

# **EXHIBIT C**

Commissioners:

J. Winston Krause,  
Chairman

Jodie G. Baggett

John W. Townes, III

Mary Ann Williamson



# TEXAS LOTTERY COMMISSION

Gary Grief, Executive Director

Alfonso D. Royal III, Charitable Bingo Operations Director

*Andre Moten*

October 20, 2014

Mr. Andre Molten → <sup>ASM</sup> **MOTEN**  
5303 Atascocita Rd.  
Humble, TX 77346

Dear Mr. Molten: → <sup>ASM</sup> **MOTEN**

State Representative Huberty's Office has contacted the Texas Lottery Commission's staff and shared the concerns expressed in your letter to his office with our agency and asked that we respond to you directly. I also want to acknowledge receipt of the complaint to our offices. I have reviewed your communications and I want to begin by saying that I appreciate you taking the time to write and express your concerns related to game 5 of the *Fun 5's* instant game #1592. I sincerely regret that you had an unsatisfactory playing experience, as it is our goal for every player to have a positive experience when playing the Texas Lottery's games.

In your communication to Representative Huberty you state, in part, that, "There seems to be some miscommunication about the terms..." If you review the play instructions for Game 5, the first sentence explains how to win the prize in the PRIZE box. "Reveal three "5" symbols in any one row, column, or diagonal, win PRIZE in PRIZE box." In the second sentence, it explains how to multiply "that PRIZE" which you won from the first sentence. "Reveal a Money Bag symbol in the 5X BOX, win 5 times that PRIZE." The "Money Bag" symbol is a multiplier and is only applicable if a prize is won on Game 5 in accordance with the instructions in the first sentence.

The Texas Lottery Commission is unable to make payment for tickets that are non-winning tickets in accordance with the published game procedures for the *Fun 5's* game, our game rules and our administrative code. Specifically, Texas Administrative Code, Section 401.302, states the following applicable ticket validation requirements associated with a player's eligibility to win a prize in one of our instant games:

- The ticket shall pass all the confidential validation and security tests appropriate to the applicable playstyle.
- The validation number of an apparent winning ticket shall appear on the commission's official list of validation number of winning tickets for the particular game and pack.
- Any ticket not passing all of the validation tests and requirements is void and ineligible for any prize and shall not be paid.

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ASM  
Mr. Molten → MOTEN  
October 20, 2014  
Page 2

The "Money Bag" symbol is not an automatic win feature. Unless you reveal three 5's in any one row, column or diagonal in game 5, the validation system will not recognize the ticket as a winning ticket for Game 5 and no prize can be paid.

I want you to know that we take our responsibility in creating games that are fun, entertaining and clear to understand for our players very seriously. We are always working to improve the playing experience of our customers and public input and feedback is critical to that process. We value you as a customer and we appreciate your taking the time to notify us of your concerns. If we can be of further assistance, please feel free to contact us at 800-37-LOTTO (800-375-6886).

Sincerely,



Michael Anger  
Lottery Operations Director

cc: Representative Dan Huberty

MY LAST NAME ~~SPENCER~~ <sup>ASM</sup> ~~WATSON~~  
IS MISSPELLED.  
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X Dando Moten