-each-week-302088646.html>.

²⁰ Aristocrat, *Aristocrat Leisure Limited, 2018 Investor Day* (May 1, 2018), <https://ir.aristocrat.com/static-files/d1bc4ec5-72eb-45ab-8875-05b88a73f263>.

²¹ Product Madness, *Lightning Link Casino Slots*, Google Play, <https://play.google.com/store/apps/details?id=com.productmadness.lightninglink&hl=en-US> (last visited Jan. 16, 2026).

²² Product Madness, *Mighty Fu Casino: Slots Game*, App Store for iPhone, <https://apps.apple.com/us/app/mighty-fu-casino-slots-game/id1311478292> (last visited Jan. 16, 2026).

²³ Aristocrat, *Aristocrat’s Heart of Vegas™ app now available on Android* (Aug. 10, 2025), <https://www.aristocrat.com/aristocrats-heart-of-vegas-app-now-available-on-android/>.

1 old casino favorites like Jackpot City, Mad Mouse, Mai Tai Millions, [and] Buffalo Slots.”²⁴
2 Aristocrat’s goal is to “balance nostalgia with a modern experience.”²⁵ According to Joraynee
3 Sarno, Senior Creative Director at Product Madness Inc., “it’s all about recreating an authentic
4 feeling.”²⁶

5 4.12 In fact, Piyush Mishra, Head of Growth Marketing for Product Madness Inc.
6 admitted during a 2024 taped interview that Aristocrat knows that its Casino App player-base is
7 online gamblers: “there’s a similarity in the number of people who are actually doing uh you
8 know sort of online gambling and uh and you know doing Social Casino as well people tend to
9 be more preferable for online gambling so we’re seeing a little bit of uh you know user base in
10 general across Social Casino going down . . .”²⁷ CEO Mr. Croker also admitted to this when
11 explaining how Aristocrat “started to get a real appreciation for digital”, which was based, at
12 least in part, on realizing the “ecosystem of players . . . are not dissimilar to our core
13 business . . .”²⁸

14 **b. How to play**

15 4.13 Players access Defendants’ Slot Machine Casino Apps by downloading and
16 installing a software application, by means of the Internet, a telecommunications transmission
17 system, or similar means, onto an electronic device, namely a cell phone or tablet. All
18 mechanisms which operate the slot machines are contained within the software installation, and
19 together, the software installation and electronic device work to transmit to Defendants and
20 receive from Defendants information related to wagers, betting odds, and changes in betting odds

21
22 ²⁴ Big Fish Games, Inc., *Big Fish Casino: Slots Games*, App Store for iPhone, <https://apps.apple.com/us/app/big-fish-casino-slots-games/id538212549> (last visited Jan. 20, 2026).

23 ²⁵ Guest Author (Sponsored), *Heart of Vegas – celebrating 10 years at the top of its game*, PocketGamer.biz
(Aug. 8, 2023), <https://www.pocketgamer.biz/heart-of-vegas-celebrating-10-years-at-the-top-of-its-game/>.

24 ²⁶ *Id.*

25 ²⁷ HyprMX, *HyprChats: Product Madness @ PGC London 2024* at 2:03, YouTube (Apr. 23, 2024),
https://youtu.be/ecVdTQ42-DI?si=rRX-N_uSs0_HA0jL.

26 ²⁸ Aristocrat Leisure Ltd - Australia, *J.P. Morgan Gaming, Lodging, Restaurant & Leisure Management Access Forum* at 1, <https://ir.aristocrat.com/static-files/43621961-2ada-4f08-9442-d88003fea551> (last visited Jan. 20, 2026).

1 over the Internet, a telecommunications transmission system, or similar means. The software,
2 including all mechanisms which operate the slot machines, can be changed and/or updated at
3 any time by the Defendants, and it is frequently updated.

4 4.14 When a player opens a Slot Machine Casino App, they are first prompted to make
5 a purchase of coins. Purchase packages typically range from \$0.99 to \$99.99. The number of
6 coins sold with each package constantly changes and is within the complete control of the
7 Defendants. The least expensive packages typically sell hundreds-of-thousands to tens-of-
8 millions of coins for as little as \$0.99 to \$1.99. And the most expensive packages offer hundreds-
9 of-millions to billions of coins for \$99.99. Regardless of the purchase package offered, a single
10 coin is worth substantially less than one penny, oftentimes less than one-ten-thousandth of
11 one penny. Meaning, 10,000 or more coins is generally worth approximately one penny in
12 Defendants' Slot Machine Casino Apps.

13 4.15 A player must use legal tender by way of a credit card, debit card, or gift card to
14 purchase a coin package. The purchase transaction is processed and transmitted by means of the
15 Internet, a telecommunications transmission system, or similar means. The payment processor
16 is either the Defendant or a third-party platform company, such as Apple, Google, and/or Meta,
17 from whose online game store the user accessed the Slot Machine Casino App software. After a
18 player completes a purchase transaction, the number of coins the player purchased is
19 immediately and automatically added to that player's balance or wallet, and those coins are now
20 available to bet with.

21 4.16 The home screen for Defendants' Slot Machine Casino Apps displays (1) the
22 player's balance of coins; (2) a button to access the store where one can always purchase coins;
23 and (3) all slot machine games offered within the app. Some slot machines may be locked and
24 unavailable to a player unless: (a) the player pays legal tender by way of a credit card, debit card,
25 or gift card to unlock the machine; or (b) the player achieves a certain level in the app and the
26 machine is then unlocked as a reward.

1 4.17 Once a player selects an available slot machine to play, the Slot Machine Casino
2 App displays the slot machine game. A player places a bet on the slot machine game with coins.
3 If a player's balance of coins is less than the minimum bet amount, then the player cannot place
4 a bet at that game. A player can use buttons or control mechanisms to lower or raise their bet
5 before spinning, but the player cannot exceed the minimum and maximum bet amounts, nor can
6 the player choose the exact amount the player wants to bet. The player must choose from pre-set
7 bet amounts that are within the range of the minimum and maximum bets. Oftentimes, the spread
8 between the minimum and maximum bets is in the millions. The player is also told when
9 adjusting their bet amount that the higher the player bets, the bigger the winnings.

10 4.18 Once the player has chosen their bet amount, the player pushes the "spin" button,
11 the number of coins bet are immediately and automatically deducted from the player's balance,
12 and the slot machine reels begin spinning. Within less than 10 seconds, the reels stop and the
13 slot machine tells the user if they won the game. If the player won, the slot machine also tells
14 the player how many coins they won as a result of their spin, and those coins are immediately
15 and automatically added to the player's balance upon winning.

16 4.19 While the Slot Machine Casino Apps do not currently²⁹ convert coins in a
17 player's balance into cash, credit, and/or any other form of legal tender, a player's balance never
18 resets to zero. A player can close out of the Slot Machine Casino App and reopen it hours, days,
19 weeks, or months later, and their balance of coins will still be there. Therefore, while a player
20 cannot "walk out" of the Slot Machine Casino App with their winnings, a player's balance of
21 coins is always maintained for them in the app so they can return to the Casino App at any time
22 and keep betting.

23 4.20 A player "levels up" by achieving a certain number of experience points (XP),
24 usually in the hundreds of thousands. A player gets XP by betting. Each coin that a player bets

26 ²⁹ Defendants have control over this and can change it at any time.

1 counts as one XP. So, the higher or more often a player bets, the faster the player advances
2 through levels.

3 4.21 Every ten levels or so that a player achieves, the player is automatically switched
4 to a new slot machine game. The new game typically has the same design and theme of the
5 previous slot, but one or more rules of the game have changed, including but not limited to the
6 following: the maximum bet amount increases; the minimum bet amount increases; the pre-set
7 bet amounts change; and/or the payouts and/or jackpots increase. The number of XP needed to
8 achieve each level is completely controlled by Defendants, can change at any time, and is never
9 fully disclosed to players. Players are only told what XP they need to reach the next level, but
10 not the levels after that. And there are typically tens of thousands of levels in each Slot Machine
11 Casino App. At the highest levels, maximum bets exceed a quintillion (a thousand raised to the
12 power of six) coins. If 10,000 coins are worth one penny, then a bet of one quintillion coins is
13 worth one trillion dollars. Essentially, the more levels you achieve in the Slot Machine Casino
14 Apps, the more the App forces you to play more and more expensive slot machine games.
15 Therefore, in each Slot Machine Casino App, a player starts at the lowest bet version of a slot
16 machine game, akin to penny slots at a land-based casino. When a player progresses through
17 levels though, those penny slots transform into high-bet slots with higher payouts.

18 4.22 Advancing through several levels can happen quite quickly. For example,
19 reaching level thirty often takes less than thirty minutes of play in the Slot Machine Casino Apps.
20 If a player who has advanced through several levels no longer has sufficient coins in their balance
21 or wallet to meet the minimum bet in their current slot machine game, then the App will force
22 the player back to playing the initial lowest bet game (Penny Slot). Or the App will make
23 available to the player a special “Low Bet” version of the game, where a player’s bet is fixed to
24 an even lower amount than the minimum bet amount in the initial Penny Slot version of the game
25 (Low Bet Version). The only way for a player to avoid this is if the player makes a purchase of
26 coins to increase their balance or the player waits to receive a gift.

1 4.23 The Slot Machine Casino Apps also occasionally give small gifts of coins to
2 players at different intervals and under varying circumstances, which are often not fully
3 disclosed to players. The table below provides a general description of the different gifts that are
4 typical of most, if not all, of the Slot Machine Casino Apps:

Gift Type:	When Given:	Automatic or Not:	Disclosed or Not:	Value of Coins Gifted:
Welcome Gift	When a player first downloads and accesses a Slot Machine Casino App.	Coins are automatically added to player's balance.	Disclosed in description of app when player installs.	Less than \$5
Daily Gift	When a player first opens and accesses a Slot Machine Casino App each day.	Coins are automatically added to player's balance.	May be disclosed in description of app when player installs. Disclosed when gift is given, and at that time, the daily gift for each day of the next week is typically also disclosed.	Less than \$1
Level-up Gift	When a player achieves a new level in the Slot Machine Casino App.	Coins are automatically added to player's balance.	Disclosed for next level when playing at a current level. Future levels not disclosed.	Less than \$0.50
Another Chance Gift	When a player does not have sufficient coins to make a minimum bet at the Penny Slots or Low Bet Version of unlocked slots.	Not automatic. Player must choose to purchase coins or accept gift. Will be prompted to purchase before receipt of gift. Or player must watch advertisement to get gift.	Not disclosed. Player does not know until gift is given. Not disclosed whether that gift will recur.	Less than \$0.01

1 **2. Poker Casino Apps**

2 **a. Design of the games**

3 4.24 Four of Playtika's Casino Apps primarily offer poker games (Poker Casino
4 Apps). These four are WSOP, Poker Heat, Monopoly Poker, and Governor.³⁰

5 4.25 Each poker game in each Poker Casino App looks, sounds, and functions like a
6 traditional, land-based poker game. The visual display shows a poker table in the middle, with a
7 dealer at the head of the table and the players seated around the table. Each player must "buy-in"
8 to the game with chips. There are hand rankings associated with winning the game, such as a
9 straight flush, four of a kind, or a full house. There are several betting rounds, starting with forced
10 bets or blind bets, where players place bets before any cards have been dealt, and this is followed
11 by subsequent rounds of betting where players can bet, call, raise, or fold after a round of cards
12 have been dealt. There are also sound effects for when the dealer deals, when a player folds or
13 calls, and when a player wins.

14 4.26 Just like traditional, land-based poker games, a poker game in the Poker Casino
15 Apps has a short duration of play. The time between when the player stakes an initial blind bet
16 to when one player at the table wins the hand is generally less than five minutes.

17 4.27 Each poker game in each Poker Casino App is a contest of chance that is either
18 played against other live players or is video poker played against the App software. A random
19 deck of cards is used at the start of each poker game, and each poker game has a retention ratio
20 or betting odds, which are set and controlled by Defendants.

