

**Exhibit VIII.A.10**  
**Legal Actions**

***Submit as Exhibit VIII.A.10 the following information relating to legal actions of any Applicant Party:***

- a. A statement as to whether there are any pending legal actions, whether civil, criminal or administrative in nature, to which the Applicant Party is a party and a brief description of any such actions;***
- b. A brief description of any settled or closed legal actions, whether civil, criminal or administrative in nature, against the Applicant Party over the past ten (10) years;***
- c. A description of any judgments against the Applicant Party within the past ten (10) years, including the case name, number, court, and what the final ruling or determination was from the court, administrative body or other tribunal;***
- d. In instances where litigation is ongoing and the Applicant Party has been directed not to disclose information by the court, provide the name of the judge, location of the court, and case name and number;***
- e. A statement whether the Applicant Party was indicted, accused or convicted of a crime or was a subject of a grand jury or criminal investigation during the past ten (10) years; and***
- f. A statement whether the Applicant Party was the subject of any order, judgment or decree of any court, administrative body or other tribunal of competent jurisdiction permanently or temporarily enjoining it from or otherwise limiting its participation in any type of business, practice or activity during the past ten (10) years.***

\*Please note, those employees marked with an asterisk below are Rush Street Gaming, LLC employees ranked as Vice President or higher. Although these employees do not qualify as Key Casino Employees, we are providing this information in the spirit of full disclosure in order to meet the goals of the Gaming Commission.

- (a.) There are no pending legal actions to which any Applicant Party is a party.
- (b.) Please see the descriptions provided below regarding any settled or closed legal actions.
- (c.) Please see the descriptions provided below regarding any adverse judgments.
- (d.) This category of legal actions is not applicable to any Applicant Party.
- (e.) With the exception of Mr. Risley's\* conviction for driving while intoxicated discussed below, no Applicant Party has been indicted, accused or convicted of a crime or subject to a grand jury or criminal investigation during the past ten years.
- (f.) No Applicant Party is the subject of any order, judgment or decree of any court, administrative body or other tribunal of competent jurisdiction permanently or

temporarily enjoining it from or otherwise limiting its participation in any type of business, practice or activity during the past ten years.

The following Applicant Parties were party to legal actions described in sections (b) through (e) above in the past ten years:

**Joshua Risley\***: Mr. Risley was convicted of driving while intoxicated in Las Vegas, Nevada on November 16, 2006. He was sentenced to driver's education, participation in a victim impact panel, \$580 fine and time served. The law enforcement agency involved was the Las Vegas Metropolitan Police Department.

**Gregory Carlin and David Patent**: On October 12, 2012, Cynthia Medley ("Plaintiff") filed a complaint in the Philadelphia County Court of Common Pleas. The named entity defendants were Sugarhouse HSP Gaming L.P. ("SugarHouse") and Sugarhouse HSP Gaming Prop. GP, LLC (together, the "Defendants"). On November 7, 2012, the Defendants removed this matter to the United States District Court for the Eastern District of Pennsylvania (Civil Action No. 12-CV-06284). On November 28, 2012, Plaintiff filed an amended complaint adding the following persons as named defendants: Gregory Carlin, David Patent, Michael Sklaw, Wendy Hamilton and Patricia Tuck. Ms. Medley alleged wrongful termination and intentional infliction of emotional distress as well as violation of COBRA. On March 21, 2013, Defendant's motion to dismiss the complaint was granted without prejudice. On April 4, 2013, SugarHouse and Ms. Medley entered into a settlement that fully and finally resolved all disputes.

**Neil Bluhm:** Mr. Bluhm was party to the following legal actions in the past ten years:

<b>Date Filed</b>	<b>Name of Court</b>	<b>Docket / Case Number</b>	<b>Other Parties to Suit</b>	<b>Nature of Suit</b>	<b>Disposition</b>	<b>Date of Disposition</b>
4/10/2013	Circuit Court of Cook County, IL	Circuit Court No. 13 M1 132262	Gmitruk Tadeusz v. Neil Bluhm	Allegation of Fraud	See Note 1 Below	5/22/2013
8/28/2011	Court of Common Pleas of Philadelphia	March Term 2009, No. 4062, Control #11093059	Richard Sprague and PRPS LP vs. HSP Gaming, L.P., Neil Bluhm, and Sugarhouse HSP, City of Philadelphia and City Council of Philadelphia	Seeking to enjoin the respondents from obtaining approvals related to expansion of the Sugarhouse Casino Property	See Note 2 Below	10/11/11
4/8/2011	Court of Chancery of the State of Delaware	CA 6359-VCP	RPRS LP vs. HP Gaming Partners LP and High Penn Gaming	Breach of partnership agreement	See Note 3 Below	1/28/2013
5/10/2007	Court of Chancery of the State of Delaware	147855892953	John G. Brant, PC Pension Trust and John G Brant v. Kaanapali Land, LLC, Neil Bluhm et al.	Shareholder challenge of proposed private merger	On 8/8/07 the suit was reduced to a petition seeking attorney's fees. Payment was made to plaintiff.	2/28/2008

