



DIRECTOR'S ORDER NUMBER TWENTY-TWO (2020)

VIRGINIA LOTTERY'S "MobilePlay LEAP YEAR GIVEAWAY" PROMOTION FINAL RULES FOR OPERATION.

In accordance with the authority granted by §§ 2.2-4002B(15) and 58.1-4006A of the *Code of Virginia*, I hereby promulgate the Virginia Lottery's "MobilePlay Leap Year Giveaway" Promotion ("Promotion") Rules to reward Virginia Lottery MobilePlay players. This Promotion, which contains one (1) Entry Period and one (1) Prize Drawing, opens on February 28, 2020, and closes on March 3, 2020, with the completion of the Prize Drawing. These rules amplify and conform to the duly adopted Virginia Lottery regulations for the conduct of lottery games.

The rules are available for inspection and copying during normal business hours at the Virginia Lottery headquarters, 600 East Main Street, Richmond, Virginia, and at each of the Virginia Lottery offices. A copy may be requested by mail by writing to: Director's Office, Virginia Lottery, 600 East Main Street, Richmond, Virginia 23219.

This Director's Order becomes effective on February 28, 2020, and shall remain in full force and effect through the end Promotion date unless amended or rescinded by further Director's Order.

/s/ Amy Dilworth

February 25, 2020

Amy Dilworth, General Counsel

Date

/s/ Kevin Hall

February 26, 2020

Kevin Hall, Executive Director

Date



**VIRGINIA LOTTERY'S "MobilePlay LEAP YEAR GIVEAWAY" PROMOTION
OFFICIAL RULES**

A. PURPOSE: A Promotion will be conducted to reward one (1) MobilePlay Player with one (1) Virginia Lottery-branded Visa® cash card.

B. PROMOTION PERIOD: This Promotion will begin February 28, 2020, and will end March 3, 2020, ("Promotion Period"), with the singular Prize Drawing.

C. DEFINITIONS (for purposes of this Promotion):

"Cash Prize" means either a monetary Prize or a gift card Prize.

"Claimant" means a verified Entrant, Participant, or Player who presents an Entry Form that he/she presumes to be a Winning Entry.

"Director" means the Executive Director of the Virginia Lottery as established in Chapter 40 of Title 58.1 (§58.1-4000 *et seq.*) of the Code of Virginia or any other employee(s) to whom the Executive Director's authority is lawfully delegated.

"Drawing" means a formal process of randomly selecting Entries in accordance with the Promotion Rules.

"Entrant", "Participant", or "Player" means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase or otherwise validly enters a Promotion according to one of the approved Entry methods stated in the Promotion Rules in the hope of winning a Prize.

"Entry" or "Entry Form" means a method, whether electronic or paper-based, by which a Player enters a Drawing or Promotion.

"Entry Period(s)" means the time frame(s) during which Entries for this Promotion will be accepted.

"Lottery" means the Virginia Lottery.

"Lottery Board" means the group of five (5) people, appointed by the Governor of Virginia, with the power to adopt regulations governing the establishment and operation of the Virginia Lottery and to perform other functions that are set out in the Code of Virginia.

"Mobile Application" or "Application" refers to a type of application software designed to run on a mobile device, such as a smartphone or tablet computer.

"MobilePlay" refers to a feature of the Lottery's Mobile Application that, via a Retailer's Bluetooth® signal, and a Video Control Unit, enables a Player to play and purchase e-games and to purchase certain Computer-generated Games when using his/her mobile device as a proxy for the Lottery Game Terminal while on the premises of a licensed Retailer.

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"Participant", or "Player" means a Person who is at least eighteen (18) years of age, who makes a qualifying purchase and/or otherwise follows/meets all requirements in the Promotion Rules and/or on the Lottery's Promotion site in the hope of winning a Prize.

"Person" means a natural person and may not extend to or be applied to a corporation, company, partnership, association or other entity.

"Prize" or "Prizes" means the winnings as defined in **Section I** ("Prize Description").

"Prizewinner" means a verified Person who is entitled, via Entry verification, to receive a Prize under the rules of a Promotion.

"Promotion" means the "added value" offer to consumers or licensed retailers named in the title at the top of Page 1 of these Rules.