21 4.28 Playtika designed the poker games in the Poker Casino Apps to resemble and/or
22 replicate traditional, land-based poker games. This is Playtika's goal according to Jeet Niyogi,
23 marketing director for WSOP, who says his team was "focused on giving true poker players a

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26 ³⁰ Of note, Aristocrat's Big Fish Casino and Mighty Fu Casino Apps also offer at least one video poker
game, as well as a blackjack and roulette game.

1 very authentic experience.”³¹ In the words of Jeet Niyogi: “I’m 100 percent sure we converted a
2 lot of non-poker players into poker players.”³² As admitted by Guy Ceder, General Manager of
3 WSOP: “The WSOP app delivers the excitement of poker anytime, anywhere[.]”³³ As for
4 Monopoly Poker, a player can “Play Online Poker Anytime, Anywhere[.]” With MONOPOLY
5 Poker, the fun follows you. Play whenever and wherever you want, with seamless gameplay and
6 quick matches designed to fit your lifestyle. Whether you’ve got a few minutes or a whole
7 evening, there’s always a table waiting for a champion.”³⁴

b. How to play

9 4.29 Players access Playtika's Poker Casino Apps by downloading and installing a
10 software application, by means of the Internet, a telecommunications transmission system, or
11 similar means, onto an electronic device, namely a cell phone or tablet. All mechanisms which
12 operate the poker games are contained within the software installation, and together, the software
13 installation and electronic device work to transmit to Playtika and receive from Playtika
14 information related to wagers, betting odds, and changes in betting odds over the Internet, a
15 telecommunications transmission system, or similar means. The software, including all
16 mechanisms which operate the poker games, can be changed and/or updated at any time by
17 Playtika, and it is frequently updated.

18 4.30 When a player opens a Poker Casino App, they are first prompted to make a
19 purchase of chips. Purchase packages typically range from \$0.99 to \$199.99. The number of

³¹ Dean Takahashi, *World Series of Poker: How Playtika's Montreal team has kept the mobile game on top*, GamesBeat (June 18, 2025), <https://venturebeat.com/games/world-series-of-poker-how-playtikas-montreal-team-has-kept-the-mobile-game-on-top/>.

³² Dean Takahashi, *World Series of Poker: How Playtika's Montreal team has kept the mobile game on top*, GamesBeat (June 18, 2025), [https://venturebeat.com/games/world-series-of-poker-how-playtikas-montreal-team-has-kept-the-mobile-game-on-top/3/](https://venturebeat.com/games/world-series-of-poker-how-playtikas-montreal-team-has-kept-the-mobile-game-on-top/).

³³ Playtika Holding Group, *Start 2025 With a Poker Adventure: Win the Ultimate Vegas Poker Getaway in WSOP's 2025 Kickoff Sweepstakes*, PR Newswire (Dec. 20, 2024, at 08:30 ET), <https://www.prnewswire.com/news-releases/start-2025-with-a-poker-adventure-win-the-ultimate-vegas-poker-getaway-in-wsops-2025-kickoff-sweepstakes-302336697.html>.

³⁴ Playtika LTD, *MONOPOLY Poker – Texas Holdem*, App Store for iPhone, <https://apps.apple.com/us/app/monopoly-poker-texas-holdem/id1448884851> (last visited Jan. 20, 2026).

1 chips sold with each package constantly changes and is in complete control of Playtika. The
2 cheapest packages typically sell hundreds-of-thousands to millions of chips for as little as \$0.99
3 to \$1.99. And the most expensive packages offer tens-of-millions to hundreds-of-millions of
4 chips for \$99.99 to \$199.99. Regardless of the purchase package offered, a single chip is worth
5 substantially less than one penny, oftentimes less than one-thousandth of one penny. Meaning,
6 1,000 or more chips is generally worth approximately one penny in Playtika's Poker Casino
7 Apps.

8 4.31 A player must use legal tender by way of a credit card, debit card, or gift card to
9 purchase a chip package. The purchase transaction is processed and transmitted by means of the
10 Internet, a telecommunications transmission system, or similar means. The payment processor
11 is either Playtika or a third-party platform company, such as Apple, Google, and/or Meta, from
12 whose online game store the user accessed the Poker Casino App software. After a player
13 completes a purchase transaction, the number of chips the player purchased is immediately added
14 to that player's balance or wallet, and those chips are now available to bet with.

15 4.32 The home screen for Playtika's Poker Casino Apps displays (1) the player's
16 balance or wallet; (2) a button to access the store where one can always purchase chips; and
17 (3) all poker tables offered within the app. All poker tables, except the lowest stakes table, are
18 locked and unavailable to a player unless: (a) the player pays legal tender by way of a credit
19 card, debit card, or gift card to unlock the table; or (b) the player acquires enough chips, through
20 wins, purchases, or gifts to meet the buy-in requirements for higher stakes games. Some of the
21 highest stakes tables have a 4 million to 100 billion chip buy-in.

22 4.33 Once a player selects the unlocked and available table for play, the Poker Casino
23 App displays the poker game. If there are blind stakes in the game, then the blind stake is
24 automatically bet with chips from the player's balance and the player's balance of chips is
25 immediately and automatically decreased by the number of chips wagered. The dealer then deals
26 cards according to the rules of the poker game being played. The app shows the player the

1 amount other players are betting and the running balance of chips in the pot that will go to the
2 winner of the hand. The Poker Casino Apps also alert a player to when it is their turn and what
3 moves are available to them, including bet, call, raise, or fold. If the player chooses “bet” or
4 “raise”, then the player is allowed to choose, on a sliding scale, how many chips they want to
5 bet or raise the bet with, but it must be between a pre-set minimum and maximum bet amount,
6 which are set and controlled by Playtika.

7 4.34 For all poker games, a player stakes or wagers on the outcome of each hand of
8 poker with chips, and if the player wins the hand of poker, then the player wins the pot of chips,
9 and the amount of chips won is automatically added to a player’s balance immediately after
10 winning. A player can exit a poker table at any time, but if the player exits before the end of a
11 hand currently being played, then the player forfeits their current wager, and those chips are
12 deducted from their balance.

13 4.35 While the Poker Casino Apps do not currently³⁵ convert chips in a player’s
14 balance into cash, credit, and/or any other form of legal tender, a player’s balance of chips never
15 resets to zero. A player can close out of a Poker Casino App and reopen it hours, days, weeks,
16 or months later and their balance will still be there. Therefore, while a player cannot “walk out”
17 of a Poker Casino App with their winnings, a player’s balance of chips is always maintained for
18 them in the app, so they can return to the Poker Casino App at any time and keep betting.

19 4.36 The Poker Casino Apps also occasionally give small gifts of chips to players at
20 different intervals and under varying circumstances, which are often not fully disclosed to
21 players. The table below provides a general description of the different gifts:

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24
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26 ³⁵ Defendants have control over this and can change it at any time.

1	Gift Type:	When Given:	Automatic or Not:	Disclosed or Not:	Value of Coins Gifted:
2	Welcome Gift	When a player first downloads and accesses a Poker Casino App.	Chips are automatically added to player's balance.	Disclosed in description of app when player installs.	Less than \$5
3	Daily Gift	When a player first opens and accesses a Poker Casino App each day.	Chips are automatically added to player's balance.	May be disclosed in description of app when player installs. Disclosed when gift is given, and at that time, the daily gift for each day of the next week is typically also disclosed.	Less than \$3
4	Another Chance Gift	When a player does not have sufficient chips to buy-in at the lowest stake table in the Poker Casino App.	Not automatic. Player must choose to purchase chips or accept gift. Will be prompted to purchase before receipt of gift.	Not disclosed. Player does not know until gift is given. Not disclosed whether that gift will recur.	Less than \$0.05* *(the lowest number of chips needed to play the lowest stake table)

15 4.37 The Poker Casino Apps are not static. Playtika can and does update and make
 16 small changes to their Poker Casino Apps throughout time. However, what remains constant is
 17 that the Apps offer and encourage players to gamble at one or more poker games, and most also
 18 offer slot machines and/or other unlicensed and illegal casino games as well. For example,
 19 WSOP, Governor, and Monopoly Poker offer slot machine games, and Governor and Monopoly
 20 Poker also offer scratch cards.

21 4.38 The slot machine games offered in the Poker Casino Apps look, sound, and
 22 function like the slot machine games in the Slot Machine Casino Apps, but access to the games
 23 operates slightly differently.

24 4.39 In Governor, a player must purchase with legal tender, by way of a credit card,
 25 debit card, or gift card, every spin at a slot machine game. The player is given the option to
 26 purchase a spin at four different slot machines: (1) a Mega Spin, which has a minimum prize of

1 2.4 million chips and a jackpot prize of 20 million chips, is \$0.99; (2) a Diamond Event Spin,
2 which has a minimum prize of 500,000 chips and a jackpot prize of one billion chips, is \$1.99;
3 (3) a Hyper Spin, which has a minimum prize of 25 million chips and a jackpot prize of
4 250 million chips, is \$2.99; or (4) a Fortune XL Bonanza spin, which has a minimum prize of
5 75 million chips and a jackpot prize of 8 billion chips, is \$5.99.

6 4.40 In Monopoly Poker, a player must purchase with legal tender by way of a credit
7 card, debit card, or gift card access to each of the twelve available slot machine games. Prices to
8 access each slot machine range from \$1.99 up to \$299.99, with the lowest jackpot being
9 30 million chips and the highest being 18 billion chips. In both Governor and Monopoly Poker,
10 the chips a player wins playing a slot machine game are automatically added to a player's
11 balance, and the player can then use those chips to gamble at poker games in the respective app.

12 4.41 In WSOP, one slot machine is available to players and players can use chips from
13 their balance to bet at the slot machine. The maximum bet at the WSOP slot machine is 50 billion
14 chips. If a player wins a slot machine spin, then they are awarded a certain number of chips,
15 which are automatically and immediately added to that player's balance and those chips can then
16 be used to gamble at poker games or the slot machine in the app.

17 4.42 The scratchcard games in Governor and Monopoly Poker look, sound, and
18 function like traditional, printed scratchcards. The scratchcard is a square or rectangle shape of
19 colorful design with the jackpot displayed. There are gameplay squares with a virtual scratch-off
20 layer where a player with a touch-screen electronic device can use their finger to scratch off that
21 layer by moving their finger back and forth over the screen. The game also includes sound
22 effects, including but not limited to, a scratching sound for when the player is scratching off the
23 scratchcard. To play, a player must purchase the scratchcard with legal tender by way of a credit
24 card, debit card, or gift card.

25 4.43 The Governor app offers a player four different scratchcards for purchase: (1) for
26 \$0.99, a player can purchase a scratchcard and win up to 500.4 million chips; (2) for \$1.99, a

1 player can purchase a scratchcard and win up to 2.4 billion chips; (3) for \$2.99, a player can
2 purchase a scratchcard and win up to 2.7 billion chips; or (4) for \$5.99, a player can purchase a
3 scratchcard and win up to 18 billion chips.

4 4.44 The Monopoly Poker app offers a player three different scratchcards for purchase:
5 (1) for \$0.99, a player can purchase a scratchcard and “win up to 800,000+” chips; (2) for \$9.99,
6 a player can purchase a scratchcard and “win up to 50,000,000+” chips; or (3) for \$99.99, a
7 player can purchase a scratchcard and “win up to 1,000,000,000+” chips. In both Governor and
8 Monopoly Poker, the chips a player wins playing scratchcard games are automatically added to
9 a player’s balance, and the player can then use those chips to gamble at poker games in the
10 respective app.

11 4.45 The possibility of winning at each slot machine game or scratchcard in the Poker
12 Casino Apps depends on a chance mechanism that operates by way of a software installation
13 onto player’s cell phones and/or other electronic devices. Playtika has complete control over the
14 software, which means they can change and/or update the mechanisms of chance, retention
15 ratios, betting odds, payout systems, paylines, and/or random number generators at any point in
16 time. Playtika can also add more slot machine games, more scratchcards, and/or other illegal and
17 unlicensed gambling games at any time.

