

**CAUSE NO. D-1-GN-14-005114**

JAMES STEELE, et al., <i>Plaintiffs</i>	§	IN THE DISTRICT COURT OF
	§	
VS.	§	TRAVIS COUNTY, TEXAS
	§	
GTECH CORPORATION, <i>Defendant</i>	§	201 <sup>ST</sup> JUDICIAL DISTRICT

**DEFENDANT’S OPPOSITION TO MEDIATION UNDER THESE FACTS**

TO THE HONORABLE COURT:

Under the Docket Control Order entered in this case on October 11, 2021, the parties were required to file a notice of mediator, setting forth the name of the mediator the parties have chosen to mediate this dispute as well as the time of the mediation. The updated mediation deadline is October 5, 2022. A bellwether trial is set to commence on November 14, 2022.

Because this lawsuit is highly unusual in many respects and because of the:

- a) very large number of Plaintiffs and Intervenors (**1,234**);
- b) many different law firms representing the 1,234 Plaintiffs/Intervenors (**17 different groups of law firms**);
- c) magnitude of the more than **\$634 million in alleged damages** being sought on hundreds of different scratch off tickets with differing dollar amounts and Claimants with distinguishing fact characteristics;
- d) significant legal issues based upon the Texas Lottery Statute to be addressed; and
- e) the peculiarities of this particular dispute and the practical realities of the lottery industry,

Defendant GTECH Corporation (“GTECH”) respectfully urges that mediation would not be a worthwhile expenditure of the parties’ time or resources. Because the Texas Lottery Commission

issues approximately 70 to 80 different scratch off tickets each year which are purchased by hundreds of thousands of persons, settling at a mediation would be quite a complex issue in this industry. GTECH recognizes that in the majority of lawsuits, mediation is a logical tool to try and resolve a case. However, in this extraordinary situation, GTECH does not believe it would be fruitful and respectfully requests that no mediation be ordered.

Respectfully submitted,

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ATTORNEYS FOR DEFENDANT  
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## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing instrument has been served email, certified mail, and/or by electronic transmission via the Court's ECF system on this the 26th day of September, 2022, on the following counsel of record and *pro se* Plaintiffs/Intervenors:

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