



February 2, 2026

Dear Chairman Lieblong,

I write to you to voice our company's significant concerns regarding the potential licensure of national Prediction Market/sportsbook brands to include Betfair/FanDuel and DraftKings.

While I can only speak to our company's views, from the outset Oaklawn's previous remarks on this topic are worth review.

In a December 2021 letter to the Arkansas Racing Commission, Oaklawn management wrote the following:

It is our view that when the people of our State voted on Amendment 100, they believed that casino gaming, including sports wagering, would only be conducted by the four (4) casino licensees, and that only the four (4) casino licensees would be allowed to accept wagers on sporting events under the Amendment.

We believe that out-of-state sports wagering vendors likely will not share specific Arkansas customer information, specific wagering data or other specific operational aspects of their mobile sports wagering platform in any transparent way, thereby limiting oversight by the casino licensee, who is the required operator under Amendment 100. Further, we question whether the sports wagering operations of these out-of-state sports wagering vendors will present regulatory oversight hurdles beyond what is involved regulating the three (3) existing Arkansas casinos.

**1 Saracen Resort Drive
Pine Bluff, AR 71601
www.saracenresort.com**

We believe that the ultimate goal of many out-of-state sports wagering vendors is to garner a substantial confidential customer data-base, not only for sports wagering, but ultimately other types of wagering, and in some instances to promote those customers to visit casino properties in other states where the tax revenue and other economic benefits would be derived by other states, not Arkansas.

We find that Oaklawn's remarks were true then and are now. We believe the matter before you now is more than merely approving a vendor license, this matter represents a substantive policy shift and is one that merits a thorough public discussion, vetting, and for a myriad of reasons:

Briefly, Saracen believes four immediate items are worthy of discussion regarding the companies in question:

1. How can these entities possibly comply with 23 CAR § 358-2001 (12) (C), the Arkansas Racing Commission rule requiring 50.1% of revenue remaining with the casino licensee? Given the previous public statements from national brands that their operating in Arkansas is simply not possible, the revelation that this is suddenly now possible ought be viewed with tremendous regulatory scrutiny. I would specifically point you to the widely-published 2022 remarks of Andrew Winchell, a senior official with FanDuel, who said of Arkansas regulations:

"This requirement is unprecedented in the United States. It is literally just financially unfeasible to operate an online sports wagering pool at that low [margin]."

Similar testimony before your body serves to provide us with specificity, with a representative of the national operators plainly stating in an ARC meeting that their model requires 85-95% of revenue to remain with their companies.

Simply put, there is a lot of room between 51% and 85%, so it is not unreasonable to question how something, in their words, "unfeasible," is now suddenly viable.

2. Our company has heard from multiple media contacts that the advertising buyers working directly for the national brands have already begun to make inquiry about commercial television and radio availability. This seems to indicate any relationship with a casino licensee would not merely be the use of as a platform provider, but rather full-fledged operational control to include media buying with outward-facing use of the national book names complete with advertising spends made directly by the national brands. The planning for expensive advertising campaigns by the national companies serves to further call in to question the ability to comport with your rules.
3. The entities mentioned above were recently issued Cease and Desist Demands from DFA regarding their offering of sports betting under the guise of Daily Fantasy Sports. Given their disregard for the rule of law regarding Daily Fantasy Sports, how does this speak to suitability for licensure with your Commission?
4. The companies in question are heavily engaged in the business of so-called "Prediction Markets." This is not a small thing and is something Attorney General Tim Griffin has indicated is patently illegal in Arkansas. As recently as December 2025, the Louisiana Gaming Control Board issued a "warning letter" to FanDuel and DraftKings indicating operation of Prediction Markets could jeopardize their respective gaming licenses. Arizona, Maryland, Massachusetts, Michigan, Nevada, Ohio, and Washington state regulators have all issued similar warnings.

Respectfully, Saracen requests that the potential licensure of these entities be addressed in a stand-alone meeting or one in which, at a minimum, full transparency with regard to comportment with Arkansas Casino Gaming Rules, and consultation

with the State Attorney General is involved. Simply proceeding with license approval without considering the above could prove to open Pandora's Box. While our company often seeks to advance policy goals, we have also sought to do so operating in the open and with transparency, looking to belt-and-suspenders our compliance and ensure all decisions are made with eyes wide open and full knowledge of the implications to all involved.