18 3. **Bingo Casino App**

19 a. **Design of the bingo games**

20 4.46 One of Playtika’s Casino Apps, Bingo Blitz, primarily offers bingo games (Bingo
21 Casino App).

22 4.47 The Bingo Casino App is not static. Playtika can and does update and make small
23 changes to its Bingo Casino App throughout time. However, what remains constant is that the
24 App offers and encourages players to pay to play bingo games, as well as gamble at forty-three
25 different slot machine games.

1 4.48 Each bingo game in Bingo Blitz looks, sounds, and functions like a traditional,
2 land-based bingo game. All bingo games are played against real players. A player plays with a
3 bingo card that has the word “BINGO” at the top, with each letter of the word “BINGO” over
4 one column. There are five columns and five rows to each bingo card, which creates a grid of
5 25 squares. Contained within each square of the grid are random numbers between 1 and 75. A
6 ball is then randomly chosen by the app and announced. Each ball has a letter from the word
7 “BINGO” and a number between 1 and 75. If a player has the corresponding letter-number
8 combination on its bingo card, then the player can mark that square. The goal of the game is to
9 be the first player to complete a specific pattern like a row, column, diagonal, or four corners on
10 a bingo card.

11 4.49 Each bingo game in Bingo Blitz is a contest of chance that is played against other
12 live players. Each bingo game includes (1) a random number generator or computer algorithm
13 that makes the numbers on each bingo card and the balls pulled random; and (2) a payout system
14 or software mechanisms which determine whether a player has won and how much the player
15 has won.

16 4.50 The possibility of winning at each bingo game depends on a chance mechanism
17 that operates by way of a software installation onto player’s cell phones and/or other electronic
18 devices. Playtika has complete control over the software, which means they can change and/or
19 update the mechanisms of chance, payout systems, and/or random number generators at any
20 point in time.

21 4.51 Playtika designed the bingo games to resemble and/or replicate traditional,
22 land-based bingo. As admitted by Playtika, Bingo Blitz is a “reinvention of classic Bingo” and
23 takes “the nostalgic game to new heights fit for a digital age[.]”³⁶

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26 ³⁶ Shivani Lodhia, *Bingo Blitz Team Up with A-List Host Drew Barrymore to Reinvent the Classic Game*
and *Celebrate that Bingo is Everywhere*, Playtika (Sept. 7, 2022), <https://investors.playtika.com/node/7711/pdf>.

b. How to play

2 4.52 Players access Playtika's Bingo Casino App by downloading and installing a
3 software application, by means of the Internet, a telecommunications transmission system, or
4 similar means, onto an electronic device, namely a cell phone or tablet. All mechanisms which
5 operate the bingo games are contained within the software installation, and together, the software
6 installation and electronic device work to transmit to Playtika and receive from Playtika
7 information related to stakes, odds, and winnings over the Internet, a telecommunications
8 transmission system, or similar means. The software, including all mechanisms which operate
9 the bingo games, can be changed and/or updated at any time by Playtika, and it is frequently
10 updated.

11 4.53 When a player opens the Bingo Casino App, they are first prompted to make a
12 purchase of credits. Purchase packages typically range from \$0.99 to \$99.99. The number of
13 credits sold with each package constantly changes and is in complete control of Playtika. The
14 cheapest packages typically sell twenty to thirty-five credits for as little as \$0.99 to \$1.99. And
15 the most expensive packages offer 1,500 credits for \$99.99. Regardless of the purchase package
16 offered, a single credit is worth less than ten cents.

17 4.54 A player must use legal tender, by way of a credit card, debit card, or gift card, to
18 purchase a credit package. The purchase transaction is processed and transmitted by means of
19 the Internet, a telecommunications transmission system, or similar means. The payment
20 processor is either Playtika or a third-party platform company, such as Apple, Google, and/or
21 Meta, from whose online game store the user accessed the Bingo Casino App software. After a
22 player completes a purchase transaction, the number of credits the player purchased is
23 immediately added to that player's balance, and those credits are now available to buy bingo
24 cards with.

25 4.55 The home screen for Playtika's Bingo Casino App displays (1) the player's
26 balance; (2) a button to access the store where one can always purchase credits; and (3) all bingo

1 games offered within the app. All bingo games, except the lowest stake game, are locked and
2 unavailable to a player unless the player achieves a certain level in the app and the bingo game
3 is then unlocked as a reward. As a player advances through levels, higher and higher stake bingo
4 games are unlocked. Other rules of the bingo games also change depending on the game being
5 played. For example: (1) the higher the stakes for the game, the larger the rewards if a player
6 wins; and (2) the more players playing, the more bingos that can be won at each game before the
7 game is over.

8 4.56 Once a player selects the available and unlocked bingo game to play, the Bingo
9 Casino App will display what a player can win at that particular bingo game and asks the player
10 how many bingo cards the player would like to play for that game. Once the player selects the
11 number of bingo cards and presses a green button to play those bingo cards, the Bingo Casino
12 App automatically deducts the requisite number of credits from the player's balance for those
13 bingo cards. Each bingo card costs a certain number of credits, depending on the game. This is
14 also set and controlled by Playtika and can change at any time. After the credits are deducted
15 from the player's balance, the player must wait for enough other players to join the game before
16 it will start. This can take anywhere from seconds to hours.

17 4.57 Once the game starts, the app begins to randomly select balls and announce the
18 letter and number of each ball selected. If the player has the corresponding letter and number
19 combination on their bingo card, then the player can mark that square with their finger.
20 Thereafter, the square will be marked by a round red circle with a star in the middle. For each
21 bingo game, a different number of bingos can win. Each player that wins bingo, meaning all
22 four corners and/or a solid vertical, horizontal, or diagonal line is marked on their bingo card
23 (i.e., conforms to the numbers of symbols selected at random), wins credits and/or coins. Credits
24 buy bingo cards, and coins can be used to buy credits or to bet and spin a slot machine.

1 4.58 While the Bingo Casino App does not currently³⁷ convert credits or coins in a
2 player's balance into cash, credit, and/or any other form of legal tender, a player's balance of
3 credits and coins never resets to zero. A player can close out of the Bingo Casino App and reopen
4 it hours, days, weeks, or months later, and their balance will still be there. Therefore, while a
5 player cannot "walk out" of the Bingo Casino App with their winnings, a player's winnings are
6 always maintained for them in the app, so they can return to the Casino App at any time and
7 keep staking credits on the outcome of bingo games or bet coins on slot machine games.

8 4.59 The Bingo Casino App also occasionally gives small gifts of credits to players at
9 different intervals and under varying circumstances, which are often not fully disclosed to
10 players. The table below provides a general description of the different gifts:

Gift Type:	When Given:	Automatic or Not:	Disclosed or Not:	Value of Coins Gifted:
Welcome Gift	When a player first downloads and accesses the Bingo Casino App.	Credits are automatically added to player's balance.	Disclosed in description of app when player installs.	Less than \$2.50
Daily Gift	When a player first opens and accesses the Bingo Casino App each day.	Credits are automatically added to player's balance.	Disclosed in description of app when player installs. Disclosed when gift is given, and at that time, the daily gift for each day of the next week is typically also disclosed.	Less than \$1.50
Another Chance Gift	When a player does not have sufficient credits to purchase a bingo card at the lowest stake bingo game, which costs one credit.	Not automatic. Player must choose to purchase credits or accept gift. Will be prompted to purchase before receipt of gift.	Not disclosed. Player does not know until gift is given. Not disclosed whether that gift will recur.	\$0.10* *(or whatever the current price of one credit is in the app)

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³⁷ Defendants have control over this and can change it at any time.

B. Casino Apps Are for-Profit Professional Gambling Games

4.60 While Defendants’ Casino Apps are free to download and access, Defendants make enormous sums of money from players purchasing coins, chips, and/or credits to gamble with. Collectively, Washington players have made over 8 million purchases and spent over \$151 million buying coins, chips, or credits in Playtika’s Casino Apps since September 2020. That averages to more than \$35 million a year.³⁸ As for Aristocrat, Washington players have made over 2.25 million purchases and spent over \$74 million buying coins in their Casino Apps since September 2020. That averages to approximately \$1.6 million a month.³⁹

4.61 According to Sarah Ketir, Head of Ad Monetization, and Sinem Su, Ad Monetization Manager for Product Madness Inc., players’ “[i]n-app purchases generate a significant share of our total revenue”⁴⁰ In the words of CEO Mr. Croker, “[t]he good thing about a digital business is you have complete and absolute facts in the decisions you’re making (via data). We know what the [player] retention is. We know what the [player] monetization is. We’re able to then look at the lifetime value of players. Then we’re able to work out what we can afford to buy them for.”⁴¹ Aristocrat’s revenue from Casino Apps in 2025 was \$1.2 billion.⁴²

4.62 Playtika also “generate[s] substantially all of [its] revenues from players’ purchases of in-game virtual items. Revenues from in-app purchases accounted for 97.2% of

³⁸ Between September 2020 and July 2024, Washington consumers spent \$151,650,549.61. Since that represents approximately four years, the average spent for each of those years is \$37,912,637.40.

³⁹ Between September 2020 and May 2024, Washington consumers spent \$74,473,239.70. Since that represents approximately forty-five months, the average spend for each month of those years is \$1,654,960.88.

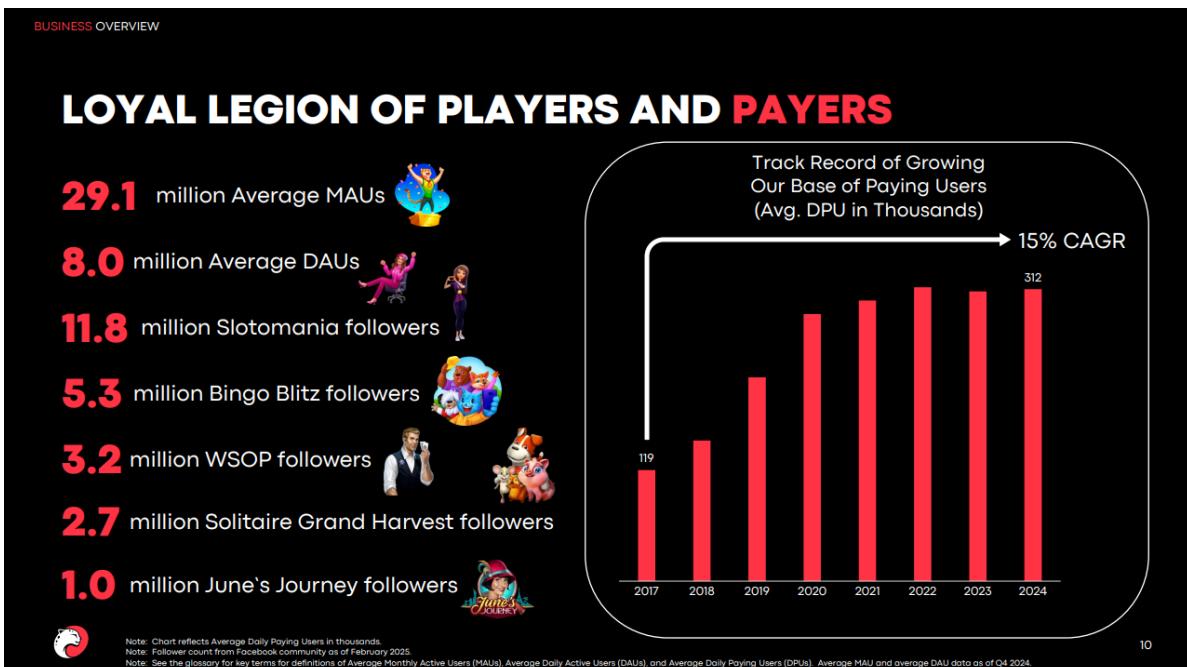
⁴⁰ Sinem Su, *Product Madness Grew ad ARPDAU By 11% Using Vungle In-App Bidding on ironSource LevelPlay, Liftoff*, <https://liftoff.io/resources/case-study/product-madness/> (last visited Jan. 20, 2026).

