



STATE OF CONNECTICUT

DEPARTMENT OF CONSUMER PROTECTION

IN THE MATTER OF

High 5 Games
1200 Macarthur Blvd
Mahwah, NJ 07430-2322
License No. OGSP .000045

March 14, 2025

SUMMARY SUSPENSION ORDER

Respondent is a Connecticut licensed Online Gaming Service Provider. Respondent operates under the trade name High 5 Games pursuant to license number OGSP.000045, issued by the Department of Consumer Protection (“DCP”). The license has been renewed annually, and the current license is set to expire on July 29, 2025. Respondent is only licensed to provide gaming content to other Licensees who offer gaming platforms directly to the public.

High 5 Casino is an online platform currently offering Casino gaming to Connecticut patrons. High 5 Casino is not licensed by the State of Connecticut to provide such gaming. High 5 Games operated High 5 Casino from its launch in approximately 2012 until October 2022 when it was transferred to an entity named High 5 Entertainment LLC (“High 5 Entertainment”). High 5 Entertainment is a subsidiary of High 5 Games in which High 5 Games is the majority member.

On or around January 10, 2025, as a result of an investigation into an unrelated Gaming Licensee, DCP Gaming Division Investigators (“DCP Investigators”) became aware of High 5 Casino, and an online customer account was created by the Division on the platform.

On February 18, 2025, at 1:04 p.m., DCP Gaming Investigator received an email from High 5 Casino.com, which informed Connecticut patrons that High 5 Casino would be discontinuing service in Connecticut. Specifically, the email contained a prominent graphic of a large caution sign, with the words “High 5 Connecticut Departure” above the graphic. Below the graphic, in bold, was a heading “Attention, Connecticut Players”. Below the heading, a message proceeded to detail High 5 Casino’s departure from Connecticut as follows, in part:

“We regret to inform you that **High 5 Casino will be discontinuing service in Connecticut.** This transaction will occur in two phases:

1. **February 18, 2025:** New player accounts and purchases will **no longer be available** to Connecticut residents.
2. **March 14, 2025:** All existing Connecticut player accounts will be **permanently closed**.

Existing players can continue to play and redeem until March 14, 2025, but purchases will no longer be allowed starting February 18, 2025.

These changes apply to Sweeps play only. Classic mobile play will continue to be allowed in Connecticut.”¹

On February 19, 2025, after review of the email, DCP Gaming Division Special Investigator Jeffrey Hakala (“SI Hakala”), reached out to Courtney Lynch (“Attorney Lynch”), Director of Legal and Compliance for High 5 Games, asking to discuss the matter of High 5 Games operating an unlicensed casino in Connecticut. Attorney Lynch responded later that same day with a statement regarding High 5 Casino, asserting “we currently are not operating in CT nor do we intend to moving forward”. To support her claim, she included screenshots of High 5 Casino’s official Terms of Use and Sweepstakes Rules. The High 5 Casino Sweepstakes rules stated that participants in Connecticut were excluded from participating. Likewise, the High 5 Casino Terms of Use rules stated that participants located in Connecticut were excluded from play. Both the Terms of Use and the Sweepstakes rules were dated February 18, 2025. SI Hakala further noted that the signature portion of Attorney Lynch’s email contained a link to “Real Money Casino: High5Casino.com”.

On February 20, 2024, SI Hakala responded to Attorney Lynch’s email asking follow up questions regarding High 5 Casino’s operation activity, particularly its activity in Connecticut and activity in connection with Connecticut consumers. Attorney Lynch did not confirm receipt of SI Hakala’s communication or respond immediately to the request for information.

