

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 FORTUNE PLAYERS GROUP, INC., et
al.,

5 Plaintiffs,

6 v.

7 WAYNE QUINT, JR., et al.,

8 Defendants.
9

Case No. 16-cv-00800-TEH


**ORDER RE: SUPPLEMENTAL
BRIEFING**

10 This matter is under submission following a hearing on Defendants' motion to
11 dismiss, held on June 20, 2016. At the hearing, the Court invited the parties to discuss
12 whether or not Fortune Players Group is engaged in a "closely regulated" industry such
13 that the test articulated in *New York v. Burger*, 482 U.S. 691 (1987), applies. Plaintiffs
14 argued, among other things, that for purposes of the pertinent regulations, Fortune Players
15 Group is more akin to a "bank" providing liquidity in the form of proposition players, as
16 opposed to a dealer or casino participating directly in the gambling industry. The Court
17 finds that it would be helpful to have additional information about the role of third party
18 providers of proposition player services in the gambling industry.

19 Accordingly, IT IS HEREBY ORDERED that the parties shall meet and confer, and
20 shall jointly submit a statement containing a description of Fortune Players Group and the
21 role it plays in the gambling industry. If the parties are unable to agree on a description,
22 the parties shall submit separate statements. Statements may not exceed five pages, and
23 shall be submitted no later than **Monday, July 18, 2016**.

24
25 **IT IS SO ORDERED.**

26
27 Dated: 06/30/16

28 

THELTON E. HENDERSON
United States District Judge