⁴¹ Aristocrat Leisure Ltd - Australia, *J.P. Morgan Gaming, Lodging, Restaurant & Leisure Management Access Forum* at 2, Aristocrat, <https://ir.aristocrat.com/static-files/43621961-2ada-4f08-9442-d88003fea551> (last visited Jan. 20, 2026).

⁴² Aristocrat Leisure Limited, *Aristocrat 2025 Annual Report* at 22, <https://ir.aristocrat.com/static-files/46f9d389-1c5b-48fe-89ac-3e07c32c420c> (last visited Jan. 20, 2026).

1 revenues in the nine months ended September 30, 2020.”⁴³ Playtika’s 2020 revenue was
2 \$2.372 billion.⁴⁴ And in 2024, it was \$2.549 billion.⁴⁵

3 4.63 According to Playtika’s March 2025 Investor Presentation, it has a “LOYAL
4 LEGION OF PLAYERS AND PAYERS” and has a proven “Track Record of Growing [Its]
5 Base of Paying Users”:



16 Source: *id.* at 10.

17 4.64 Many of these “loyal payers” are located in Washington State. The following are
18 examples of Washington players who have spent enormous sums of money gambling in
19 Playtika’s Casino Apps:

20 a. User 1020906: regularly spends over \$500 a day, and when all of those
21 \$500+ days are added together they total \$441,187.62;

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24 43 Playtika Holding Corp., *Form S-1 Registration Statement Under the Securities Act of 1933* at 75,
U.S. SEC (Dec. 18, 2020), https://www.sec.gov/Archives/edgar/data/1828016/000119312520321440/d55817ds1.htm#rom55817_14.

25 44 Playtika, *Investor Presentation* at 24 (Mar. 2025), <https://investors.playtika.com/static-files/23bcd180-ca4f-40f2-b3ac-5237ff086280>.

26 45 *Id.*

- b. User 1007667652: purchased virtual coins every day for 30 days straight, spending \$16,793.33 in just one month;
- c. User 103109960: spent \$208,331.55 over the course of one year, which translates to \$17,361 per month on average;
- d. User 10027270: spent \$11,170.82 over the course of just two months in 2023;
- e. User 10088203: spent \$175,349.97 over the course of one year, which translates to \$14,612.50 per month on average;
- f. User 10198851: regularly spends over \$500 a day, and when all of those \$500+ days are added together they total \$96,009.76; and
- g. User 1008481728: purchased virtual coins every day for 30 days straight, spending \$7,295.49 in just one month.

4.65 The same is true of Aristocrat. The following are examples of Washington players who have spent enormous sums of money gambling in Aristocrat's Casino Apps:

- a. User 22232351: made 2,019 purchases of virtual chips over approximately 45 months from 2020 to 2024, totaling \$193,719.81. This is a monthly average spend of \$4,304.88;
- b. User 84973313: spent \$3,005.79 on average each month over approximately 9 months. This player has multiple days where they spent over \$500, including one day in October 2023, where they spent \$1,699.83 in just one day;
- c. User 6048280: monthly average spend for approximately 45 months straight was \$914.40. But in at least two of those months, which are tax return (April) and bonus (December) months, player spent over three times their average: \$3,519.70 in April 2024 and \$3,613.66 in December 2023;
- d. User 21045402: spent \$109,542.11 over the course of approximately 39 months, making 1,115 purchases and a monthly average spend of \$2,808.77. In the last

month before they quit playing, November 2023, this player spent \$7,788.13 in just one month;

- e. User 76073146: made 757 purchases of virtual chips between September 4, 2020, and May 19, 2024 (approximately 45 months), totaling \$38,214.43. This translates to an average monthly spend of \$849.21. There are also instances where this player spent well-over their monthly average in a single day, including \$1,049.89 on December 22, 2022, and \$1,549.84 on July 20, 2023; and
- f. User 37086324: made 56 purchases over 3 months, totaling \$5,254.44, including a sixteen-day stretch in 2024 where they purchased chips every day and spent \$2,889.82.

4.66 Playtika also regularly mails tangible gifts to Washington players to encourage current high spenders to keep playing and spending. Since December 2018, Playtika has sent at least 6,606 gifts to individual Washington players, totaling over \$200,000 in value. These gifts include everything from a \$482 Samsung S3 9.7" tablet to a \$94 spa kit with branded bath salt, earl grey tea, lip balm, and a tumbler.

4.67 Additionally, Playtika offers players the opportunity to participate in extremely valuable sweepstakes, all to encourage new users to download, play, and spend, and to encourage current players to stay loyal. The following are examples of sweepstakes prizes offered by Playtika and publicized through Playtika press releases, advertising, marketing, and/or social media channels from 2023 to the present:

a. "The Ultimate Deal: Slotomania Joins Forces with Let's Make a Deal, Hosted by Wayne Brady, to Gift Three Lucky Winners with Brand New Cars!"⁴⁶;

⁴⁶ Playtika Holding Corp, *The Ultimate Deal: Slotomania Joins Forces with Let's Make a Deal, Hosted by Wayne Brady, to Gift Three Lucky Winners with Brand New Cars!*, PR Newswire (May 1, 2024, at 08:00 ET), <https://www.prnewswire.com/news-releases/the-ultimate-deal-slotomania-joins-forces-with-lets-make-a-deal-hosted-by-wayne-brady-to-gift-three-lucky-winners-with-brand-new-cars-302132389.html>.

- b. “Ty Pennington Partners with Caesars Slots for New Sweepstakes Awarding a \$2,500 Caesars Rewards® Gift Card Each Week!”⁴⁷;
- c. “BIG GAME BLITZ: LEGENDARY QUARTERBACK KURT WARNER TEAMS UP WITH BINGO BLITZ TO OFFER \$1 MILLION TO LUCKY GAMER IF RECORD NUMBER OF SACKS IS BROKEN ON FEBRUARY 11”⁴⁸;
- d. “Ty Pennington Partners With Caesars Slots to Gift 21 Lucky Winners With a Vegas Vacation”^{49, 50};
- e. “Son of a Blitz! Bingo Blitz and Drew Barrymore Team Up to Give Away a New Smartphone Every Bingo Hour ** Starting Sept. 30!”⁵¹;
- f. “It’s Time to Sleigh the Slots! House of Fun is Giving House of Fun Players The Chance to Unwrap \$1,000 Gift Cards All Month Long”⁵²;

⁴⁷ Playtika Holding Corp, *Ty Pennington Partners with Caesars Slots for New Sweepstakes Awarding a \$2,500 Caesars Rewards® Gift Card Each Week!*, PR Newswire (Mar. 14, 2024, at 08:00 ET), <https://www.prnewswire.com/news-releases/ty-pennington-partners-with-caesars-slots-for-new-sweepstakes-awarding-a-2-500-caesars-rewards-gift-card-each-week-302088646.html>.

⁴⁸ Playtika Holding Corp, *BIG GAME BLITZ: LEGENDARY QUARTERBACK KURT WARNER TEAMS UP WITH BINGO BLITZ TO OFFER \$1 MILLION TO LUCKY GAMER IF RECORD NUMBER OF SACKS IS BROKEN ON FEBRUARY 11*, PR Newswire (Jan. 29, 2024, at 08:05 ET), <https://www.prnewswire.com/news-releases/big-game-blitz-legendary-quarterback-kurt-warner-teams-up-with-bingo-blitz-to-offer-1-million-to-lucky-gamer-if-record-number-of-sacks-is-broken-on-february-11-302046340.html>.

⁴⁹ Darlan Monterisi and Eric Barnes, *Ty Pennington Partners With Caesars Slots to Gift 21 Lucky Winners With a Vegas Vacation*, Playtika (June 6, 2023), <https://investors.playtika.com/node/8351/pdf>. (Emphasis omitted.)

⁵⁰ According to Craig Abrahams, President and Chief Financial Officer of Playtika, on November 3, 2021: “we launched a marketing campaign with Ty Pennington from Extreme Makeover and this drove excellent performance, with installs of the game, up 94% year-over-year in Q3.” See Playtika, *Prepared Remarks Q3 Fiscal 2021* at 10, <https://investors.playtika.com/static-files/8f77c8af-5e43-46e4-95a2-639239caf8d9> (last visited Jan. 21, 2026).

⁵¹ Playtika Holding Corp, *Son of a Blitz! Bingo Blitz and Drew Barrymore Team Up to Give Away a New Smartphone Every Bingo Hour* ** Starting Sept. 30!, PR Newswire (Oct. 1, 2024, at 11:12 ET), <https://www.prnewswire.com/news-releases/son-of-a-blitz-bingo-blitz-and-drew-barrymore-team-up-to-give-away-a-new-smartphone-every-bingo-hour--starting-sept-30-302264254.html>.

⁵² Playtika Holding Corp, *It's Time to Sleigh the Slots! House of Fun is Giving House of Fun Players The Chance to Unwrap \$1,000 Gift Cards All Month Long*, PR Newswire (Nov. 1, 2024, at 08:35 ET), <https://www.prnewswire.com/news-releases/its-time-to-sleigh-the-slots-house-of-fun-is-giving-house-of-fun-players-the-chance-to-unwrap-1-000-gift-cards-all-month-long-302292086.html>.

1 g. “Caesars Slots Partners with Ty Pennington to Test Player’s New Year Luck With
2 Hourly Giveaways of \$777 Gift Cards”⁵³;

3 h. “From December 26 to January 23, WSOP will award one winner each week—
4 four lucky players—a dream Vegas getaway for two. Winners will enjoy a paid
5 trip, including flights, hotel and spending money!”⁵⁴; and
6 i. As part of the “American Idol campaign” and “an exclusive in-game
7 collaboration with Lionel Richie,” Bingo Blitz players can enjoy “competing in
8 Bingo challenges and having the chance to win VIP tickets to the American Idol
9 finale.”⁵⁵

10 **C. Regulation of Casino Apps in Washington State**

11 **1. History of gambling regulation in Washington State**

12 4.68 No type of gambling activity is legal in Washington State unless it is explicitly
13 authorized by law.

14 4.69 There is no Washington state law that specifically authorizes a for-profit entity to
15 operate commercial slot machine games, poker games, bingo games, or scratchcards without a
16 license from the Washington State Gambling Commission. None of the Defendants have licenses
17 to operate their Casino Apps or the gambling games within their Casino Apps in
18 Washington State, nor have they ever even applied to the Washington State Gambling
19 Commission for a license to operate said apps or games.

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22 ⁵³ Playtika Holding Corp, *Caesars Slots Partners with Ty Pennington to Test Player’s New Year Luck With Hourly Giveaways of \$777 Gift Cards*, PR Newswire (Dec. 19, 2024, at 08:30 ET), <https://www.prnewswire.com/news-releases/caesars-slots-partners-with-ty-pennington-to-test-players-new-year-luck-with-hourly-giveaways-of-777-gift-cards-302335818.html>.

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24 ⁵⁴ Playtika Holding Corp, *Start 2025 With a Poker Adventure: Win the Ultimate Vegas Poker Getaway in WSOP’s 2025 Kickoff Sweepstakes!*, PR Newswire (Dec. 20, 2024, at 08:30 ET), <https://www.prnewswire.com/news-releases/start-2025-with-a-poker-adventure-win-the-ultimate-vegas-poker-getaway-in-wsops-2025-kickoff-sweepstakes-302336697.html>.

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26 ⁵⁵ Playtika, *Prepared Remarks FY2025 Q1* at 9, <https://investors.playtika.com/static-files/a0da0225-8357-48b8-9819-93683f0706fc> (last visited Jan. 21, 2026).

