

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

Paul R. D'Amato, Esquire (PD-7303)
D'AMATO LAW FIRM
2900 Fire Road, Suite 200
Egg Harbor Township, New Jersey 08234
609-926-3300
Attorney for Plaintiff

LISA PILUSO,

Plaintiff,

vs.

AMERICAN GAMING SYSTEMS NEW
JERSEY, LLC.

Defendants.

CAMDEN VICINAGE

CASE NO:

CIVIL ACTION

**COMPLAINT
AND JURY DEMAND**

INTRODUCTION

1. Plaintiff Lisa Piluso (hereinafter referred to as "Lisa"), residing in the Commonwealth of Pennsylvania, brings this action against American Gaming Systems New Jersey, LLC (hereinafter referred to as AGS) based on breach of contract, consumer fraud, negligence, and products liability caused by the employees, agents and representatives of AGS.

JURISDICTION AND VENUE

2. This action is brought and jurisdiction is conferred upon the Court, pursuant to 28 U.S.C. Section 1332(a)(1), in that there is complete diversity of citizenship between Plaintiff and AGS. Venue is properly laid in the District of New Jersey pursuant to 28 U.S.C. Section 1391.

3. This Court has personal jurisdiction over Defendants and venue in this District is proper in that the alleged incident occurred in this District and Defendant are located in this District.

4. Given the existence of complete diversity of citizenship and damages in excess of \$75,000.00, jurisdiction and venue lies in the United States District Court for the District of New Jersey pursuant to 28 U.S.C. §1332, U.S. Constitution, Art. III, § 2 and 28 U.S.C. § 1391.

PARTIES

5. Lisa repeats each and every preceding paragraphs as if same were set forth at length herein.

6. Lisa is a citizen of the Commonwealth of Pennsylvania and domiciled therein.

7. Defendant American Gaming Systems New Jersey, LLC is a Limited Liability Company registered in the State of New Jersey with its principal place of business located in Las Vegas, Nevada.

FIRST COUNT

8. Lisa repeats each and every preceding paragraphs as if same were set forth at length herein.

9. On October 2, 2020 Lisa was playing on a New Jersey Caesars Casino website a game of chance known as CAPITAL GAINS which was provided by Caesars Interactive Entertainment, Inc., a New Jersey Corporation.

10. Lisa had played Capital Gains on prior occasions.

11. On October 2, 2020 Lisa won the grand prize jackpot of \$100,000.00.

See Exhibit A.

12. The winning screen that came up for Lisa stated: "GRAND \$100,000...to win Grand collect 12 symbols collected." Lisa collected 15 money change symbols. The game rules for CAPITAL GAINS state in part: "If you land 15

money change symbols, you will win one of four progressive jackpots....” See Exhibit E, page 5.

13. The jackpot that she was awarded was \$280.00 and not \$100,000.00.

14. Lisa telephoned a representative at Caesars Hotel & Casino and spoke to a Caesars employee named Monique.

15. Lisa asked Monique pursuant to the game rules what confirmation was necessary to win and receive the grand jackpot.

16. Monique replied that a player had to fill the whole board with money balls.

17. Lisa advised Monique that she had just filled the whole board with money balls but the game did not payout to her the \$100,000.00 jackpot.

18. Lisa sent Monique a screenshot, a copy of which is pictured below and attached hereto and made a part hereof as Exhibit A, so that Monique could show her supervisor that Lisa had won.

19. Monique then advised Lisa after she had spoken to her supervisor and that the supervisor confirmed that Lisa had in fact won the \$100,000.00 grand prize.

20. At the end of their conversation Monique told Lisa that Caesars would have to review the winning outcome and that Monique and/or another employee of Caesars would email Lisa.

21. Because Lisa never received an email relative to her \$100,000.00 winning Lisa periodically and unsuccessfully telephoned Defendant Caesars to determine when she would receive her \$100,000.00 winning.

22. On October 23, 2020 Lisa contacted an investigator of the New Jersey Division of Gaming Enforcement by the name of Michael Bianco.

23. Lisa explained in detail to Mr. Bianco how she played the game of Capital Gains and won the \$100,000.00 grand prize jackpot.

24. Mr. Bianco indicated that he would investigate this matter.

25. Subsequently, supervisors at Caesars by the names of Joshua and Dallas telephoned Lisa to discuss her repeated requests for the payout from her \$100,000.00 winning.

26. Lisa asked Joshua and Dallas how the review process was going at which time Joshua and Dallas said that they would email Lisa.

27. On November 26, 2020 Lisa received a phone call at 10:00 p.m.

28. Lisa was advised that she would receive a telephone call the following day at 1:00 p.m. from representatives of American Gaming Systems (AGS).

29. The following day Lisa and her husband Frank were on the conference call with AGS and were introduced to five or six other individuals on the line.

30. Joshua and Dallas from Caesars were on the conference call as well as another representative of Caesars and a woman by the name of Amy.

31. There was a man during the conference call that indicated that he was from American Gaming Systems and this gentleman did the majority of the talking.

32. Lisa was asked: "What are you looking to get out of this?"

33. Lisa responded: "The \$100,000.00 that I won."

34. The representative from American Gaming Systems replied that there were three money balls that should have never appeared and that there was an error or glitch in the game.

35. The representative from American Gaming Systems added that Lisa should have been paid \$330.00 which was an increase of \$50.00 from the previously stated \$280.00.

36. The representative from American Gaming Systems added that because Lisa and her husband were "nice people" and waited so long to resolve the matter that AGS would offer the settlement of \$1,000.00 which Lisa rejected.

37. Dallas Holmes is and was the Director of Service Operations for Caesars Interactive Entertainment, Inc.

38. At all times stated herein David Lopez is and was the President and Chief Executive Officer of American Gaming Systems.

39. Lisa had an expectation that those individuals and business entities responsible for providing the platform in order to play Capital Gains would abide by the established rules of said game.