"Promotion Rules" or "Rules" means these rules.

"Recipient" means a verified Person who is entitled, to receive a bonus deposit under the rules of a Promotion.

"Winning Entry" or "Winning Entry Form" means an eligible Promotion Entry, drawn during the established Drawing(s), which has passed all Lottery validation and security requirements and processes.

"System Day" means the time at which a particular day begins in the Lottery's gaming system (4:30 AM Eastern Time) to the time the same day ends in the Lottery's gaming system (1:00 AM Eastern Time the following calendar day).

D. ELIGIBILITY:

1. This Promotion is open to Players eighteen (18) years of age or older. A Player will be required to provide proof of his/her date of birth.
2. No officer, employee or Board member of the Lottery, or any officer or employee or board member of any vendor to the Lottery of computer-generated or Scratch Game goods or services working directly on a contract with the Lottery for such goods or services, or any person residing in the same household of any such board member, officer or employee, or any person under the age of eighteen (18) years, shall be eligible to participate in this Promotion. The Lottery will not award a Prize on an Entry submitted by, for, or gifted to or transferred to anyone under eighteen (18) years of age, or to the transferee of such Person.

E. PROMOTION ENTRY:

1. To participate in this Promotion, a Player must have downloaded the Mobile Application and be opted in to receive promotional emails.
2. Eligible Players will receive an email* invitation ("Entry Invitation") on February 28, 2020, inviting them to participate in the Promotion.

*via the email address that they used to opt-in for promotional emails

3. All Entries submitted according to **Section F** ("Entry Requirements") and received during the Promotion Entry Periods as specified in **Section G** ("Entry Periods") will be included in the applicable Prize Drawing.

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- Each Player is eligible to receive one (1) Promotion Entry in this Promotion.

F. ENTRY REQUIREMENTS:

- Players who receive the email must play the MobilePlay e-game *Gilded Luck* at least once between February 28, 2020, and March 1, 2020, in order to be entered into the Prize Drawing. All *Gilded Luck* price points are eligible for this Promotion.
- Only an Entry issued in conjunction with this Promotion via an email invite from the Virginia Lottery will be accepted as a valid Entry for this Promotion.
- The Virginia Lottery reserves the right to add additional Prize Drawings at its own discretion.
- Each Entry submitted for this Promotion must have been issued by the Lottery in an authorized manner during the Entry Periods referenced in **Section H** ("Entry Periods").
- The Lottery will not be responsible for Entries submitted incorrectly or received outside of the established Entry Periods for each Drawing as specified in **Section H** ("Entry Periods"). Such Entries shall be deemed invalid.
- Only Entries that are submitted in the manner described in **Section E** ("Promotion Entry") during the designated Entry Periods will be eligible for Entry in this Promotion.
- Any Prizewinner whose Winner Notification email is returned undeliverable due to blocked emails and/or incorrect email address information, will forfeit his/her opportunity to win a Prize. Neither the Lottery nor its designee will be required to attempt delivery of a Winner Notification email more than once.

G. ENTRY PERIODS:

Entry Period:
February 28, 2020 (12:00 midnight ET), through March 1, 2020 (11:59:59 PM ET)

H. PRIZE DESCRIPTION: The following Prize will be awarded as part of this Promotion:

PRIZE(S)	# OF PRIZEWINNERS
\$366 Virginia Lottery-branded Visa® cash card	One (1)

I. PROMOTION DRAWINGS: The following is the one (1) established Drawing date for this Promotion:

March 3, 2020

The Drawing will be conducted from all eligible Entries submitted via the established Entry method and by the established Entry deadline date. The following is an overview of how the Entries will be randomly selected for this Promotion.