1 4.70 Starting with Washington's admission to the Union in 1889, all lotteries were
2 unconstitutional. According to the original text of Washington's Constitution, “[t]he legislature
3 shall never authorize any lottery or grant any divorce.” Const. art. II, § 24 (effective from 1889
4 to 1972). “[T]o give effect to this broad interdiction, the courts must look into, through and
5 around any schemes and devices which appear even superficially to constitute a lottery, and to
6 apply the constitutional ban to all of them which in fact amount to a lottery.”
7 *State ex rel. Schillberg v. Safeway Stores, Inc.*, 75 Wn.2d 339, 346, 450 P.2d 949 (1969). “[S]lot
8 machines . . . of the usual type and variety are lotteries.” *State ex rel. Evans v. Bhd. of Friends*,
9 41 Wn.2d 133, 149, 247 P.2d 787 (1952), *abrogated by*, *State v. Willyard*, 3 Wn.3d 703,
10 555 P.3d 876 (2024).

11 4.71 In addition to lotteries, state and local laws in Washington State have criminalized
12 gambling activities since Washington's admission to the Union as well.

13 4.72 On November 7, 1972, the Washington State legislature amended Article II,
14 Section 24 of Washington's Constitution to read: “[L]otteries shall be prohibited *except as*
15 *specifically authorized* upon the affirmative vote of sixty percent of the members of each house
16 of the legislature or, notwithstanding any other provision of this Constitution, by referendum or
17 initiative approved by a sixty percent affirmative vote of the electors voting thereon.”
18 Amendment 56 (emphasis added).

19 4.73 The following year, the Washington State legislature passed the comprehensive
20 1973 Gambling Act, which still exists in slightly amended form to this day. RCW 9.46. Pursuant
21 to the legislative declaration to the 1973 Gambling Act, Washington State strictly regulates and
22 controls gambling to safeguard and promote the social welfare of its people. RCW 9.46.010.
23 According to the Washington State legislature, “[t]he public policy of the state of Washington
24 on gambling is to keep the criminal element out of gambling and to promote the social welfare
25 of the people by limiting the nature and scope of gambling activities and by strict regulation and
26 control. It is hereby declared to be the policy of the legislature, recognizing the close relationship

1 between professional gambling and organized crime, to restrain all persons from seeking profit
2 from professional gambling activities in this state[.]” *Id.* The difference between professional
3 gambling activities and nonprofessional gambling activities in Washington State is generally
4 that professional gambling activities are for-profit commercial enterprises where consideration
5 is paid to the proprietor of the gambling activity. Nonprofessional gambling activities are
6 conducted on a limited-basis by non-profit or bona-fide charitable organizations, or the activities
7 are amusement games involving skill and played at county or state fairs.

8 4.74 In 2006, the Washington legislature passed Substitute Senate Bill 6613, “[an act]
9 [r]elating to reaffirming and clarifying the prohibition against internet and certain other
10 interactive electronic or mechanical devices to engage in gambling[.]”⁵⁶ Section 1 of that bill
11 stated: “[i]t is the policy of this state to prohibit all forms and means of gambling, except where
12 carefully and specifically authorized and regulated. With the advent of the internet and other
13 technologies and means of communication that were not contemplated when either the gambling
14 act was enacted in 1973, or the lottery commission was created in 1982, it is appropriate for this
15 legislature to reaffirm the policy prohibiting gambling that exploits such new technologies.”⁵⁷
16 Senate Bill 6613, which enacted RCW 9.46.240, effectively banned all online gambling in
17 Washington State. RCW 9.46.240; *see also* *Rousso*, 170 Wn.2d at 74-75 (“The question before
18 this court is not whether Internet gambling, including playing poker on-line, should be illegal.
19 That determination is reserved to the legislature, and the legislature addressed the issue by
20 enacting and amending RCW 9.46.240, which criminalizes the knowing transmission and
21 reception of gambling information by various means, including use of the Internet. Since sending
22 and receiving gambling information is illegal, Internet gambling in the state of Washington is
23 effectively banned.”).

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⁵⁶ Laws of 2006, ch. 290.
 ⁵⁷ Laws of 2006, ch. 290, § 1.

1 4.75 Pursuant to the 1973 Gambling Act, “gambling” is defined under Washington
2 law as “staking or risking something of value upon the outcome of a contest of chance or a future
3 contingent event not under the person’s control or influence, upon an agreement or
4 understanding that the person or someone else will receive something of value in the event of a
5 certain outcome.” RCW 9.46.0237.

6 a. A “contest of chance” is defined as “any contest, game, gaming scheme, or
7 gaming device in which the outcome depends in a material degree upon an
8 element of chance, notwithstanding that skill of the contestants may also be a
9 factor therein.” RCW 9.46.0225. Slots, poker, bingo, and scratchcards are
10 contests of chance in Washington. *See, e.g., State v. Gaasch*, 56 Wash. 381,
11 105 P. 817 (1909); *State v. Robey*, 74 Wash. 562, 564, 134 P. 174 (1913); *State*
12 *ex rel. Schillberg v. Barnett*, 79 Wn.2d 578, 488 P.2d 255 (1971); *Rouss v. State*,
13 149 Wn. App. 344, 360, 204 P.3d 243 (2009), *aff’d*, 170 Wn.2d 70, 239 P.3d
14 1084 (2010); *see also* WAC 458-20-131(3) (the term “contest of chance[]”
15 includes bingo).

16 b. A “thing of value” is defined as “any money or property, any token, object or
17 article exchangeable for money or property, or any form of credit or promise,
18 directly or indirectly, contemplating transfer of money or property or of any
19 interest therein, or involving extension of a service, entertainment or a privilege
20 of playing at a game or scheme without charge.” RCW 9.46.0285. As set forth
21 below, coins, chips, and credits in Casino Apps are a thing of value under
22 Washington law. *See Kater*, 886 F.3d 784.

23 4.76 Pursuant to the 1973 Gambling Act, all unlicensed gambling devices are also
24 illegal in Washington State. RCW 9.46.215. RCW 9.46.0241 defines “gambling device” under
25 Washington law. The statute has four subsections, each of which provides a separate, stand-alone
26 definition of “gambling device”. *Bullseye Distrib. LLC v. State Gambling Comm’n*, 127 Wn.

1 App. 231, 240, 110 P.3d 1162 (2005) (“We find RCW 9.46.0241 unambiguous in defining
2 four separate devices, any one of which is a gambling device”).

- 3 a. Pursuant to subsection (1) of RCW 9.46.0241, “gambling device” means “[a]ny
4 device *or mechanism* the operation of which a right to money, credits, deposits
5 or other things of value may be created, in return for a consideration, as the result
6 of the operation of an element of chance, *including, but not limited to slot*
7 *machines, video pull-tabs, video poker, and other electronic games of chance[.]*”
8 (Emphasis added.)
- 9 b. Pursuant to subsection (2) of RCW 9.46.0241, “gambling device” means “any
10 device or mechanism which, when operated for a consideration, does not return
11 the same value or thing of value for the same consideration upon each operation
12 thereof[.]”
- 13 c. Pursuant to subsection (3) of RCW 9.46.0241, “gambling device” means
14 “any . . . *installation* designed primarily for use in connection with professional
15 gambling[.]” (Emphasis added.)
- 16 d. Pursuant to subsection (4) of RCW 9.46.0241, “gambling device” means “any
17 subassembly or essential part designed or intended for use in connection with any
18 such device, mechanism, furniture, fixture, construction or installation.”

19 **2. History of Casino App regulation in Washington State**

20 4.77 “On April 17, 2015, a purported class action styled Cheryl Kater v. Churchill
21 Downs Incorporated (the ‘Kater litigation’) was filed in the United States District Court, for the
22 Western District of Washington alleging, among other claims, that the Company’s ‘Big Fish
23 Casino’ operated by the Company’s then-wholly owned mobile gaming subsidiary Big Fish
24 Games violated Washington law, including the Washington Consumer Protection Act, by
25 facilitating unlawful gambling through its virtual casino games (namely the slots, blackjack,
26 poker, and roulette games offered through Big Fish Casino), and seeking among other things,

1 return of monies lost, reasonable attorney's fees and injunctive relief.”⁵⁸ “On November 19,
2 2015, the District Court dismissed the case with prejudice . . .”⁵⁹ “[O]n January 9, 2018,
3 [Churchill Downs Incorporated or CDI] sold Big Fish Games” to Aristocrat.⁶⁰ “On February 6,
4 2018, oral arguments on Plaintiff's appeal of the dismissal of the Kater litigation took place
5 before the United States Court of Appeals for the Ninth Circuit. On March 28, 2018, the
6 United States Court of Appeals for the Ninth Circuit reversed and remanded the District Court's
7 dismissal of the complaint against the Company.”⁶¹

8 4.78 In *Kater*, 886 F.3d 784, the Ninth Circuit held that coins in Casino Apps are a
9 thing of value under Washington law, and therefore, Casino Apps operate gambling games and
10 violate Washington's gambling laws.

11 4.79 Post-*Kater*, Aristocrat Leisure Limited and Aristocrat Technologies, Inc. were
12 named as defendants in a companion consumer class action case. *Thimmegowda v. Big Fish*
13 *Games, Inc.*, No. 2:19CV00199, 2019 WL 9670298 (W.D. Wash. Feb. 11, 2019). Immediately
14 after the *Kater* decision, Aristocrat issued a note to its shareholders and/or investors, advising:
15 “Aristocrat confirms that the Kater litigation was known and fully considered as part of the due
16 diligence exercise it conducted in connection with the Big Fish acquisition.”⁶² And in its
17 2019 Annual Report, Aristocrat additionally advised shareholders and/or investors that
18 “Aristocrat and CDI are working together to vigorously defend the actions for all defendant
19 parties[.]”⁶³

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22 ⁵⁸ Churchill Downs Inc., *Form 10-Q Quarterly Report Pursuant to Section 13 of 15(d) of the Securities*
23 *Exchange Act of 1934* at 35, U.S. SEC (Apr. 25, 2018), <https://ir.churchilldownsincorporated.com/static-files/87a5af15-0142-4379-a03d-b0ff24f60a33>.

23 ⁵⁹ *Id.*

24 ⁶⁰ *Id.*

25 ⁶¹ *Id.*

⁶² Aristocrat, *Aristocrat Statement on Kater Litigation* (Apr. 27, 2018), <https://ir.aristocrat.com/static-files/f0511c1e-88a6-4bbb-90f4-0e7b1872db27>.

26 ⁶³ Aristocrat, *Annual Report 2019* at 103, <https://ir.aristocrat.com/static-files/e97ce5b6-3289-4fd5-aa51-efca73f1c9e2> (last visited Jan. 21, 2026).

1 4.80 One of those steps Aristocrat and CDI took was to immediately file a petition
2 before the Washington State Gambling Commission for a declaratory order. “The petition asked
3 the Commission to issue a declaratory order finding that Petitioner’s Big Fish Casino suite of
4 online video games does not constitute gambling within the meaning of the Washington
5 Gambling Act, RCW 9.46.0237, and therefore is not subject to the Commission’s regulatory and
6 enforcement jurisdiction.”⁶⁴ As noted by the Gambling Commission in its October 18, 2018,
7 Order, “the Ninth Circuit Court of Appeals had previously issued a ruling on March 28, 2018,
8 which held that, under the facts alleged in the Plaintiff’s complaint, Big Fish Casino’s online
9 games constitute gambling under Washington State law. See *Kater v. Churchill Downs Inc.*,
10 886 F.3d 784 (9th Cir. 2018).”⁶⁵ The Commission decided that because “[t]he petition asks the
11 Commission to issue an order regarding a matter of statutory interpretation that is, as of
12 [October 18, 2018], the subject of active federal litigation involving Big Fish Casino games and
13 other companies with similar products”⁶⁶, “[t]he Commission declines to insert itself into active
14 and ongoing civil litigation via a declaratory order.”⁶⁷ However, despite its decision to make no
15 ruling, the Commission did warn that it “is concerned by the allegations raised by Ms. Kater in
16 her public comment regarding the operation of Big Fish Casino games. . . . The allegations
17 regarding the operation of Big Fish Casino as described by Ms. Kater, if true, raise serious policy
18 concerns for the Commission related to consumer protection and problem gambling addiction.”⁶⁸

19 4.81 Thereafter, *Kater* and *Thimmegowda* were jointly settled in August 2020, on
20 behalf of a nationwide class, for \$155 million. At the exact same time, Playtika agreed to settle
21 a parallel consumer class action, paying \$38 million to settle claims related to a Washington
22 class. As disclosed by Playtika Holding Corp.’s 2022 10-K Annual Report to the SEC: “the

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24 ⁶⁴ Order Denying Request to Issue Declaratory Order at 1, *In re the Petition of Big Fish Games, Inc. for a*
25 *Declaratory Order Pursuant to RCW 34.05.240(1)* (Wash. State Gambling Comm’n Oct. 18, 2018).