40. Lisa was required to retain the services of attorney Paul R. D'Amato, Esquire of the D'Amato Law Firm because of the Defendants failure to pay the \$100,000.00 grand prize jackpot.

41. Paul R. D'Amato, Esquire faxed a letter dated February 4, 2021 to David L. Rebeck, Director of the New Jersey Division of Gaming Enforcement, a copy of which is attached hereto and made a part hereof as Exhibit B.

42. Plaintiff's counsel has not received a response to the aforementioned letter.

43. Paul R. D'Amato, Esquire emailed a letter dated March 30, 2021 to Investigator Michael Bianco, a copy of which is attached hereto and made a part hereof as Exhibit C.

44. Investigator Bianco has neither contacted Paul R. D'Amato, Esquire nor Lisa.

45. Plaintiff's counsel sent a letter dated December 30, 2020 to the then Vice President & Chief Counsel of Regional Operations of Caesars Entertainment, a copy of which is attached hereto and made a part hereof as Exhibit D.

46. Attached hereto and made a part hereof as Exhibit E is an explanation of the game known as Capital Gains that is on the website of AGS.

47. In 1976 legalized casino gaming was approved by the citizens of New Jersey as a unique tool to help spur much needed urban redevelopment for Atlantic City.

48. In 1977 the New Jersey Casino Control Act was signed into law making New Jersey the first state since Nevada in 1931 to legalize casino gaming.

49. The New Jersey Casino Control Act declared that the rehabilitation and redevelopment of existing tourist and convention facilities in Atlantic City and the fostering and encouragement of new construction and the replacement of lost convention, tourist, entertainment and cultural centers in Atlantic City would offer a unique opportunity to make maximum use of the natural resources available in Atlantic City for the expansion and encouragement of New Jersey's hospitality industry.

50. The aforesaid legislation created the New Jersey Casino Control Commission.

51. The law enforcement arm of the State of New Jersey became the New Jersey Division of Gaming Enforcement.

52. Regulations were promulgated that had to be abided by those licensees and by those business entities receiving a casino license.

53. An integral and essential element of the regulation and control of Atlantic City casino facilities by the State of New Jersey rested in the public

confidence and trust in the credibility and integrity of the regulatory process and of casino operations.

54. Accordingly the State of New Jersey to further such public confidence and trust extended strict regulation to all persons, locations, practices and associations related to the operations of licensed casino enterprises and all related service industries.

55. The New Jersey Casino Control Act was designed to engender and maintain public confidence and trust in the regulations of licensed enterprises.

56. Paul R. D'Amato, Esquire wrote a letter dated March 17, 2021 to Director David L. Rebeck, a copy of which is attached hereto and made a part hereof as Exhibit F.

57. There was no response from the New Jersey Division of Gaming Enforcement nor David Rebeck to Exhibit F.

58. Paul R. D'Amato, Esquire sent a letter dated March 17, 2020 to David Lopez, President of American Gaming Systems, a copy of which is attached hereto and made apart hereof as Exhibit G.

59. To date there has been no response from AGS nor David Lopez to the aforesaid letter.

60. Attached hereto and made a part hereof as Exhibit H is a letter dated October 11, 2021 to Director David L. Rebeck of the New Jersey Division of Gaming Enforcement from Lisa's attorney.

61. Plaintiff's counsel in response to the letter dated October 11, 2021 to Director Rebeck of the New Jersey Division of Gaming Enforcement received a letter dated October 27, 2021 from a Deputy Attorney General of the Office of the

Attorney General, Department of Law and Public Safety, Division of Gaming Enforcement which is attached hereto and made a part hereof as Exhibit I.

62. Attached to Exhibit I is a letter dated August 27, 2021 from the Deputy Attorney General to Lisa.

63. Prior to Plaintiff's counsel receiving the letter dated October 27, 2021 from the Deputy Attorney General assigned to the Division of Gaming Enforcement neither Plaintiff's counsel or Lisa had been made aware that an investigation was conducted by the New Jersey Division of Gaming Enforcement of AGS, let alone that the Division of Gaming Enforcement had instituted regulatory action against the manufacturer of Capital Gains, namely AGS.

64. The August 27, 2021 letter states in part:

"The investigation also revealed that AGS, the manufacturer of Capital Gains, had discovered and issue/bug within the game which had resulted in a player side display error whereby the Money Charge Symbols from previous bonus rounds were not cleared from the player's screen prior to the current bonus round."

65. To date Lisa and her attorney have no knowledge as to the following:

- (a) How long the "bug" had existed in the internet game known as Capital Gains.
- (b) Whether the New Jersey Division of Gaming Enforcement conducted its own investigation as to whether the explanation provided by Caesars personnel was accurate.
- (c) As to how many other players received the \$100,000 jackpot winning other than Lisa.

(d) The exact nature of the regulatory action that was taken against AGS.

66. Attached hereto and made a part hereof as Exhibit I is a letter dated October 11, 2021 to David Lopez, President of AGS from Lisa's attorney.

67. To date there has been no response to letters to AGS.

68. AGS had entered into a contractual arrangement with Lisa whereby she would bet a sum of money and according to the established rules of Capital Gains she would receive compensation depending on the results of the bet.

69. Defendants breached that contractual arrangement with Lisa by failing to pay the grand prize jackpot of \$100,000.00

WHEREFORE, Plaintiff Lisa Piluso demands judgment against the Defendants for compensatory damages, attorney's fees, interest and cost of suit.

SECOND COUNT

70. Plaintiff Lisa Piluso repeats the allegations of the paragraphs of the First Count as if same were set forth at length herein.

71. At all times stated herein AGS was a "merchant" of services which were offered to Lisa Piluso.

72. The failure of AGS to abide by the rules of the game known as Capital Gains and not pay Lisa the \$100,000.00 involved an unconscionable commercial practice, deception, fraud, false pretense, false promise, or misrepresentation in that AGS not only concealed, suppressed or omitted a material fact from Lisa with the intent that Lisa would rely upon same.