Also on February 20, 2025, DCP Investigators visited High 5 Casino.com. DCP Investigators were able to create an account using the “Log in with Google” feature while being physically present in the state of Connecticut. An initial attempt to register was originally blocked by the website, but only because the google account was associated with a Connecticut address. By simply changing the state associated with the Google account to Massachusetts, DCP Investigators were allowed to successfully finish creating an account. Additionally, during the creation of the account, there was no meaningful process to verify the account owner, such as Know Your Customer, nor did there appear to be any Geolocation or IP location services being used to verify the location of the account creator. Licensed Online Gaming Operators provide each of these safeguards to Connecticut Consumers.

Upon account creation, DCP Investigators successfully made a purchase for \$8 worth of “Gold Coins” which was accompanied by a “Free Bonus Offer” of \$8.00 worth of “Sweeps Coins”. This purchase was made with a credit card that did not match the name on the High 5 Casino account. DCP Investigators were further able to wager the Sweeps Coins on slot games and live dealer games. When attempting to withdraw the funds however, it was discovered that Sweeps Coins must meet a minimum play through requirement of at least one play through, and a

¹ See DCP Exhibit 1.

minimum value requirement of \$100 before they could be withdrawn. Furthermore, it was not until at the point of a “Redemption” or withdrawal was any attempt made by High 5 Casino to verify the identity of the account holder. When attempting to withdraw funds from the account, DCP Investigators were prompted to upload a valid identification issued by the government, take a “selfie”, and provide proof of address issued within the last three months.²

On February 24, 2025, DCP Gaming Division Director Kristofer Gilman emailed Attorney Lynch requesting acknowledgement of receipt of the February 20th request for information sent by SI Hakala.

On February 26, 2025, Gerry Gordon (“Attorney Gordon”), a Contracts Attorney for High 5 Games, provided a partial response to the outstanding DCP request for information from February 20. Attorney Gordon assured DCP that all remaining information would be provided by March 7, 2025.

In its partial response to the February 20 request for information, High 5 Games asserted that it did not operate High 5 Casino, but rather that High 5 Casino was owned by one of its subsidiaries, in which High 5 Games holds the majority stake. High 5 Games further claimed that the games offered on the High 5 Casino platform significantly differed from those provided to its two clients currently licensed in Connecticut. However, a review by DCP found that the games offered on the unlicensed platform appeared identical on the surface to those offered on the licensed platforms.

Despite the visual similarities, High 5 Games maintains that the casino slot games available on the unlicensed platform differ in signature and return-to-player rates from those it provides to its two licensed operators in Connecticut. In other words, slight changes in the game code make the unlicensed games behave and pay out differently than those provided to the licensed operators. Connecticut licensed operators however are required to certify their game signatures and meet a specified return to player rate, a requirement that ensures the integrity of the game and provides a safeguard to consumers.

DCP Investigators were further concerned that consumers may be misled into believing the games on the unlicensed platform, which looked identical on the surface to the games on the licensed platforms, will perform the same as the tested and certified games offered on the licensed platforms, particularly when accessed through a Connecticut licensee’s webpage.

On February 26, 2025, DCP further discovered that on the “About” webpage on High 5 Games.com, under “Our Licenses” the CT OGSP.000045 license is listed along with a link to a .pdf of the license. This information is located on the right side of the webpage. On the left-hand side of the same page appears a button/link to “Play now on High 5 Casino” which directs the person who clicks the link to the unlicensed casino games. DCP Investigators became concerned that consumers may reasonably be misled into thinking the unlicensed High 5 Casino platform was licensed by the State of Connecticut, especially if it was accessed through High 5 Games’ website, which contains evidence of being a licensed Online Gaming Service Provider with the

² See DCP Exhibit 2.

State of Connecticut.³

On March 7, 2025, Attorney Gordon provided DCP with the promised additional information via a secure link.