26 ⁶⁵ *Id.*

27 ⁶⁶ *Id.* at 3.

28 ⁶⁷ *Id.*

29 ⁶⁸ *Id.*

1 United States Court of Appeals for the Ninth Circuit has previously held that a social casino
2 game produced by one of our competitors should be considered illegal gambling under
3 Washington state law. Similar lawsuits have been filed against other defendants, including us.
4 In April 2018, a putative class action lawsuit was filed against us in federal district court, alleging
5 that certain of our social casino games, among other things, violate Washington State gambling
6 laws and consumer protection laws. In August 2020, we entered into a settlement agreement to
7 settle this matter, which was approved by the court in February 2021.”⁶⁹

8 4.82 As part of the injunctive relief of both settlements, Defendants implemented only
9 one change to the operation of their Casino Apps: they added the Another Chance Gift, described
10 *supra* in Paragraphs 21, 34, and 52. Whether or not adding this nominal gift altered the very
11 nature of the Casino Apps to no longer constitute gambling was not decided on the merits at the
12 time the settlements were approved. Nor did any of the Defendants ever petition the Washington
13 State Gambling Commission post-settlement for a declaratory order that their Casino Apps, with
14 the addition of the Another Chance Gift, do not constitute gambling within the meaning of the
15 Washington Gambling Act, RCW 9.46.

16 4.83 However, Defendants knew or should have known that after the Ninth Circuit had
17 determined Casino Apps constituted gambling under Washington law, adding the Another
18 Chance Gift only made matters worse and did not exempt their Casino Apps from constituting
19 gambling. Pursuant to WAC 230-06-030, gambling operators “may conduct gambling
20 promotions to encourage players to participate in the gambling activity”, such as “add[ing]
21 additional merchandise or cash prizes, including increasing payouts for gambling activities”, but
22 they “*must not give another chance* to participate in a gambling activity” WAC 230-06-030
23 (emphasis added). Pursuant to WAC 230-06-035(1), “[l]icensees, employees, or members *must*
24 *not offer or give credit, loans, or gifts* to any person playing in an authorized gambling activity

25 69 Playtika Holding Corp., *Form 10-K Annual Report Pursuant to Section 13 or 15(d) of the Securities*
26 *Exchange Act of 1934* at 14, U.S. SEC (Feb. 28, 2023), <https://investors.playtika.com/static-files/b100e899-3d86-4fd7-a399-379eda2c369e>.

1 or which makes it possible for any person to play in an authorized gambling activity.” WAC 230-
2 06-035(1) (emphasis added). “Gifts are items licensees give to their customers.” WAC 230-06-
3 035(2). “Licensees must not connect these gifts to gambling activities [the Gambling
4 Commission] regulate[s] unless the gifts are . . . [g]ambling promotions; or . . . [f]ree or
5 discounted food, drink, or merchandise which . . . [m]ust not give a chance to participate further
6 in an authorized gambling activity.” *Id.* (emphasis added).

7 **D. Defendants Know Washington Players Are Addicted to Gambling Games in Their
8 Casino Apps**

9 4.84 Defendants know and/or have reason to know that at least some of the players of
10 the gambling games in their Casino Apps suffer from gambling addiction and/or gaming disorder
11 and/or are suffering real harms from participating in gambling activities within Defendants’
12 Casino Apps.

13 4.85 The following are some examples of messages sent to Playtika by Washington
14 players:⁷⁰

- 15 a. User 48657752 on 11/19/2023: “YOU KNOW WHAT PEOPLE. BECAUSE OF
16 THE THOUSANDS AND THOUSANDS OF DOLLARS I GAVE YOUR
17 COMPANY TO BE RIPPED OFF, CAN’T FIX CAR WITH ENGINE LIGHT
18 ON. CAN’T DO ANYTHING FOR MY 2 DAUGHTERS AND
19 3 STEPDAUGHTERS FOR CHRISTMAS. AND I CAN’T FIX SOME OF MY
20 TEETH THAT NEED TO BE FIXED. HOPE YOUR THANKFUL THIS
21 THANKSGIVING THAT I DON’T HAVE MONEY FOR THE HOLIDAYS,
22 BECAUSE I WAS SPENDING IT ON CAESERS SLOTS TO BE RIPPED OFF
23 FROM. HAPPY HOLIDAYS.”
- 24 b. User 151326030879197 on 2/18/2023: “These games are not regulated towards
25 what they do to the addicts and the people that spend money on them that can ill

26 ⁷⁰ [Sic] throughout ¶¶ a.-j.

1 afford to lose it. I have been playing on this site since 2006 and have thousands
2 and thousands in to this site. If you have any morals you will return a good portion
3 of the money I have in this site. Please send this letter on.”

4 c. User 808409 on 4/5/2023: “My husband and I are going thru divorce and he’s
5 accusing me of spending way more money than I think I have on here. Can you
6 get me the amount I’ve spend the whole time I’ve played? I need this for my
7 divorce he’s accusing me of lots of things. I really need this please.”

8 d. User 155000006449700 on 10/16/2019: “What you are doing to me is the highest
9 evil there is I’m addicted to playing I have spent hundreds of dollars in the last
10 few days trying to win something I’ve been ack listed because of my nasty letters
11 I cant help it I feel so assaulted I feel I’ve been ripped off for thousands of dollars
12 because of your ass algorithms designed to cheat and steal our money I’m a
13 paraplegic I live in my vehicle because I spent my money on this site I’ve asked
14 yo be blocked from this site to save my life you have led me to suicide I cant bear
15 living in my vehicle anymore I am paralyzed from the chest down you have
16 ruined my life thi sc is such bullshit how do you live with your. Self ruining
17 people’s lives I have spent all my social security check for the month on this bs I
18 cant stop while you all have nice homes laughing all the way to the bank its sick
19 please block me from this site you are killing me I am miserable and cold and
20 hungry or give me my money back please I never got any wins from as ll this
21 money it’s crazy sick”.

22 e. User 4272910 on 2/28/2024: “Hopefully you had a wonderful weekend. I
23 apologize if I was mean. It was not my intention. My husband is dying has home
24 health nurse care and I watch him. Our only transportation broke down it’s been
25 in the shop now for going on 5 months. They would not give us a loaner car. We
26 had to buy this truck because we were involved in a your fatal collision

November 8th of 2022 in our car was completely demolished I've had three surgeries my husband broke his back his sternum I broke several things as well we both got massive concussions. So things have not gone so great and we still don't have a vehicle to drive.”

- f. User 151550200999846 on 8/21/2023: “Can’t win anything on this app anymore. This app has really become an awful experience. Very expensive and very depressing. I am deleting of as now take care and good luck with what your doing to people[.]”
- g. User 151326030879197 in 5/2024: “You do not even know how much I cry and Hate myself everyday because I’m addicted this game and keep racking up debt and every time I realize how much damage I have done to my credit I Despise myself more and more. So these winnings are very important to me cause I barely have anything these. So please fix it. I beg you. I needs those winnings.”
- h. User 3992726 on 3/19/2024: “Am on the way to a divorce because of all the money I spend on this game. Nothing more I can say at this time...”.
- i. User 5521671 on 6/20/2024: “I’m ok as I will be. Still very depressed. Thanks for the gifts. I like coins better thanks. I have to ease up on the spending again. One of my bills got returned. Didn’t know I was spending so much.”
- j. User 151325296807792 on 6/7/2023: “this game treats me different , i loose on every game every day at every betting amount , unless i bet almost nothing . ive never heard or seen anyone go on a 6 month loosingb streak like me , the sad part is how much money they have swindled from me and i still play like a zombie”.

4.86 The following are some examples of messages sent to Aristocrat by Washington players:⁷¹

⁷¹ [Sic] throughout ¶¶ a.-g.

1 a. User 24456400 on 2/5/2024: "Dear Big Fish,--Absolutely incredibly awful app
2 and odds for your app. I began today with a big bonus of over 30 Billion chips,
3 won some, probably up to 43 Billion chips and within a couple of hours, NO
4 Billions left. --I've spent so much money on your app over the year and even this
5 past year- tens of thousands of dollars I'm embarrassed to say. It's awful! And I
6 have, again, nothing to show for it. I know you'll say you can't help with gifting
7 chips, that it's just the odds of each game, that there's nothing you can do- as
8 always, but I wanted to send this message, to be given to your management and
9 customer service and whoever concerned, that I'm absolutely flabbergasted,
10 disappointed in you all, in myself and feel I've been cheated and constantly
11 bombarded with messages to buy buy buy! and unfortunately, I have, but no
12 more. I can't keep going on, not having fun, not being rewarded, not any benefit
13 at all- only taking everything from me- my money, time, chips and sanity. I'm a
14 disabled senior with MS and other issues, still work full time and now will have
15 to continue working which seems like forever because I feel, you stole my
16 retirement money. You may be laughing at me now, you may think what a dumb
17 lady, but I don't care- I may be, for allowing you to take everything from me for
18 some supposed entertainment, but it's caused so much stress and anxiety along
19 with my other issues- trying to -hit- it big and keeping my winnings for more than
20 a couple of hours- then once it's all gone, your buy me now ads come up
21 encouraging me to buy again and again. It's criminal to pray on people, take
22 everything and claim in the end- -Can't help you and it's all in the odds,---I don't
23 think you'll pass along my message but I hope you do. Someone should know
24 the truth and heartache you've given me and it's fair to say many other people.
25 You should be ashamed."

26

- b. User 85003339 on 9/15/2023: "I'm requesting a refund of every penny I've spent on this app! Who spends money buying coins every day and cannot win or get ahead on these games? I pay for coins and get robbed by your company over and over again like it's a joke to you guys. Give you my hard earned money and get trash in return; money I could be spending on my kids for trips and lunch. This app has turned into a money hungry piece of crap!"
- c. User 85386461 on 1/17/2024: "Good morning, -My life has been ruined as a result of this game. You have dangled the carrot by playing into addicted gamblers weaknesses. You use manipulative tactics such as the booster bunny, shifting game odds, and making it impossible to acquire chips without buying. I have spent so much money on this game hoping it would be better but it has not. You continue to give me a fraction of what I paid in and refuse to state game odds clearly (which is fraud). I have had it with your shady business practices."
- d. User 22591285 on 10/16/2023: "You just keep taking my money. I must be addicted and need to sound the Arleen for the algorithm. Ok got it I get more attention from tier 3 and 4. I am at 13. Please tell me what I have spent so far. That is my o Lu question. What have I spent on your game. Total spend please. Please answer. Your answer will determine whether I file suit or keep going. Thanks."
- e. User 33389893 on 4/18/2024: "Can you please help me with a chip boost? - Chemo day 4 and I won a little and it went so fast. I'm trying to save to buy but medical bills suck. -This is my only form of happy at the moment, I can't have visitors since my immune system is so shot."
- f. User 9491437 on 2/9/2024: "Why are the games 'NOT' paying out? You've rigged them that bad? I've lost \$200.00 cash money this month, all on game loss. Stupid of me to keep coming on just to lose everything? But dumb me, I'll buy again."

g. User 54838982 on 10/10/2023: "hello I'm still asking again please for the love of all of our players Mental Health/bank accounts... PLEASE QUIT WITH THE 15X-10X-20X CROWN BOOSTS ON WEDNESDAYS AND THURSDAY...-- A LOT OF PLAYERS ARE SICK AND TIRED OF IT IT'S 48 HOURS WHICH IS TOO MUCH!! IN MY OPINION THAT IS NOT 'RESPONSIBLE PLAY'. I SEE TOO MANY PLAYERS THAT ARE SPENDING MONEY FOR VIRTUAL COINS ON THOSE TWO DAYS... --RESPECTFULLY ASK TO TONE IT DOWN TO ONE DAY NOT TWO!!"