73. Alternatively AGS, with no legal justification, decided that it will not pay the \$100,000.00 grand prize to Lisa.

74. As a proximate result of AGS' aforesaid misconduct Lisa incurred an ascertainable loss of money.

75. Lisa was required to retain Paul R. D'Amato, Esquire to provide legal services and bring this action to recover damages and/or equitable relief associated with the aforesaid misconduct.

76. Lisa was in contractual privity with AGS.

77. Lisa performed any and all obligations under this contractual arrangement that were required of her.

78. AGS violated this contractual arrangement by failing to perform obligations, namely paying the \$100,000.00 grand prize.

79. This aforesaid breach was material in nature.

WHEREFORE, Plaintiff Lisa Piluso demands judgment against AGS for:

- (A) Compensatory Damages;
- (B) The remedies provided under any State and/or Federal applicable Statutes, including but not limited to Statutory Treble Damages and the equitable remedies provided for under such Statutes.
- (C) The relief available to defraud a person pursuant to New Jersey Consumer Fraud Act N.J.S.A. 56:8-1.
- (D) Any other applicable consequential, incidental, nominal and expectation damages.
- (E) To the extent permissible by Statutes, the New Jersey Rules of Court, Common Law, lawful interests, Court costs, attorney's fees and such other and further relief as the Court shall deem equitable and just.

THIRD COUNT

80. Plaintiff repeats the allegations of the previous Counts as if same were set forth at length herein.

81. Defendant AGS prior to October 2, 2020 had entered in agreements and contracts as to the responsibility of each business entity in offering to the public online gaming with the understanding that AGS owed a fiduciary obligation to those of the participating public to provide a game that would function with no design defects and a game that provided rules that would give the player a fair game of chance.

82. The New Jersey Consumer Fraud Act protects consumers by promoting fair competition in commercial markets for goods and services.

83. To achieve the aforesaid goal the New Jersey Consumer Fraud Act prohibits any person and/or business from using "...unfair methods of competition or unfair or deceptive acts or practices in the conduct of any trade or commerce."

84. Defendant AGS engaged in an unfair and deceptive conduct which was a proximate cause of Lisa not receiving the \$100,000.00 winning.

WHEREFORE, Plaintiff Lisa Piluso demands judgment against all Defendants for:

- (A) Compensatory Damages;
- (B) The remedies provided under any State and/or Federal applicable Statutes, including but not limited to Statutory Treble Damages and the equitable remedies provided for under such Statutes.

- (C) The relief available to defraud a person pursuant to New Jersey Consumer Fraud Act N.J.S.A. 56:8-1.
- (D) Any other applicable consequential, incidental, nominal and expectation damages.
- (E) To the extent permissible by Statutes, the New Jersey Rules of Court, Common Law, lawful interests, Court costs, attorney's fees and such other and further relief as the Court shall deem equitable and just.

FOURTH COUNT

85. Plaintiff repeats the allegations in the previous Counts as if same were set forth at length herein.

86. The internet game known as CAPITAL GAINS is a "product" as contemplated by the New Jersey Products Liability Act (N.J.S.A 2A:58C-1 et seq).

87. AGS is a manufacturer and/or seller of CAPITAL GAINS in that AGS designed, formulated, produced, created, made, labeled, and/or constructed the internet game known as CAPITAL GAINS.

88. AGS at all times stated herein held itself out to be the "manufacturer" of the internet game known as CAPITAL GAINS.

89. AGS was at all times stated herein involved in the packaging, labeling, marketing, and maintaining the internet game know as CAPITAL GAINS.

90. Defendant AGS at all times stated herein was involved in placing the product known as CAPITAL GAINS in the stream of commerce.

91. By the failure of the AGS to have paid Lisa the \$100,000.00 grand prize jackpot and by AGS' failure to respond to the inquiries of Lisa's lawyer

Paul R. D'Amato Lisa has experienced and will experience emotional harm and mental anguish.

92. The internet game known as CAPITAL GAINS was not reasonably fit or suitable for its intended purpose because CAPITAL GAINS deviated from the design, specifications, formulae or performance standards of its manufacturer AGS.

93. The internet game known as CAPITAL GAINS was designed in a defective manner.

94. As a result of the manufacturing defect and/or defective design of the internet game known as CAPITAL GAINS Lisa sustained mental anguish and emotional harm.

95. The aforesaid manufacturing defect and/or defective design was a proximate cause of Lisa experiencing and will experience emotional harm and mental anguish.

WHEREFORE, Lisa Piluso demands judgment against the Defendants for compensatory damages, interest, and cost of suit.

FIFTH COUNT

96. Plaintiff repeats the allegations of the previous Counts as if same were set forth at length herein.

97. Plaintiff was in contractual privity with AGS.

98. Covenants of good faith and fair dealing arise when parties enter contracts such as those at issue in the instant matter and such covenants in fact arose in the instant matter.

99. At all times relevant hereto Plaintiff acted in good faith and yet AGS failed to act in good faith when rendering performance under the contractual

arrangement by all parties and/or by failing to render timely and/or valid and/or effective performance and/or by failing to render full and complete performance and/or by concealing or misrepresenting the respected parties obligations and/or duties under same.

100. AGS' actions as aforesaid are indicative of a lack of good faith and violate the covenants of good faith and fair dealing that arose relative to the transaction involving the Defendants.

101. As a result of Defendants' conduct as previously stated herein Plaintiff suffered damages.

WHEREFORE, Plaintiff Lisa Piluso demands judgment against Defendants for:

- (A) Compensatory Damages.
- (B) The remedies provided under any State and/or Federal applicable Statutes, including but not limited to Statutory Treble Damages and the equitable remedies provided for under such Statutes.
- (C) The relief available to a defrauded person pursuant to New Jersey Consumer Fraud Act N.J.S.A. 56:8-1.
- (D) Any other applicable consequential, incidental, nominal and expectation damages.
- (E) To the extent permissible by Statutes, the New Jersey Rules of Court, Common Law, lawful interests, Court costs, attorney's fees and such other and further relief as the Court shall deem equitable and just.