### **Neil Bluhm, Note 1: Tadeusz Claim**

On April 10, 2013, Mr. Gmitruk Tadeusz (“Plaintiff”) filed a pro se claim in the Circuit Court of Cook County, Illinois against Mr. Neil Bluhm, alleging fraud and demanding \$3,000 (Circuit Court No. 13 M1 132262). Plaintiff’s claim, although filed against Mr. Bluhm personally, concerned the operation of Rivers Casino. Plaintiff alleged that the casino had used improper dice in table games. Plaintiff previously purchased dice in the casino gift shop which had been drilled to indicate that they could not be used in the casino. He believed that similarly drilled dice had been used on the floor, and that the drilling changed the numbers on the dice. After a brief trial, at which counsel for Mr. Bluhm explained the procedures used to assure the integrity of dice used in table games, and that drilled dice were not used on the gaming floor, judgment was entered for the defendant on May 22, 2013. In addition, the Court ordered plaintiff to pay Mr. Bluhm’s costs, consisting of the appearance fee. Plaintiff has not filed an appeal of the ruling dismissing plaintiff’s claim in its entirety, which is now final.

### **Neil Bluhm, Note 2: Philadelphia Litigation**

On September 28, 2011, Richard A. Sprague and RPRS Gaming, L.P., limited partners in the SugarHouse Casino, filed an Emergency Application for Special Relief against HSP Gaming, L.P. as well as Neil G. Bluhm, HP Gaming Partners, L.P., the general partner of HSP Gaming, L.P., and Sugarhouse HSP Gaming, L.P. (collectively, the “SugarHouse Respondents”) and the City of Philadelphia and City Council of the City of Philadelphia (collectively, the “City of Philadelphia Respondents”) before Judge John W. Herron of the Court of Common Pleas of Philadelphia, sitting as a Master in *HSP Gaming, L.P. v. City of Philadelphia*, seeking to enjoin the SugarHouse Respondents and City of Philadelphia Respondents from moving forward with approvals related to the expansion of the SugarHouse Casino. At a hearing on October 4, 2011, that matter was resolved by an agreement, which was reflected in an order entered by Judge Herron on October 11, 2011. This matter was resolved pursuant to a settlement agreement, dated January 28, 2013. Pursuant to the terms of the settlement agreement, the parties filed a joint stipulation vacating the order nunc pro tunc and dismissing the claims in the Emergency Application with prejudice.

### **Neil Bluhm, Note 3: Delaware Litigation**

On April 8, 2011, RPRS Gaming, L.P. (“RPRS”) filed suit in the Delaware Court of Chancery against the HP Gaming Partners, L.P. (the “General Partner”) and High Penn Gaming, L.P., the limited partner owned by Mr. Bluhm and Gregory Carlin (“High Penn”), alleging breaches of the Limited Partnership Agreement of HSP Gaming, L.P., and seeking a declaratory judgment. Among other things, the complaint alleges that the General Partner and High Penn failed to provide RPRS with specified information in a timely manner and that approval of a possible

future expansion would require the consent of at least one Management Committee member appointed by RPRS. This matter was resolved pursuant to a settlement agreement, dated January 28, 2013. Pursuant to the terms of the settlement agreement, the parties filed a joint stipulation dismissing the claims with prejudice.

**Zelletta Wyatt\***: Ms. Wyatt has been party to the following legal actions in the past ten years:

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2199FC – 02508-02	St. Louis County	Motion to modify	John Callahan Jr.

Description: John Callahan Jr. filed motion to modify visitation and child support [REDACTED]. Ms. Wyatt counter-filed for a motion to modify for full legal and physical custody of children and full payment of child support arrearage due and owing. Resulted in modified agreement [REDACTED].

Disposition: Consent judgment 2/22/2012

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2199FC – 02508-01	St. Louis County	Motion to modify	John Callahan Jr.

Description: John Callahan filed a motion to modify custody visitation of minor children to no required visits and no child support due [REDACTED]. Ms. Wyatt counter-filed for a motion to modify for full legal and physical custody of said minor children and for child support arrearage due and owing. Case was dismissed by the judge [REDACTED].

Disposition: Dismissed by court 8/22/2011

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2105FC – 06698-01	St. Louis County	Motion to modify	Jason Cato

Description: Zelletta Wyatt filed a motion to modify to relocate minor child out of state due to job relocation. Jason Cato counter filed to reduce child support [REDACTED]. Prior to final court date, [REDACTED] child support modification was agreed upon between parties.

Disposition: Consent judgment

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2105FC – 05598	St. Louis County	Dissolution of Marriage	Jason Cato

Description: Zelletta Wyatt and Jason Cato filed for and were granted a divorce.  
Disposition: Uncontested

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2106BA – 00135	St. Louis County	CC TDN of DOR decision	DOR

Description: [REDACTED] Court reduced infraction to careless and imprudent driving.

Disposition: Dismissed by parties

<b>Docket Number</b>	<b>Court</b>	<b>Detail</b>	<b>Named Litigants</b>
2104AC – 18606	St. Louis County	Contract Dispute	St. John's Mercy

Description: Medical bill dispute that was not properly submitted to insurance company for son's (Loudin Cato) birth. Resolved with hospital and case dismissed by hospital.

Disposition: Dismissed by Parties