E. Players of Any Age Can and Are Encouraged to Gamble in Defendants' Casino Apps

4.87 Despite operating illegal and unlicensed Casino Apps and despite knowing the risk of harm from gambling addiction and/or gaming disorder, Defendants' Casino Apps do not ask for the age or date of birth of any of their players, nor do they ask for or require any documentation or proof of a user's age and/or identity. Anyone of any age can access Defendants' Casino Apps to participate in gambling activities.

4.88 Further, only one of Playtika's Casino Apps, Monopoly Poker, gives notice regarding an age-use restriction on the launch page when opening the application.

4.89 Playtika knows and/or has reason to know children are playing its Casino Apps from messages sent to it by Washington players. The following are some examples:⁷²

a. User 151326030879197 on 2/7/2024: "Yes I realize that the app is not supposed to be played children, and unfortunately I can not be around him 24 seven so he sneaks and plays it when I m not around. This is not the fault of my own, children can get just as addicted to these games as adults and the maker of this and other apps like it should know that, so I WILL need my money back as I DID all that was required on my part to keep this from happening."

⁷² [Sic] throughout ¶¶ a.-c.

- b. User 2251236 on 3/12/2024: "Hello this is Angela my children have been making a bunch of purchases on my account and I need to see about how to get them refunded the bank is helping a little bit but it was over 400\$ in purchases that the bank denied so can you please help me to get those refunded?"
- c. User 154000016005468 on 7/16/2023: "I did not receive these items due to a child using my account please fix asap. I am removing card and will take off after use."

8 4.90 In fact, for at least some of Playtika’s Casino Apps, Playtika targets children in
9 its advertising and promotion of the Casino App, as well as in the game’s design, including but
10 not limited to: (a) cartoon-like game play; (b) mascots or cartoon characters that resemble Disney
11 or Pixar animals or other characters from children’s movies and/or television shows; and/or
12 (c) “cutesy,” child-like themes and/or music.

13 4.91 For example, Bingo Blitz features a blue cartoon cat named Blitzy and his pink
14 mouse pal named Moxie. Blitzy also has a grandma cat that gives Blitzy a photo album to fill
15 with pictures of his travels, which he obtains by playing bingo on the Bingo Blitz map.



Source: screen capture for the log-in page for the mobile application of Bingo Blitz.

1 4.92 Bingo Blitz maintains a very active YouTube channel called BINGO Blitz TV
2 featuring “Michelle” who hosts videos on a variety of topics, such as “Spooky Halloween DIY
3 Toilet Paper Roll Monsters!” or “Origami Paper Crafts,” and features child-like themes
4 reminiscent of Disney or Nickelodeon. The below image is from a video where “Michelle” talks
5 to Blitzy’s Grandma:⁷³



16 **Grandma's Secrets Finally Revealed!!!**



17 BINGO Blitz TV 204K subscribers

Subscribe

18 865

19

20 Share

21 Save

22 ...

23 4.93 In Playtika’s Terms of Service, which is not available within their Casino Apps
24 but is accessible by clicking a link which then takes you to an internet webpage where a player
25 must scroll down to “Eligibility and Use Restrictions,” it says a player must be 21 years of age
26 to play Bingo Blitz. But this is inconsistent with Playtika’s press releases and investor materials,
which state “Bingo Blitz makes Bingo a game for everyone.”⁷⁴ And: “[t]hrough exciting

27 73 BINGO Blitz TV, *Grandma's Secrets Finally Revealed!!!*, YouTube (July 18, 2023),
28 <https://www.youtube.com/watch?v=TYprqRQKk0>.

29 74 Playtika, *Bingo Blitz Team Up with A-List Host Drew Barrymore to Reinvent the Classic Game and*
30 *Celebrate that Bingo is Everywhere*, PR Newswire (Sept. 7, 2022, at 09:05 ET), <https://www.prnewswire.com/news-releases/bingo-blitz-teams-up-with-a-list-host-drew-barrymore-to-reinvent-the-classic-game-and-celebrate-that-bingo-is-everywhere-301619329.html>.

1 narratives, innovative features, and mega prizes, our mission is to reinvent the way people play
2 Bingo, making Bingo a game for everyone.”⁷⁵

3 **F. Defendants Also Drive Gambling Activities Through Unfair and/or Deceptive Acts
4 and/or Practices**

5 4.94 Defendants employ unfair and/or deceptive acts and/or practices to help gain
6 players and monetize players.

7 4.95 Advertisements for the Casino Apps and/or the Terms of Service for each
8 Casino App misrepresent that the games are not real gambling games, and those same materials
9 fail to mention that Casino Apps constitute gambling in Washington.⁷⁶

10 4.96 Advertised sales are illusory and often misleading. For example, a pop-up in a
11 Casino App will advertise a limited time, exclusive deal with strike-through pricing and/or a
12 countdown timer that shows the deal will expire in a short period of time, leading a player to
13 believe that if they do not “buy now” they will lose out on this opportunity. When, in fact, the
14 purported “deal” may not actually reflect any discount on current package rates in the Casino
15 App’s store, which is also often difficult for a player to even ascertain because a coin, chip, or
16 credit is worth whatever Defendants happen to charge in the moment⁷⁷—there is no baseline
17 value assigned to these items. Or the same “deal” (or an even better deal) will be offered again
18 (often repeatedly) before or after the countdown timer has expired. Thus, making it nearly

19 ⁷⁵ Playtika Holding Corp, *BIG GAME BLITZ: LEGENDARY QUARTERBACK KURT WARNER TEAMS*
20 *UP WITH BINGO BLITZ TO OFFER \$1 MILLION TO LUCKY GAMER IF RECORD NUMBER OF SACKS IS*
21 *BROKEN ON FEBRUARY 11*, PR Newswire (Jan. 29, 2024, at 08:05 ET), <https://www.prnewswire.com/news-releases/big-game-blitz-legendary-quarterback-kurt-warner-teams-up-with-bingo-blitz-to-offer-1-million-to-lucky-gamer-if-record-number-of-sacks-is-broken-on-february-11-302046340.html>.

22 ⁷⁶ Per Aristocrat’s Terms of Service: “The Services are intended for amusement purposes only. We do not
23 offer real money gambling or any opportunity to win real money or prizes based on the outcome of the game.”
24 Playtika’s Terms of Service say the same: “THE GAMES DO NOT OFFER REAL MONEY GAMBLING OR AN
25 OPPORTUNITY TO WIN REAL MONEY OR REAL-WORLD PRIZES.”

26 ⁷⁷ According to Playtika’s Terms of Service, “you may be granted access to in-Game currency including
27 virtual credits, coins, points, credits, bonuses, and chips (collectively, ‘Credits’) and other virtual in-Game items or
28 collections (together with the Credits, ‘Virtual Items’), but “[p]rices and availability of Virtual Items are subject
29 to change without notice[.]” “In addition, the features, content, and capabilities of Virtual Items are subject to change
30 at any time, with or without notice to you, and with no liability of any kind to you.” Same with Aristocrat’s Terms
31 of Service, which state: “[p]rices and availability of Virtual Items are subject to change without notice.”

1 impossible for a player to evaluate whether any sale is actually a good deal or when they need
2 to purchase to actually lock-in a good deal. The only consistency to coin, chip, and/or credit
3 packages and/or sales is that a player will relentlessly be bombarded with pop-ups, pressuring
4 them to buy coins, chips, and/or credits over and over again, regardless of how many coins,
5 chips, and/or credits the player already has in their balance.

6 4.97 Below is an example of a purportedly mega deal with a countdown timer from
7 one of Playtika's Casino Apps:



17
18 **V. FIRST CAUSE OF ACTION
(RECOVERY OF MONEY LOST AT GAMBLING ACT, RCW 4.24.070)**

19 5.1 The State incorporates each of the foregoing paragraphs herein as if set forth in
20 their entirety.

21 5.2 The Recovery of Money Lost at Gambling Act (RMLGA), RCW 4.24.070,
22 provides that “[a]ll persons losing money or anything of value at or on any illegal gambling
23 games shall have a cause of action to recover from the dealer or player winning, or from the
24 proprietor for whose benefit such game was played or dealt, or such money or things of value
25 won, the amount of the money or the value of the thing so lost.”

1 5.3 Playtika Defendants, individually and/or collectively, own, operate, develop,
2 manage, finance, and/or profit from illegal gambling activities in their Casino Apps, and
3 Washingtonians have lost over \$151 million gambling in Playtika's Casino Apps.

4 5.4 Aristocrat Defendants, individually and/or collectively, own, operate, develop,
5 manage, finance, and/or profit from illegal gambling activities in their Casino Apps, and
6 Washingtonians have lost over \$74 million gambling in Aristocrat's Casino Apps.

7 5.5 In Washington State, lotteries are unconstitutional unless specifically authorized
8 by the legislature. Const. art. II, § 24. Conducting any online gambling activity violates
9 Washington law. RCW 9.46.240. To own or finance a gambling device, mechanism, or
10 installation without a license violates Washington law. RCW 9.46.215. Conducting, managing,
11 directing, and/or profiting from unlicensed gambling activities violates Washington law.
12 RCW 9.46.160, .0269, .220-.222. Minors under the age of eighteen are prohibited from gambling
13 and aiding, abetting, and causing a juvenile to engage in gambling violates Washington law.
14 RCW 9.46.180, .228; WAC 230-06-010. Operating more than two commercial bingo game
15 events per year without a license violates Washington law. RCW 9.46.0321, .160. And minors
16 under the age of eighteen are prohibited from playing unlicensed bingo games. RCW 9.46.228;
17 WAC 230-06-010.

18 5.6 Playtika Defendants, individually and/or collectively, as well as Aristocrat
19 Defendants, individually and/or collectively, have offered and continue to offer gambling games
20 in violation of Washington's gambling laws and/or regulations.

21 5.7 “Gambling” is defined under Washington law as “staking or risking something
22 of value upon the outcome of a contest of chance or a future contingent event not under the
23 person's control or influence, upon an agreement or understanding that the person or someone
24 else will receive something of value in the event of a certain outcome.” RCW 9.46.0237. A
25 “contest of chance” is defined as “any contest, game, gaming scheme, or gaming device in which
26 the outcome depends in a material degree upon an element of chance, notwithstanding that skill

1 of the contestants may also be a factor therein.” RCW 9.46.0225. A “thing of value” is defined
2 as “any money or property, any token, object or article exchangeable for money or property, or
3 any form of credit or promise, directly or indirectly, contemplating transfer of money or property
4 or of any interest therein, or involving extension of a service, entertainment or a privilege of
5 playing at a game or scheme without charge.” RCW 9.46.0285.