JURY DEMAND

Plaintiff demands a jury trial.

CERTIFICATION

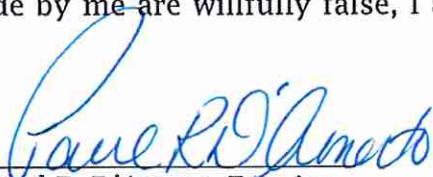
PAUL R. D'AMATO, ESQUIRE of full age, certifies:

1. I am a member of the D'Amato Law Firm, P.C. and am entrusted with the preparation and trial of this case.

2. This case is not the subject of any other court action or arbitration proceeding.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

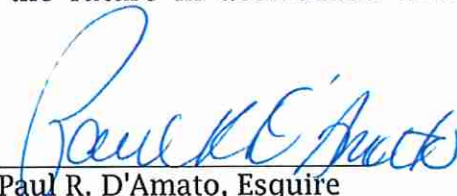
By:


Paul R. D'Amato, Esquire
Attorney for Plaintiff
2900 Fire Road, Suite 200
Egg Harbor Township, NJ 08234
paul@damatolawfirm.com
(609) 926-3300

DATED: November 11, 2021

CERTIFICATION OF COMPLIANCE WITH RULE F.R.C.P. 5.2


I, Paul R. D'Amato, Esquire, certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with F.R.C.P. 5.2


Paul R. D'Amato, Esquire

DATED: November 11, 2021

CERTIFICATION OF COMPLIANCE WITH N.J.S. 56:8-20

I Paul R. D'Amato, Esquire certify that pursuant to the requirement of the New Jersey Statute 56:8-20 that on the day that the within Complaint has been filed that a filed copy of the Complaint was sent by ordinary mail and Certified Mail, Return Receipt Requested to the Acting Attorney General of the State of New Jersey, Andrew J. Bruck. ,


Paul R. D'Amato, Esquire

DATED: November 11, 2021

EXHIBIT A

11:42

11:41

95

GRAND

\$100,000

To Win **GRAND** Collect

12

SYMBOLS COLLECTED

MAJOR

\$5,000

MINOR

\$500

MINI

\$100

FREE SPINS REMAINING
1

CAPITAL GAINS

100	200	500	100	400
100	500	400	100	100
300	100	100	100	200

Balance	\$693.33	Scatter Wins Bonus	Total Bet	\$10
	Bet	WIN	Credits	
BET	100	200	6,933	MENU

EXHIBIT B

D'AMATO LAW FIRM

COUNSELORS AT LAW
2900 Fire Road, Suite 200
Egg Harbor Township, NJ 08234
P 609.926.3300
F 609.785.3723

PAUL R. D'AMATO
member NJ bar

ERIKA LEZAMA
member NJ bar

ROSE L. SCOGNO
paralegal

ALEXA D'AMATO BARRERA
member NJ & PA bar

STEPHEN M. VAN NATTEN
member NJ & PA bar

SUSAN L. EISENLOHR
paralegal

paul@damatolawfirm.com
rose@damatolawfirm.com

February 4, 2021

VIA FACSIMILE ONLY: (609) 441-3554

David L. Rebuck, Director
NJ Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

RE: PILUSO v. CAESARS ENTERTAINMENT, INC.
OUR FILE NUMBER: 3989-P

Dear Mr. Rebuck:

Please be advised that I represent Lisa Piluso who resides at
PA While in New Jersey she was playing a game through a Caesars
of Atlantic City online gaming website entitled CAPITAL GAINS. The developer of
this game is American Gaming Systems of Las Vegas Nevada. Attached hereto is a
snapshot of the screen that demonstrates that she won the grand prize of
\$100,000.00.

It is my understanding that DGE Investigator Michael Bianco is in the process of
investigating why Caesars to date has not paid the jackpot that Mrs. Piluso won.
Alternatively, he may have completed his investigation.

As an aside, Mr. and Mrs. Piluso had a telephonic conversation with a gentleman that
they believe is the President of American Gaming Systems which is the developer of
Capital Gains. During that conversation it was represented to the Pilusos that they
did not win the jackpot, that there was a computer glitch, and an offer of \$1,000.00
was made for the inconvenience that the Pilusos had experienced.

It should also be noted that after the Pilusos contacted the Division of Gaming
Enforcement that Capital Gains was removed from Caesars of Atlantic City online
gaming.

You will note that I am sending an open copy of the within letter to General Counsel
Dianna Fauntleroy. In the event that your agency has completed its investigation and
has forwarded same to the New Jersey Casino Control Commission, I am asking Ms.
Fauntleroy if I as counsel for the Pilusos can be advised as to the disposition of the
investigation.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp

Enclosure

cc w/enc:

Dianna W. Fauntleroy, Esquire - via email

Lynn Hughes, Esquire, *Vice President & Chief Counsel of Regional Operations for Caesars Entertainment*- via email

David Lopez, *President American Gaming Systems* - via email
(denarson@playtags.com)

Lisa Piluso - via email

☰ | 11:42

11:41

1095

GRAND

\$100,000

To Win **GRAND** Collect

12

SYMBOLS COLLECTED

MAJOR

\$5,000

MINOR

\$500

MINI

\$100

FREE SPIN REMAINING
1

CAPITAL GAINS

100	200	500	100	400
100	500	400	100	100
300	100	100	100	200

Balance	\$693.33	Scatter Wins Bonus	Total Bet	\$10
		WIN		
BET	Bet 100	200	Credits 6,933	MENU

EXHIBIT C

D'AMATO LAW FIRM

P.C.

