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BROWARD COUNTY

Suit claims electronic craps machines ripped players off

BY NICK SORTAL

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An electronic dice game popular at South Florida casinos is the focus of a lawsuit that claims it has been shorting patrons who win.

Lawyers filed suit Jan. 20 against Interblock, which manufactures electronic table games worldwide. The suit also names the Isle Casino and Racing in Pompano Beach, where the games the complainants named in the suit are located. The suit claims the dice game takes too large of a commission on certain winnings.

Live dice games and roulette are illegal in Florida, but in 2012 electronic versions of the games — with bouncing dice and spinning wheels — were declared legal, as they have been across the country. The casinos make money, naturally, when patrons lose a bet, but they also take a portion when patrons win.

That's the rub with the Interblock craps game. It advertises that it takes 5 percent of each dollar plunked down in a successful bet; but it actually takes 5 percent of a player's winnings. In certain bets, that commission amounts to 10 percent, rather than 5 percent, the suit argues.

Lawyer Cristina M. Pierson of the Fort Lauderdale firm Kelley/Uustal noted that the Isle is named in the suit because the players affected patronize the games there. Because casinos keep track of all sorts of data via a player's club card, Pierson reasons that the casino could backtrack and compute how much a player was overcharged on those specific bets. Representatives of the Isle's parent company, based in St. Louis, said they don't comment on pending litigation, but noted they shut down the Isle machine once the payout structure was challenged.

"Players win and get excited, and they realize the house takes a commission but they didn't pay attention," Pierson said. "But the key here is, it's not a machine glitch. It's not a case of a machine accidentally paying \$40 million."

“The reason we caught it is that someone did the math.”

Pierson added she has researched a number of casinos, and almost every one has an Interblock dice game with payouts that don't match their instructions, including those operated by the Seminole Tribe of Florida. Legal experts say filing civil suits against the tribe is more difficult because of sovereign immunity.

Pierson filed the class-action suit in federal court in South Florida. Interblock games are in many of the nation's casinos. The company, based in Slovenia, does not release sales figures. Interblock's top executive in the U.S., John Connelly, based in Las Vegas, did not respond to telephone calls or emails.

South Florida is the typical place for electronic dice because live craps are illegal here. Other hot spots for electronic table games include New York and other northeast casinos.

The suit specifically cites mistakes when players use the “buy” bet. Certain bets, for example, pay 2 to 1, or a total of \$60 on a \$20 bet. But the machines have been showing a \$58 return, with \$2 (amounting to 5 percent of the \$40 won) deducted from the player's electronically logged total, rather than \$1. The suit also notes a 7.5 percent commission on certain other bets.

“The Buy bet is one of the top five best bets on the table,” said Matt Bourie of Hollywood, an avid craps player and assistant editor of the American Casino Guide, which provides information on the nation's casinos. “To think you're making a good bet, only to have that much commission taken out, would make the Buy bet something I would then avoid.”

Daniel A. Brna, Ramon Fernandez and James E. Scott are named as plaintiffs, with Daren Stabinski listed as co-counsel. Stabinski is a poker player and referred the plaintiffs to Kelley/Uustal.

It is almost unheard of for a casino game to be shorting patrons. State governments and gambling compliance officers check each machine before it is placed on a casino slot floor, and the inner workings are sealed with a piece of tape; if that tape is ever broken, the machine is taken out of use, for fear of tampering. But the case of the Interblock game doesn't involve chicanery as much as likely a missed detail, those who work in the industry say. The Isle closed its dice game earlier this week, and by simply correcting the commission procedure, the game could be returned to action, say those familiar with the situation. Whether Interblock takes action to address the complaint or what individual casinos do is still unclear. Any overcharges did not flow back to Interblock, but stayed at the casinos, the suit notes.

Players might never know how much money is involved. Casinos are typically mum on what information their players' club cards glean, not to mention that any person — even without a card — could have spent money making the Buy bets.

Electronic table games have been growing in popularity because beginning players say they feel less intimidated and casino operators save money on staffing. At the annual Global Gaming Expo in Las Vegas in September, Connelly said the games are also popular with millennials, who are familiar with touch-screen gaming, a market that the casino industry covets.

“They’re very accustomed to solitude,” he said, during a panel discussion. The games also take less floor space than live table games. Interblock is one of the two major electronic table game companies.

Pierson recognizes that it’s difficult to compute how much money is involved. But if a player made 150 \$20 Buy bets — a normal afternoon — he or she would win about 50 times (if the odds are 2-to-1 against the bet coming in). That would mean the \$2 commission would be taken — rather than the expected \$1 — 50 times, shorting the player \$50 for the afternoon. The figure grows when you multiply that for each player over a four-year period on an unknown number of dice machines.

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