

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC 26-068
HGI – Mark Twain, LLC)
d/b/a Mark Twain Casino)

PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the “Commission” or “MGC”) is a state commission created under Chapter 313, RSMo, with jurisdiction over gaming activities, including riverboat gambling activities, in the state of Missouri.
2. The Commission issued a Class A gaming license to Affinity Interactive to develop and operate Class B gaming licensees in the State of Missouri.
3. Affinity Interactive is the parent organization or controlling entity of HGI – Mark Twain, LLC.
4. The Commission issued a Class B riverboat gambling license to HGI – Mark Twain, LLC, to conduct games on and operate the excursion gambling boat known as Mark Twain Casino (the “Casino”).
5. As the holder of a Class B license, HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, is subject to the provisions of sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. On October 14, 2025, Corporal Z. A. Harrison (“Cpl. Harrison”) contacted a Casino patron by the name of Jason Mettemeyer (“Mettemeyer”). Mettemeyer said he wished to file a complaint because he did not receive an offer from a promotion the Casino was running. Cpl. Harrison asked him to explain the promotion and how he came to that determination. Mettemeyer produced a promotional mailer sent to him by the Casino. The mailer indicated various dates that Casino patrons could show up, swipe their player's card at a promotional kiosk, and receive two hundred fifty dollars (\$250.00) in free slot play. Mettemeyer's mailer indicated he was eligible to receive two hundred fifty dollars (\$250.00) of free slot play during each date range: October 1 - 2, 2025, October 6 - 7, 2025, October 8 - 9, 2025, October 13 - 14, 2025, October 15 - 16, 2025, October 20 - 21, 2025, October 22 - 23, 2025, October 27 - 28, 2025, and October 29 - 30, 2025.

¹ GR 20251020003

7. Mettemeyer reported that at approximately 6:30 p.m., on October 13, 2025, he swiped his card at a promotional kiosk but did not receive the two hundred fifty dollar (\$250.00) free slot play offer, despite being present on a date when he was eligible. He then went to the Casino Cage, reported the issue, and was told there was nothing that could be done.
8. Mettemeyer returned to the Casino on October 14, 2025, at approximately 4:30 p.m., swiped his card at a promotional kiosk and again did not receive two hundred fifty dollars (\$250.00) in free slot play. Mettemeyer said he contacted Slot Supervisor Kelsey Britton ("Britton"), who directed him to Cpl. Harrison. He reported that this was not the first time something like this had happened and he felt it was becoming a recurring problem.
9. Cpl. Harrison contacted Britton in the Slot Supervisor's office on the Casino floor. Britton said she had other patrons contact her with a similar issue and provided Cpl. Harrison with an email sent from Director of Marketing Darcy Buckwalter ("Buckwalter") to Casino employees regarding the promotion related to this incident. Buckwalter's email indicated there was a printing error discovered on the mailer she reviewed. The mailer showed dates of October 10 - 11 for the offer, and not the intended October 13 - 14 dates.
10. On October 20, 2025, Cpl. Harrison emailed Buckwalter and asked her to contact him at the MGC office. When she arrived, Cpl. Harrison explained to her the nature of the complaint and asked if she could provide any additional information regarding that specific promotion. She said there was an issue with the mailer when they received it from their printing company and referenced the prior email. She said after she saw the printing error, she assumed all the mailers had the incorrect dates and changed the promotion to reflect the October 10 - 11 dates. Buckwalter admitted she did not see every mailer, but assumed if one was wrong, they all were. Cpl. Harrison showed her a copy of Mettemeyer's mailer which showed the original intended dates of October 13 - 14. Buckwalter said she would contact the printing company to see if they could assist in any way. When asked if she reported the date issue with the mailers to an on-duty Gaming Agent at the time she discovered it, she stated she believed she had forgotten to do so.
11. On October 22, 2025, Buckwalter emailed Cpl. Harrison with an update regarding the mailer issue. She said after contacting the printing company, they were able to identify that eighty-seven (87) patrons were mailed offers with the dates of October 13 - 14. She said her team reviewed the patrons who were at the casino on those dates and identified seven (7) accounts had play for those dates and did not receive their two hundred fifty dollars (\$250.00) in free slot play.

LAW

12. Section 313.805, RSMo, states, in pertinent part, as follows:

The commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the commission rules.

13. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri unless the licensee proves by clear and convincing evidence that it is not guilty of such action. The commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision for compliance with sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation;

(2) Failing to comply with any rule, order or ruling of the commission or its agents pertaining to gaming[.]

14. 11 CSR 45-5.181 states, in pertinent part, as follows:

(2) Class B licensees may provide promotional activities such as promotional giveaways, promotional coupons, promotional games, player reward programs, or

similar activities for patrons without the prior approval of the commission, provided the promotional activity is not structured or conducted in a manner that reflects negatively on the licensee, the commission, or the integrity of gaming in Missouri and complies with the following:

(A) No false or misleading statements, written or oral, shall be made by a licensee or its employees or agents regarding any aspect of any promotional activity.

* * *

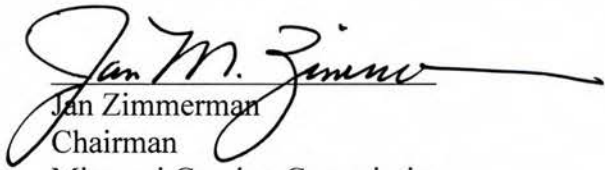
(D) All prizes offered in the promotional activity shall be awarded according to the Class B licensee's rules governing the event;

VIOLATIONS

15. The acts or omissions of employees or agents of the Casino, as described above, constitute a failure of the Casino to follow its own rules for a promotional giveaway, thereby violating 11 CSR 45-5.181(2)(A) and (D).
16. HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, is therefore subject to discipline for such violations pursuant to sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

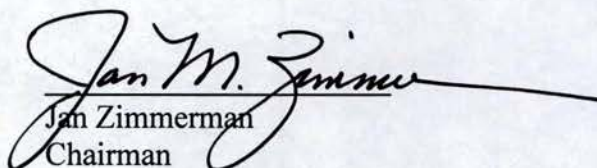
17. Under section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against HGI – Mark Twain, LLC, as the holder of a Class B license.
18. THEREFORE, it is proposed that the Commission fine HGI – Mark Twain, LLC, d/b/a Mark Twain Casino, the amount of five thousand dollars (\$5,000.00) for the violations set forth herein.


Jan Zimmerman
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this 25th day of July, 2026, to:

Mr. Ryan Lounsbury
General Manager
Mark Twain Casino
104 Pierce Street
LaGrange, MO 63448


Jan Zimmerman
Chairman
Missouri Gaming Commission