PAUL R. D'AMATO
member NJ bar

ALEXA D'AMATO BARRERA
member NJ & PA bar

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SUSAN L. EISENLOHR
paralegal

paul@damatolawfirm.com
rose@damatolawfirm.com

March 30, 2021

VIA EMAIL ONLY: Michael.Bianco@njdce.org

Michael Bianco
c/o NJ Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

RE: PILUSO v. CAESARS ENTERTAINMENT, INC.
OUR FILE NUMBER : 3989-P

Dear Mr. Bianco:

I represent Lisa Piluso who advised me that she had spoken to you relative to her winning on a game entitled Capital Gains through a Caesar's of Atlantic City online gaming website. Attached hereto is my letter dated February 4, 2021 which is self-explanatory.

The sole purpose of the within letter is to advise you that Lisa is available for an in-person interview if you should wish to conduct same. As an aside, I have not received a response relative to my February 4, 2021 letter. If you wish to contact me directly my cell phone number is 609-412-9900.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp
Enclosure

cc w/encs: Lisa Piluso - via email

EXHIBIT D

D'AMATO LAW FIRM

COUNSELORS AT LAW

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Egg Harbor Township, NJ 08234

P 609.926.3300
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PAUL R. D'AMATO
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ERIKA LEZAMA
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ROSE L. SCOGNO
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ALEXA D'AMATO BARRERA
member NJ & PA bar

STEPHEN M. VAN NATTEN
member NJ & PA bar

SUSAN L. EISENLOHR
paralegal

paul@damatolawfirm.com
rose@damatolawfirm.com

December 30, 2020

VIA EMAIL ONLY:

Vice President & Chief Counsel of Regional Operations
Caesars Entertainment
c/o Bally's Atlantic City
1900 Boardwalk
Atlantic City, NJ 08401

RE: LISA PILUSO
OUR FILE NUMBER : 3989-P

Dear

I represent the interests of Lisa Piluso relative to an incident which occurred on October 21, 2020 when she was playing online at Caesars Casino relative to a game called CAPITAL GAINS. With respect to this particular game she had hit the GRAND and there was not the appropriate payout. We have photographs that demonstrate that she had won.

I believe that individuals in your organization are aware of this incident. Ms. Piluso on October 23, 2020 spoke to Michael Bianco of the Division of Gaming Enforcement. Ms. Piluso provided him with all of the information that she had. Subsequently there was a conference call involving supervisors at Caesars whose first names were Joshua and Dallas. Again Ms. Piluso shared with them the event in question. On November 26, 2020 at 10:00 p.m. Ms. Piluso had received a call from an individual in Las Vegas indicating that he was associated with Caesars. Apparently there were five or six individuals on the line including Joshua, Dallas and a woman named Amy. During the conversation Ms. Piluso indicated that she had legally and rightly won the jackpot of \$100,000.00.

I would like to speak to someone in the organization that is most knowledgeable about Caesars position regarding this incident. I am working remotely. My cell phone number is 609-412-9900.

I await someone's response.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp

cc: Lisa Piluso - via email

EXHIBIT E

Search for games, providers, casinos, and bonuses.

Get Vegas Slots Online

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Register

Home Real Money Free Slots Slots by Maker Casino Bonus Table Game Casino Review News

You are here: Home / Ags / Capital Gains

Capital Gains



20 more slots

Rate This Free Game

(36 votes)

Start The Game

Report A Problem With This Game

Ready to play
Capital Gains for real?



[Golden Goddess](#)



[Monopoly Big Event](#)



[Roulette](#)



[Blackjack](#)

Best Casinos That Offer AGS Games:



[Gambino Slots Review](#)

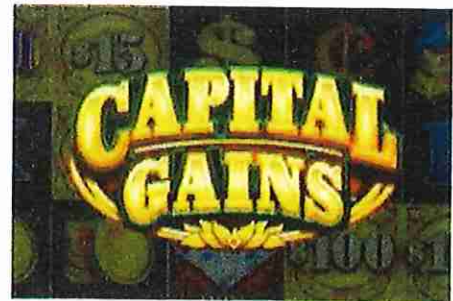


[Double Down Review](#)

Capital Gains Online Slot

Break the bank with AGS's exciting Capital Gains slot machine! Play the PowerXStream win ways system and trigger free spins for big wins. Play it lucky and you might even activate one of four Money Charge Jackpots.

Capital Gains was one of AGS's popular land-based slots. Now, online casino players can enjoy the same gameplay on their PC or mobile.



Capital Gains Slot FAQs

Where can I find a free demo of the Capital Gains online slot?

Can I play the Capital Gains slot online for real money?

Does the Capital Gains slot work with bitcoin?

What bonus features are in the Capital Gains slot machine?

Free to Play AGS Slot Machine Games

- [Apollo Stacks](#)
- [Bonanza Blast](#)
- [Capital Gains](#)
- [Crystal Magic](#)
- [Fire Wolf II](#)
- [Forest Dragons](#)
- [Fu Nan Fu Nu](#)
- [Golden Wins](#)
- [Jade Dragon](#)
- [Jade Wins](#)
- [Longhorn Jackpots](#)
- [Luck & Luxury](#)
- [Olympus St](#)
- [Pharaoh Su](#)
- [Rakin' Baco](#)
- [River Dragg](#)
- [Vegas Stack](#)
- [Wolf Queen](#)

Our Favourite Casinos

Money Charge Jackpots Family:

- Links to other Money Charge Jackpots games for massive progressives.

Pick Bonus:

- Triggered by 3 Bonus symbols, the player is brought to a screen where they must choose between two mystery objects
- The object selected will bring the player either into the Money Charge Bonus or the Free Spins Bonus

Money Charge Bonus:

- The Money Charge Bonus can be accessed through the Pick Bonus, or by landing 6 or more Credit Prize symbols during a base game spin
- The player begins with 3 spins to lock a credit or progressive prize symbol, the only symbols evaluated
- When a player locks a symbol, the spins reset to 3. The Bonus ends and the locked prizes awarded when the spins end.