In this spirit a review of the implication of licensure of the BetFair/FanDuel and DraftKings and a discussion surrounding this is warranted. Allowing a third party to subcontract and operate an Arkansas casino's sportsbook and associated by proxy is significant, and a subject all three casinos previously opposed on the record.

I believe this is the most substantive matter before your body since the discussion of Pope County licensure and am confident it will be viewed as such by your body.

Sincerely,

A handwritten signature in blue ink that reads "Carlton Saffa". The signature is written in a cursive, flowing style.

Carlton Saffa

CMO



STATE OF ARKANSAS
**Department of Finance
and Administration**

ARKANSAS RACING COMMISSION
Casino Gaming Section
1515 West Seventh Street, Suite 505
Little Rock, Arkansas 72201
Phone: (501) 683-6607
Fax: (501) 682-5273
www.arkansas.gov/dfa

August 20, 2025

FanDuel Picks
ATTN: Compliance Department/ Legal
300 Park Ave S, 14th Floor
New York, NY 10010

To Whom It May Concern:

Please be advised that all forms of sports betting in the State of Arkansas are strictly governed by Amendment 100 to the Arkansas Constitution, and are under the exclusive regulatory authority of the Arkansas Racing Commission and the Department of Finance and Administration (DFA).

As Administrator of the Regulatory Division of DFA, I am hereby ordering you to immediately cease and desist from offering, accepting, or facilitating any sports wagers, bets, or related instruments from individuals located within the State of Arkansas.

Any continued operation or offering of such betting activity within this state constitutes a direct violation of Arkansas law and will be treated accordingly. The State of Arkansas will pursue all available legal remedies, including civil and criminal enforcement, to ensure full compliance.

You are advised to immediately take corrective action. Failure to do so may result in significant legal and financial consequences.

Sincerely,

Christy Bjornson, Administrator
Regulatory Division
Arkansas Department of Finance and Administration



STATE OF ARKANSAS
**Department of Finance
and Administration**

ARKANSAS RACING COMMISSION
Casino Gaming Section
1515 West Seventh Street, Suite 505
Little Rock, Arkansas 72201
Phone: (501) 683-6607
Fax: (501) 682-5273
www.arkansas.gov/dfa

August 20, 2025

DraftKings Pick6
ATTN: Compliance Department/ Legal
111 Huntington Ave
Boston, MA 02199

To Whom It May Concern:

Please be advised that all forms of sports betting in the State of Arkansas are strictly governed by Amendment 100 to the Arkansas Constitution, and are under the exclusive regulatory authority of the Arkansas Racing Commission and the Department of Finance and Administration (DFA).

As Administrator of the Regulatory Division of DFA, I am hereby ordering you to immediately cease and desist from offering, accepting, or facilitating any sports wagers, bets, or related instruments from individuals located within the State of Arkansas.

Any continued operation or offering of such betting activity within this state constitutes a direct violation of Arkansas law and will be treated accordingly. The State of Arkansas will pursue all available legal remedies, including civil and criminal enforcement, to ensure full compliance.

You are advised to immediately take corrective action. Failure to do so may result in significant legal and financial consequences.

Sincerely,

Christy Bjornson, Administrator
Regulatory Division
Arkansas Department of Finance and Administration



December 21, 2021

Mr. Alex Lieblong, Chairman
Arkansas Racing Commission
P. O. Box 3076
Little Rock Arkansas 72203

Re: Proposed Mobile Sports Wagering Rules

Dear Chairman Lieblong:

Oaklawn Jockey Club, Inc. dba Oaklawn Racing Casino Resort submits the following comments to the proposed mobile sports wagering rules under consideration by the Arkansas Racing Commission.

Amendment 100 to the Arkansas Constitution, as approved by vote of the people of the State of Arkansas, allows a maximum of four (4) casino licenses. Amendment 100 only allows "casino licensees" to conduct casino gaming under the Amendment, which includes "accepting wagers on sporting events."¹ Section 3(b) of Amendment 100 further provides: Casino licensees may accept wagers on sporting events if and when not prohibited by federal law.² Casino gaming under Amendment 100 is subject to regulation by the Arkansas Racing Commission.³

It is our view that when the people of our State voted on Amendment 100, they believed that casino gaming, including sports wagering, would only be conducted by the four (4) casino licensees,⁴ and that only the four (4) casino licensees would be allowed to accept wagers on sporting events under the Amendment.