- 6 a. Defendants, individually and/or collectively, own, operate, manage, finance,
7 promote, advertise, and/or profit from Slot Machine Casino Apps, which offer,
8 conduct, operate, aid, abet, and/or promote unlicensed and illegal gambling
9 games online in the form of electronic, video, and/or digital slots, poker,
10 scratchcards, blackjack, and craps style dice games where purchased coins and/or
11 chips are bet, staked, wagered, and/or risked on a contest of chance or future
12 contingent event not under the player’s control;
- 13 b. Playtika Defendants, individually and/or collectively, own, operate, manage,
14 finance, promote, advertise, and/or profit from Poker Casino Apps, which offer,
15 conduct, operate, aid, abet, and/or promote unlicensed and illegal gambling
16 games online in the form of electronic, video, and/or digital poker, slots, and
17 scratchcards, where purchased coins and/or chips are bet, staked, wagered, and/or
18 risked on a contest of chance or future contingent event not under the player’s
19 control;
- 20 c. Playtika Defendants, individually and/or collectively, own, operate, manage,
21 finance, promote, advertise, and/or profit from a Bingo Casino App, which offers,
22 conducts, operates, aids, abets, and/or promotes unlicensed and illegal gambling
23 games online in the form of electronic, video, and/or digital bingo games and slot
24 machines where purchased credits are used to buy bingo cards and purchased
25 coins are bet, staked, wagered, and/or risked on slots;

- d. Slots, poker, scratchcards, and bingo games are all contests of chance in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants may also be a factor therein; and
- e. Coins, chips, and/or credits are things of value because: (a) Defendants charge players legal tender to buy coins, chips, and/or credits; (b) players spend enormous sums of money buying coins, chips, and/or credits with legal tender; (c) players cannot bet, stake, and/or wager on slot machine games, poker games, bingo games, and scratchcards without coins, chips, and/or credits; (d) players cannot play the slot machine, poker, bingo or scratchcard games without betting, staking and/or wagering coins, chips and/or credits; (e) thousands of players bet, stake, and/or wager on slot machine games, poker games, bingo games, and scratchcards with coins, chips, and/or credits in the Casino Apps; (f) players win coins, chips, and/or credits depending on an outcome of chance; (g) coins, chips, and/or credits are the core mechanisms of game play; (h) when a player wins coins, chips, and/or credits, those coins, chips, and/or credits can be used to place another bet, stake, and/or wager on a contest of chance without charge; and (i) a player's balance of coins, chips, and/or credits never disappears or resets.

5.8 All unlicensed gambling devices are illegal in Washington State. RCW 9.46.215.

RCW 9.46.0241 defines “gambling device” under Washington law. The statute has four subsections, each of which provides a separate, stand-alone definition of “gambling device”.

a. Pursuant to subsection (1) of RCW 9.46.0241, “gambling device” means “[a]ny device or mechanism the operation of which a right to money, credits, deposits or other things of value may be created, in return for a consideration, as the result of the operation of an element of chance, including, but not limited to slot machines, video pull-tabs, video poker, and other electronic games of chance[.]”

Pursuant to subsection (4) of RCW 9.46.0241, “gambling device” means “any

1 subassembly or essential part designed or intended for use in connection with any
2 such device, mechanism, furniture, fixture, construction or installation.”

3 i. Defendants’ Casino Apps are electronic games of chance played on
4 electronic devices. The electronic games of chance offered by
5 Defendants specifically include slot machines and video poker. The
6 Casino Apps operate by way of software mechanisms to create a right
7 to credits and/or other things of value in return for consideration and
8 as a result of the operation of an element of chance. The software is a
9 subassembly or essential part designed or intended for use in
10 connection with electronic devices, the operation of which a right to
11 money, credits, deposits, or other things of value may be created, in
12 return for a consideration, as a result of the operation of an element of
13 chance. A right to a varying amount of credits for more bets may be
14 created, in return for consideration in the form of money, as a result
15 of a slot machine spin, poker, bingo game, or scratchcard.

16 b. Pursuant to subsection (3) of RCW 9.46.0241, “gambling device” means
17 “any . . . *installation* designed primarily for use in connection with professional
18 gambling[.]” (Emphasis added.)

19 i. Defendants’ Casino Apps are installations on electronic devices
20 designed primarily for use in connection with professional gambling.
21 The gambling games within the Casino Apps are designed to look,
22 sound, and function like their traditional land-based gambling game
23 counterparts. The Casino Apps were created with payment systems
24 and electronic bill acceptors to charge and accept payment from
25 players for betting, staking, wagering, and/or risking something of
26 value on gambling games.

1 5.9 Pursuant to RCW 9.46.0269, “[a] person is engaged in ‘professional gambling’
2 for the purposes of this chapter when: . . . (b) [a]cting other than in a manner authorized by this
3 chapter, the person pays a fee to participate in a card game, contest of chance, lottery, or other
4 gambling activity[.]” This is unlawful and illegal gambling activity. RCW 9.46.222.

5 a. None of Defendants’ Casino Apps are authorized by RCW 9.46. Nor have any of
6 the Defendants, individually and/or collectively, ever applied to the Washington
7 State Gambling Commission for a license to lawfully operate their Casino Apps
8 in Washington State. Yet, in the Casino Apps, Washington players pay fees to
9 participate in card games, contests of chance, lotteries, and other gambling
10 activities, such as scratchcards, poker games, bingo games, and slot machines.

11 5.10 Pursuant to RCW 43.10.030(1), the State has discretionary authority to act in any
12 court in matters of public concern provided there is a cognizable common law or statutory cause
13 of action, such as RCW 4.24.070. *City of Sunnyside*, 3 Wn.3d 279; *see, e.g., State v. Gattavara*,
14 182 Wash. 325, 329, 47 P.2d 18 (1935) (the Attorney General may “in the absence of express
15 legislative restriction to the contrary, exercise all such power and authority as the public interest
16 may, from time to time, require.”); *City of Seattle v. McKenna*, 172 Wn.2d 551, 562, 259 P.3d
17 1087 (2011); *State v. Taylor*, 58 Wn.2d 252, 257, 362 P.2d 247 (1961); *Reiter v. Wallgren*,
18 28 Wn.2d 872, 880, 184 P.2d 571 (1947) (“[i]t has always been a paramount duty of the attorney
19 general to protect the interests of the people of the state.”).

20 5.11 There is no “express legislative restriction” against the Attorney General
21 enforcing the RMLGA. *Gattavara*, 182 Wash. at 329.

22 5.12 Illegal gambling games and the recovery of money lost at illegal gambling games
23 are matters of public concern. RCW 9.46.010; *Roussos*, 170 Wn.2d at 82; *see also O’Neil*,
24 18 Wn.2d at 583-84 (holding basis for RMLGA is not only protection of the individual but “also
25 a protection to the public, which is even more important[.]”).

5.13 The State of Washington seeks to recover all money Washingtonians have lost at illegal gambling games and/or activities in Defendants' Casino Apps.

**VI. SECOND CAUSE OF ACTION
(VIOLATIONS OF THE CONSUMER PROTECTION ACT, RCW 19.86)**

6.1 The State incorporates each of the foregoing paragraphs herein as if set forth in their entirety.

6.2 RCW 19.86.020 prohibits “unfair” or “deceptive” acts or practices in trade or commerce.

6.3 Owning, operating, managing, financing, promoting, advertising, and/or profiting from gambling activities and/or gambling devices in Washington constitutes “[t]rade” or “commerce” as defined by RCW 19.86.010(2).

6.4 In the course of operating their Casino Apps, Playtika Defendants, individually and/or collectively, as well as Aristocrat Defendants, individually and/or collectively, engaged in acts or practices that have the capacity to deceive or are unfair, including, but not limited to, the following:

- a. unfairly and unlawfully conducting unlicensed and illegal online gambling activities;
- b. misrepresenting, directly or indirectly, that the Casino Apps “are intended for amusement purposes only” and “do not offer real money gambling”, as well as failing to disclose to players that Casino Apps constitute illegal gambling in Washington State, all of which is also a violation of RCW 9.46.190;
- c. misrepresenting, directly or indirectly, in advertisements, promotions, and/or marketing, “limited time” sales and/or discount purchase packages with strikethrough pricing and/or countdown timers, and misrepresenting, directly or indirectly, the time-sensitive nature of the sale, the existence of a discount, and/or the amount of the discount, all of which is also a violation of RCW 9.46.190;

- d. failing to screen or implement precautions and/or other measures to prevent persons under the age of eighteen from participating in gambling activities, which is also a violation of public policy and RCW 9.46.180, RCW 9.46.228, and WAC 230-06-010;
- e. misrepresenting that the Bingo Casino App is suitable for children, including through targeting, promoting, marketing, and/or advertising unlawful bingo games to children, as well as designing the Bingo Casino App to appeal to children, including but not limited to: (a) cartoon-like destinations, story-lines, and/or characters that resemble Disney or Pixar animals; and/or (b) “cutesy”, child-like themes, and/or music;
- f. failing to disclose to players all rules and restrictions related to how Defendants will give gambling gifts and/or promotions, which is also a violation of WAC 230-06-030;
- g. failing to implement precautions and/or other measures to prevent intoxicated persons from participating in gambling activities, which is also a violation of public policy and WAC 230-06-015; and
- h. accepting credit from Washington players to pay for gambling activities, which is also a violation of WAC 230-06-035(3).

6.5 Defendants' individual and/or collective unfair or deceptive acts and practices, described in the foregoing paragraphs, affected the public interest, are likely to continue without relief from this Court, and/or had the capacity to deceive or otherwise mislead numerous Washington consumers.

6.6 Defendants' individual and/or collective unfair or deceptive acts and practices in connection with owning, developing, operating, conducting, managing, financing, promoting, advertising, and/or profiting from its Casino Apps affects the public interest declared to by the Legislature in RCW 9.46.010, offends public policy, and/or is immoral, unethical, oppressive,

1 and/or unscrupulous because (a) unlicensed online gambling activities are strictly regulated and
2 illegal in Washington in order to safeguard the public; (b) Defendants' Casino Apps were
3 distributed to and/or played by tens of thousands of consumers, including youth, in Washington;
4 (c) numerous Washington consumers have been impacted as a result, including losing millions
5 of dollars and being encouraged, aided, abetted, and/or misled to participate in criminal activity;
6 and (d) turning consumers into online gamblers was part of Defendants' very business model
7 and regular course of business operations. And all of these acts and/or practices were repeated,
8 and are capable of repetition in the future, despite Defendants being well aware of Washington's
9 gambling laws and regulations.

10 6.7 Based on the above-described unfair or deceptive acts and practices, the State is
11 entitled to relief, including injunctive relief and restitution pursuant to RCW 19.86.080, civil
12 penalties pursuant to RCW 19.86.140 for each and every violation of RCW 19.86.020, and
13 reimbursement of the costs of this action, including reasonable attorneys' fees, pursuant to
14 RCW 19.86.080

15 **VII. PRAYER FOR RELIEF**

16 WHEREFORE, Plaintiff State of Washington prays for the following relief:

17 a. A declaration that Defendants' operation of gambling activities, as described
18 above, violates Washington's Gambling Act, RCW 9.46;

19 b. A declaration that Defendants' acts described above are unfair and/or deceptive
20 acts or practices in trade or commerce, affecting the public interest, and in violation of
21 Washington's Consumer Protection Act, RCW 19.86;

22 c. A preliminary and/or permanent injunction pursuant to RCW 19.86.080(1)
23 enjoining Defendants from engaging in any acts or practices that violate Washington's
24 Consumer Protection Act, RCW 19.86, including, but not limited to, the unfair and/or deceptive
25 acts and practices alleged herein;

26 d. An order necessary to recover all money Washingtonians have lost at illegal

gambling games and/or activities in Defendants' Casino Apps pursuant to Washington's Recovery of Money Lost at Gambling Act, RCW 4.24.070;

e. An order necessary to restore to any person in interest in any moneys or property, real or personal, which may have been acquired by means of an act prohibited by Washington's Consumer Protection Act, pursuant to RCW 19.86.080(2);

f. An award of a civil penalty in the amount of \$7,500.00 for each and every violation of Washington's Consumer Protection Act, pursuant to RCW 19.86.140;

g. An award of the State's reasonable costs and attorneys' fees incurred in this action, pursuant to RCW 19.86.080(1);

h. Equitable relief requiring restitution and disgorgement of the revenues resulting from Defendants' wrongful conduct pursuant to RCW 19.86.080(2);

DATED this 3rd day of February 2026.

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