Free Spins Bonus:

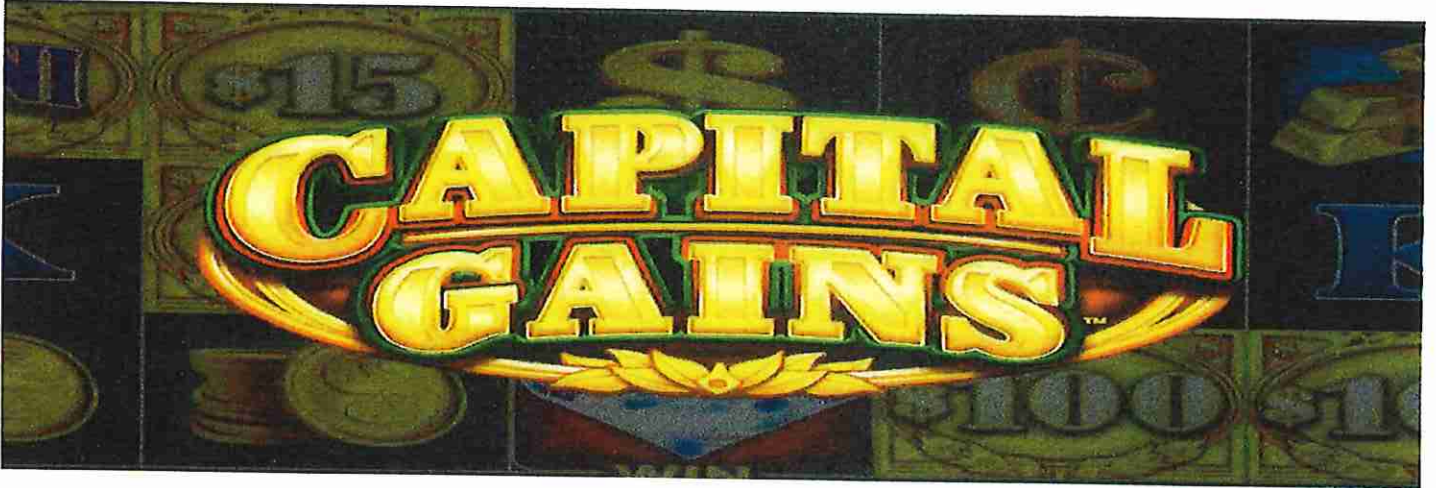
- Accessed through the pick bonus, a counter will spin, awarding the player a random amount of Free Spins and of added Wilds
- The number of Free Spins awarded can be 6, 9, 12 or 15
- The number of extra Wilds during the bonus can be 50, 100, 150 or 200

Configuration:

- Reel Configuration: 3x5
- Pay Evaluation: 243 Ways
- Denomination: \$0.01
- Bet Level: 50-500
- Bet Multiplier: 1, 2, 3, 5, 10
- Volatility: High
- Related Games: Jade Dragon, Golden Ram, Grand Royale



CAPITAL GAINS



Game Assets

Log in (https://playags.com/login/?redirect_to=https%3A%2F%2Fplayags.com%2Fportfolio%2Fcapital-gains-2%2F) required to download game assets.

\$100,000

To Win **GRAND** Collect

12

SYMBOLS COLLECTED

MAJOR

\$5,000

MINOR

\$500

MINI

\$100

CAPITAL GAINS

FREE SPINS REMAINING

1

100

200

500

100

400

100

500

400

100

100

300

100

100

100

200

Let's explore why Capital Gains could have you rushing for your piggy bank. And don't forget, you can play Capital Gains for free right here at VegasSlotsOnline.

Money-Themed Slots Gameplay from AGS

AGS has been producing slick land-based slot machines since the 1990s. But the American developer has also been busy reproducing its popular titles for the online slot casino market.

The Capital Gains online slot combines two exciting AGS features in one. First, the PowerXStream function lets you win all ways across the reels. Then, the Money Charge Bonus gives you the opportunity to win one of four progressive jackpots.

When you play the Capital Gains slot online, you might recognize the game layout from the land-based version. The only difference is the Money Charge Jackpots display is to the left of the reels rather than on a second screen sitting above.

The symbols and sound effects are very basic, and a short jingle plays whenever you hit a winning combination.

The Capital Gains slot machine features typical AGS buttons like autoplay, max bet and coin denomination. Adjust coins from 0.01 to 0.10, and choose wagers from 50 coins up to 500 coins a spin.

Play 243 Ways with AGS's PowerXStream Betting

Capital Gains is one of the newer PowerXStream games from [US slots developer, AGS](#). Instead of regular paylines, you win real money by lining up matching symbols anywhere on adjacent reels.

The Capital Gains online slot uses [243 ways to win](#) and you'll bet a set stake across all available lines. The listed RTP of the game is 95.96% and we found it to be pretty volatile due to the numerous bonus features.

There are 11 regular symbols in the base game. Payouts start at 5x for 3 matching J, Q, K or A symbols, and move up to 100x for five diamonds anywhere on adjacent reels.

Symbol	Three on a Payline	Four on a Payline	Five on a Payline
J, Q, K, A	5x	10x	15x
Cent, Dollar	5x	15x	25x
Money Bag	10x	20x	35x
Gold Coins	10x	20x	40x
Bank Notes	15x	30x	60x
Gold Bars	15x	30x	70x

Diamond	20x	50x	100x
Vault Scatter	100x	250x	1000x

Trigger Free Spins to Win 6-15 Games With Extra Wilds

The Capital Gains slot machine features several interesting bonuses. You can win 6, 9, 12 or 15 [free spins](#) by landing 3 or more golden vault symbols in any position.

You actually have a choice of two cash vaults to pick from. One will trigger and the other activates the Money Charge Bonus. You will also win 100-1000 coins depending on how many golden vault symbols you first landed.