The proposed mobile sports wagering rules allow each casino licensee, in its discretion and with the approval of the Arkansas Racing Commission, to provide no more than two (2) individually branded online sports platforms and accompanying mobile application.⁵ However,

¹ See Section 2(c) of Amendment 100.

² Emphasis added.

³ See Section 4 of Amendment 100.

⁴ Currently, three (3), with another authorized in Pope County.

⁵ Proposed ARC Rule 20.020-4. In essence, allowing each casino licensee to subcontract aspects of a mobile online sports wagering platform to a third-party vendor, subject to the provisions of the Arkansas Racing Commission (ARC) sports wagering rules. Notwithstanding our views set forth herein, we do not object to Proposed ARC Rule 20.020-4.

the proposed mobile sports wagering rules further provide, and we believe wisely, that operation of an online sport pool is prohibited in circumstances where a majority of the net gaming revenue from the online sports pool is paid to a third-party vendor assisting in the operation of the sports pool.⁶

We believe that proposed Rule 20.010-13, prohibiting operation of an online sports pool in circumstances where a majority of the net gaming revenue from the online sports pool is paid to a third-party vendor assisting in the operation of the sports pool, more appropriately follows Amendment 100's requirement that the conduct of sports wagering (and accepting wagers thereon) under the Amendment be limited to the four (4) licensed casinos.

Moreover, this is consistent with other casino gaming rules; for example, ARC Casino Gaming Rule 5.135, which limits revenue to vendors in circumstances under the Rule to no more than 10% of the sums wagered.⁷ This follows the logic that if a subcontractor-vendor receives the lion's share of the revenue from the wagering, the subcontractor-vendor substantively may be the operator (instead of the casino licensee).

Representatives of some of the presumptive out-of-state mobile sports wagering vendors have indicated that their model generally requires them to receive 85% to 95% of net revenues for themselves, leaving only 5% to 15% of the net revenue to the casino licensee. We question whether under such circumstances this is really consistent with the intent of Amendment 100 limiting casino gaming and accepting sports wagers to the four (4) licensed casinos, who are under the more direct regulation of the Arkansas Racing Commission. If the third-party subcontractor-vendor retains 85% to 95% of the net revenues themselves, who is really conducting the sports wagering?

We believe that out-of-state sports wagering vendors likely will not share specific Arkansas customer information, specific wagering data or other specific operational aspects of their mobile sports wagering platform in any transparent way, thereby limiting oversight by the casino licensee, who is the required operator under Amendment 100. Further, we question whether the sports wagering operations of these out-of-state sports wagering vendors will present regulatory oversight hurdles beyond what is involved regulating the three (3) existing Arkansas casinos.

We believe that the ultimate goal of many out-of-state sports wagering vendors is to garner a substantial confidential customer data-base, not only for sports wagering, but ultimately other types of wagering, and in some instances to promote those customers to visit casino properties in other states where the tax revenue and other economic benefits would be derived by

⁶ Proposed ARC Rule 20.010-13.

⁷ See also, for example, Nevada Casino Gaming Rule 5A.135, with a like prohibition; and 25 CFR § 531.1 (dealing with management contracts under the federal Indian Gaming Regulatory Act), limiting percentage fees to a management contractor to no more than 30-40% (depending on the circumstances) of the net revenues of the gaming operation.

Mr. Alex Lieblong, Chairman
Page 3
December 21, 2021

other states, not Arkansas.

The three (3) Arkansas casinos that exist today, represent over 3,000 jobs and over a billion dollars invested in facilities in our State.⁸ So far in 2021 Arkansas casinos have paid about \$70,000,000 in gaming taxes, in addition to the other taxes a normal business pays. The three (3) existing Arkansas casinos compete against each another in slots, table games, and on-premises sports betting today, as well as competing with well over twenty (20) casinos in surrounding states, most within a four-hour drive from any of the Arkansas casinos.⁹ This competitive marketplace will continue with online sports betting.

For the foregoing reasons we support proposed Rule 20.010-13. This is more in line with what the people voted on when they approved Amendment 100.

Sincerely,



Wayne Smith
General Manager
Oaklawn Racing Casino Resort

Cc: Mr. Byron Freeland
Mr. John "Smokey" Campbell

⁸ Presumably, a fourth casino in Pope County would increase these figures.

⁹ Presumably, a fourth casino in Pope County will increase such competitive environment.