DCP reviewed the data in the documents provided on March 7, 2025, by High 5 Games. The data showed that High 5 Casino launched in approximately 2012 but began offering Casino through its Sweepstakes in approximately March 2023. Since its Sweepstakes launch, data showed that roughly 1065 Connecticut consumers made approximately \$3,154,972 in purchases on the unlicensed platform and 911 of those consumers lost approximately \$937, 598. Furthermore, the list of Connecticut consumers was compared to the State Voluntary Self Exclusion list (“VSEL”). Of the 911 affected consumers, 117 also appeared on the VSEL. Licensed Gaming platforms in Connecticut are not allowed to contact, market to, or permit persons who have self-excluded from Gaming to wager on their platforms.

On March 10, 2025, DCP Investigators requested additional information from High 5 Games. Attorney Gordon promised the request would be fulfilled by March 14, 2025.

On March 13, 2025, while physically located in the Hartford, CT office, DCP Investigators were able to log into their account High 5 Casino account and make another \$2.00 deposit by Credit Card. This transaction was successful despite almost a month passing since High 5 Casino declared that new player accounts and purchases would not be available to Connecticut Consumers effective February 18, 2025. DCP Investigators were also able to wager on the platform.⁴

On March 13, 2025, DCP Gaming Division Criminal Investigators began an investigation pursuing approximately 1,100 counts against the leadership of High 5 Games pursuant to Section 53-278b (b) of the Connecticut General Statutes for professional gambling, as defined by the statute.

DCP has determined that High 5 Casino's actions, specifically offering online casino games to Connecticut customers without a license, along with the ability for individuals located in Connecticut to still be able to create a High 5 Casino account and deposit money after February 18, 2025, despite the casino's declaration that, effective February 18, 2025, no new participants in Connecticut would be able to create accounts or make deposits, may constitute a violation of Section 12-855 (a) of the Connecticut General Statutes and Section 12-865-6 of the Regulations of Connecticut State Agencies.

DCP has also determined that High 5 Games' implicit actions of promoting and advertising High 5 Casino on their website and through employee email signatures, particularly when such promotion or advertising suggests that High 5 Games' Connecticut license extends to High 5 Casino, potentially misleading Connecticut consumers into believing that High 5 Casino is licensed in Connecticut, may violate Connecticut's Unfair Trade Practices Act under Section 42-110b(a) of the Connecticut General Statutes.

³ See DCP Exhibit 3.

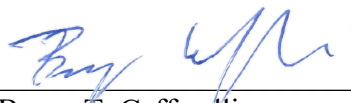
⁴ See DCP Exhibit 4.

Furthermore, in light of the above, and in conjunction with DCP's ongoing criminal investigation into 1,100 counts of professional gambling violations by High 5 Games' leadership, DCP has also determined that High 5 Games may have demonstrated that the Online Gaming Service Provider is operating in a manner that endangers public safety and poses an ongoing threat to Connecticut consumers, including those on the VSEL who would otherwise not have access to online gaming in Connecticut. As such, action is required pursuant to Section 12-865-29(f) of the Regulations of Connecticut State Agencies.

Based upon the foregoing, DCP finds that public health, safety and welfare imperatively require emergency action. In accordance with Section 4-182 (c) of the Connecticut General Statutes, **DCP ORDERS** the OGSP license for High 5 Games shall be **suspended immediately pending further investigation and no online gaming services may be conducted until further written notice from the DCP.**

DCP will contact you regarding further enforcement proceedings for revocation or other action.

STATE OF CONNECTICUT
DEPARTMENT OF CONSUMER
PROTECTION



Bryan T. Cafferelli
Commissioner of Consumer Protection

CERTIFICATION OF ELECTRONIC SERVICE

I hereby certify that on March , 2025, a copy of this **Summary Suspension Order** was electronically delivered to _____, the Agent's email of record with the Department.

Delivered by:

Signature/Printed Name: _____

CERTIFICATION OF MAIL DELIVERY SERVICE

I hereby certify that on March , 2025, a copy of this Summary Suspension Order was mailed by certified mail to the address: _____, the Agent's mailing address of record with the Department.

Delivered by:

Signature: _____ Print Name: _____