

September 26, 2018

Washington State Gambling Commission
4565 7th Avenue S.E.
Lacey, WA 98503

Dear Commissioners:

The Jamestown Tribe and 7 Cedars Casino submits this letter in support of the petition for a declaratory order by Big Fish Games.

The petition presents an important opportunity for the Commission to confirm that online social games like those at issue in the petition do not constitute gambling under Washington law, as the Commission indicated previously in its 2014 brochure *Online Social Gaming: When is it legal? What to Consider, Let's play a game*. That brochure set forth an understanding of state gambling law that is consistent with the widespread understanding of the gaming community -- that a game in which a player cannot win money or anything else of real-world value is not gambling and not subject to the Commission's regulation or law enforcement jurisdiction.

How the Commission resolves the petition could have a significant impact on Washington State Tribes and their businesses. Rejection of the petition would disrupt longstanding law, intrude on the sovereign rights of Washington Tribes, and could exceed state authority under the IGRA and the tribal-state compacts. A rejection would create uncertainty that would be harmful to continued economic development that is important to the State and Tribes.

By contrast, issuance of the requested declaratory order would be consistent with the longstanding interpretation of Washington state gambling law by players, game owners, and regulators alike. It would support the strong economic interests of the State, its residents, and Washington Tribes.

We urge the Commission to not stray from the statute and to confirm the law as it has stood for many years.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jerry Allen", with a long horizontal flourish extending to the right.

Jerry Allen
CEO

7 Cedars Casino & Resort Properties