At the start of the free spins bonus, you are also awarded with 50, 100, 150, or 200 extra wild symbols on the reels. You can also retrigger free spins by landing 3+ scatters.

Open the Money Charge Bonus to Win a Progressive

If you love [slots with progressive jackpots](#), you're in luck. The Capital Gains slot machine features four possible Money Charge Jackpots to win.

During the base game, you can activate the Money Charge Bonus by landing 6 or more green charge symbols anywhere on the reels. You can also activate the round by landing at least 3 vault bonus icons during the base game.

First, you will get 3 respins. All charge symbols will lock in place, and every other position becomes an independent spinning reel. Any extra charge symbols will also lock in place, and you will receive another 3 spins.

If you land 15 money charge symbols, you will win one of four progressive jackpots. These are the Mini (seeding at 10.00), Minor (seeding at 50.00), Major (seeding at 500.00), and Grand (seeding at 10,000.00).

Try These 243 Ways to Win Video Slots Today

If this review of the Capital Gains online slot has got you in the mood for more multiway games, check out these alternatives.

Rabcat's [Classic 243 video slot](#) is a neon-soaked game with a free spins bonus and whole stacks of wilds on the reels.

For some progressive thrills from AGS, we also recommend [Longhorn Jackpots slot](#). This animal-themed game has also made the transition from land-based casinos to online casinos. You can trigger the Jackpot Pick Bonus where you need to match 3 symbols to win a corresponding real-money jackpot. With an RTP over 96%, this is a slot worth checking out.

Play Capital Gains for Free at Our Top-Rated Casinos

Capital Gains is another high-volatility slot machine from AGS. It bears all the hallmarks of the original land-based title and includes free spins as well as four progressive jackpots.

You can give the Capital Gains slot machine a play for free right now at VegasSlotsOnline and see what you think about AGS's latest jackpot game. Looking for more great AGS free slot games? Check out the list below.

EXHIBIT F

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March 17, 2021

VIA FACSIMILE ONLY: (609) 441-3554

Dayid L. Rebuck, Director
NJ Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

RE: **PILUSO v. CAESARS ENTERTAINMENT, INC.**
OUR FILE NUMBER: **3989-P**

Dear Mr. Rebuck:

Attached hereto for your convenience is my letter of February 4, 2021. Would it be possible for me to speak to a member of your staff as to the status of any investigation that is being conducted by the Division of Gaming Enforcement? I await your response.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp
Enclosures

cc w/enc: Dianna W. Fauntleroy, Esquire - via email
Lynn Hughes, Esquire, *Vice President & Chief Counsel of Regional Operations for Caesars Entertainment*- via email
David Lopez, *President American Gaming Systems* - via email
(denarson@playtags.com)
Lisa Piluso - via email

EXHIBIT G

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March 17, 2021

David Lopez, President
American Gaming Systems
5475 South Decatur Boulevard
Suite 100
Las Vegas, NV 89118

RE: PILUSO v. CAESARS ENTERTAINMENT, INC.
OUR FILE NUMBER : 3989-P

Dear Mr. Lopez:

Attached hereto for your convenience are my letters dated February 4, 2021 and March 17, 2021 to David Rebeck, Director of the New Jersey Division of Gaming Enforcement.

Our investigation has revealed that the primary responsibility for payment to Mrs. Piluso is your company. I intend to file suit this coming Monday in the Federal District Court of New Jersey against American Gaming Systems. If your company has any interest in an amicable resolution of this matter then please have your attorney contact me.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp
Enclosures

cc w/encs: Lynn Hughes, Esquire - via email
Lisa Piluso - via email

EXHIBIT H

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October 11, 2021

VIA FACSIMILE ONLY: (609) 441-3554

Mr. David L. Rebuck, Director
NJ Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

RE: **PILUSO v. CAESARS ENTERTAINMENT, INC.**
OUR FILE NUMBER : 3989-P

Dear Mr. Rebuck:

For your convenience I am attaching my letter of February 4, 2021. Is the DGE in a position to advise me as to the whether in fact an investigation was ever conducted regarding Mrs. Piluso's winning of the grand prize of \$100,000.00 and secondly what the results of that investigation were?

I await your response.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp
Enclosures

cc w/encs.: David Lopez, President of AGS - via email (denarson@playtags.com)
Lisa Piluso - via email

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February 4, 2021

VIA FACSIMILE ONLY: (609) 441-3554

David L. Rebuck, Director
NJ Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

RE: **PILUSO v. CAESARS ENTERTAINMENT, INC.**
OUR FILE NUMBER: 3989-P

Dear Mr. Rebuck:

Please be advised that I represent Lisa Piluso who resides at PA. While in New Jersey she was playing a game through a Caesars of Atlantic City online gaming website entitled CAPITAL GAINS. The developer of this game is American Gaming Systems of Las Vegas Nevada. Attached hereto is a snapshot of the screen that demonstrates that she won the grand prize of \$100,000.00.

It is my understanding that DGE Investigator Michael Bianco is in the process of investigating why Caesars to date has not paid the jackpot that Mrs. Piluso won. Alternatively, he may have completed his investigation.

As an aside, Mr. and Mrs. Piluso had a telephonic conversation with a gentleman that they believe is the President of American Gaming Systems which is the developer of Capital Gains. During that conversation it was represented to the Pilusos that they did not win the jackpot, that there was a computer glitch, and an offer of \$1,000.00 was made for the inconvenience that the Pilusos had experienced.

It should also be noted that after the Pilusos contacted the Division of Gaming Enforcement that Capital Gains was removed from Caesars of Atlantic City online gaming.

You will note that I am sending an open copy of the within letter to General Counsel Dianna Fauntleroy. In the event that your agency has completed its investigation and has forwarded same to the New Jersey Casino Control Commission, I am asking Ms. Fauntleroy if I as counsel for the Pilusos can be advised as to the disposition of the investigation.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp
Enclosure
cc w/enc:

Dianna W. Fauntleroy, Esquire - via email
Lynn Hughes, Esquire, *Vice President & Chief Counsel of Regional
Operations for Caesars Entertainment*- via email
David Lopez, *President American Gaming Systems* - via email
(denarson@playtags.com)
Lisa Piluso - via email

EXHIBIT I



State of New Jersey

Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Andrew Bruck
Acting Attorney General

David Rebeck
Director

October 27, 2021

Paul R. D'Amato
D'Amato Law Firm
2900 Fire Road, Suite 200
Egg Harbor Township, NJ 08234

Re: Lisa Piluso's Patron Complaint against Caesars Interactive Entertainment

Dear Paul R. D'Amato:

The NJ Division of Gaming Enforcement ("Division") has received your letter addressed to Director Rebeck in regards to the matter of Piluso v. Caesars Entertainment, Inc. Enclosed please find the Division's response to your client, Lisa Piluso, who filed a Patron Complaint with the Division against Caesars Interactive Entertainment.

The Division's attempts to provide this response to your client were unsuccessful as the email she provided was undeliverable. Upon filing the complaint your client did not provide a mailing address and as such, the Division was not able to provide a response via certified mail.

Feel free to contact me at Jennifer.Russo-Belles@njdge.org or 609-441-7425, if you have any further questions.

Sincerely,
J. K. Russo-Belles /s/

Jennifer K. Russo-Belles
Deputy Attorney General



(609) 292-9394

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Page 2
August 27, 2021

cc: D-73-20-098

Bessie A. Sacco, Esq.
Vice President, Legal and Regulatory Affairs
Caesars Entertainment
D/B/A Caesars Atlantic City
2100 Pacific Avenue
Atlantic City, New Jersey 08401



State of New Jersey

Philip D. Murphy
Governor

Sheila Y. Oliver
Lt. Governor

Office of the Attorney General
Department of Law and Public Safety
Division of Gaming Enforcement
1300 Atlantic Avenue
Atlantic City, NJ 08401

Andrew Bruck
Acting Attorney General

David Rebuck
Director

August 27, 2021

Lisa Piluso
lisapil1967@yahoo.com

Re: Caesars Interactive Entertainment; Patron Complaint

Dear Lisa Piluso:

The Division of Gaming Enforcement ("Division") recently reviewed your patron complaint against Caesars Interactive Entertainment ("Caesars"). Specifically, you alleged that in October 2020, while playing the online game Capital Gains, you experienced a payout error during the bonus round.

The mission of the Division is to enforce the provisions of the New Jersey Casino Control Act (the "Act"). This agency's authority is limited to insuring that all New Jersey casino licensees comply with the Act and the regulations. If the Division finds violations of the laws regulating New Jersey's casino and sports wagering industry, it may advise the casino and/or sportsbook of the violation either verbally, through written correspondence or through the filing of a regulatory complaint seeking fines or other sanctions. Regardless of the merits of a particular patron's grievance, the Division does not offer private redress to individual patrons.

When interviewed by the Division, you advised that while playing Capital Gains you activated the bonus round and collected fifteen Money Charge symbols and believed that you had won a \$100,000 jackpot. However, when you were not prompted to complete the necessary tax forms, you contacted Caesars' customer service team and provided them images of your bonus round. Caesars advised that while it appeared that you had won, the matter would have to be investigated. After several days and multiple follow-ups to Caesars, the matter remained unresolved.



(609) 292-9394

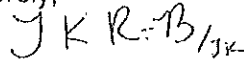
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Page 2
August 27, 2021

The Division also interviewed Caesars' personnel. Caesars advised that a review of your game log revealed that your bonus round payout should have been \$280.00, but initially they had only paid you \$210.00, with an additional \$70.00 payment made to your account in December 2020. However, your bonus round did not satisfy the requirements for the \$100,000 jackpot. The investigation also revealed that AGS, the manufacturer of Capital Gains, had discovered an issue/bug within the game that resulted in a player side display error whereby the Money Charge symbols from previous bonus rounds were not cleared from the player's screen prior to the current bonus round. This error caused the patron(s) to believe that their bonus round winnings were higher than the actual winnings. The Division confirmed that the actual result of your bonus round was a payout of \$280 and you saw the \$100,000 payout in error.

As a result of this investigation, the Division has instituted regulatory action against the manufacturer of Capital Gains. The Division has no other authority regarding this matter. As such, your Complaint with the Division will be closed. If you believe that further action against the licensee/operator is appropriate, you may pursue the same in the New Jersey Superior Court. Thank you for bringing this matter to the Division's attention.

Sincerely,



Jennifer K. Russo-Belles
Deputy Attorney General

cc: D-73-20-098

Bessie A. Sacco, Esq.
Vice President, Legal and Regulatory Affairs
Caesars Entertainment
Boardwalk Regency Corporation
D/B/A Caesars Atlantic City
2100 Pacific Avenue
Atlantic City, New Jersey 08401

EXHIBIT J

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October 11, 2021

VIA EMAIL ONLY: denarson@playtags.com

Mr. David Lopez, President
America Gaming Systems
5475 South Decatur Boulevard
Suite 100
Las Vegas, NV 89118

RE: **PILUSO v. CAESARS ENTERTAINMENT, INC.**
OUR FILE NUMBER : 3989-P

Dear Mr. Lopez:

I have previously corresponded to you relative to my representation of Lisa Piluso. To date I have not received any communication, either verbal or written, from anyone on behalf of American Gaming Systems relative to Mrs. Piluso winning the grand prize of \$100,000.00.

For the last time I am requesting that you please have counsel for your company contact me to at least explain your company's position relative to this entire issue.

I await your response.

Very truly yours,

Paul R. D'Amato

Paul R. D'Amato

PRD/lrp

cc: Lisa Piluso - via email