1. After the established Entry deadline date, but prior to the Drawing, all eligible Entries submitted for that Drawing will be accounted for and the information loaded into a randomizer program.
2. Representatives from the Lottery's Audit and Security, Administration, Information Technology Services, and Digital departments will oversee the use of the randomizer program to select the Winning Entries for this Promotion.
3. Entries will be randomly selected. The order in which the Winning Entries are drawn shall be recorded by Lottery officials; the Lottery's decision shall be final and controlling.
4. Immediately after the Prizewinner is selected, **five (5)** alternate Entries will also be selected using the same randomizer program. All alternate Prizewinners will be recorded in the order in which they were selected and will be used should any Prizewinner be determined ineligible.
5. After the Drawing is completed, representatives of the Lottery's Audit and Security, Administration, Information Technology Services, and Digital departments will confirm that the Entries selected in the Drawing are valid.
6. In the event that a selected Entry is deemed invalid (see **Section F** "Entry Requirements"), the first alternate with a valid Entry will be selected as a Prizewinner. This process shall continue until all valid Winning Entries have been selected for the particular Drawing.

J. PRIZEWINNER PROCEDURES:

The Prizewinner will be notified by the Lottery via their MyGameRoom Account email address and the gift card Prize will be mailed via United States Postal Service (USPS) to the MyGameRoom Account mailing address.

K. PRIZEWINNER VERIFICATION:

1. Methods used by the Lottery to establish and confirm a Prizewinner's identity include, but are not limited to:
 - viewing and/or copying the Prizewinner's valid government-issued photo identification
 - viewing and/or copying proof of taxpayer identification number (e.g. Social Security number)
 - asking identity-verifying questions in the absence of the aforementioned document proof
 - viewing and/or retaining the information provided on a Lottery Winner Claim Form.

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2. **In all cases involving a Promotion Prize greater than \$100**, the Lottery must be provided with the Prizewinner's valid government-issued photo identification and taxpayer identification number (e.g. Social Security number). Payment will be delayed until such a number is provided and the Prizewinner shall not be entitled to interest on the Prize funds attributable to such delay.

L. PRIZE AWARD/PAYMENT:

1. Lottery Prizes awarded during this Promotion are not transferable or assignable. A Person shall not enter the Promotion on behalf of another Person. Such Entries will be deemed invalid. Prizes awarded during this Promotion are not redeemable for cash.
2. Each Prizewinner is legally required to include the value of the Prize, as well as any taxes paid by the Lottery on his/her behalf, in his/her taxable income for tax reporting purposes. As a result of accepting a Prize, and taking into account a Prizewinner's total taxable income for the year in which the Prize is accepted, a Prizewinner may fall into a higher tax bracket for his/her federal and state tax liabilities for the year in which the Prize is accepted.
3. A Prizewinner agrees to the use of his/her name for publicity at the Lottery's discretion. Examples of publicity include, but are not limited to, news releases, Internet, news media and signs at the Lottery Retailer locations. In addition, a Prizewinner agrees to participate in Lottery promotional efforts which may include his/her name, hometown, the amount of the Prize won, and the Promotion won, without additional consent from or compensation to the Prizewinner.

M. CANCELLATION POLICY:

Canceled Drawing(s) or Prize award(s): The Director may, in the Director's sole discretion, cancel Drawings and/or the awarding of Prizes, on holidays, days of special importance or on days when conditions make conducting the Drawings or awarding Prizes impractical or inappropriate, and may elect to conduct Drawings and/or make-up Drawings and/or the awarding of Prizes at such times and dates, and pursuant to such methods, as the Director, all with the Director's sole discretion. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such re-schedule/cancellation.

Termination of Promotion: The Director may, at any time, announce a suspension or termination of this Promotion, without advance notice and in the Director's sole discretion, at which point no further Entries will be accepted and no additional Prizes shall be awarded. Neither the Lottery, the Director, nor any employee of the Lottery or member of the Lottery Board shall have any liability whatsoever for any such suspension/termination.

- N. DISPUTES:** The Director may refrain from awarding/paying a Prize pending final determination under any of the following circumstances:

- a. if a dispute related to any Prize occurred or if it appears that a dispute may occur;
- b. if there is any question regarding the identity of the Claimant; or
- c. if there is any question regarding the validity of any Entry submitted.

No liability for interest arising because of any such delay, or any delay beyond the Lottery's control, shall accrue to the benefit of the Prizewinner pending award/payment of the Prize. The Lottery is neither liable for, nor has it any responsibility to resolve, disputes between or among competing Claimants.

In the event of a dispute or other instance of doubt, the decision of the Director shall be final and binding.

- O. GOVERNING LAW:** By participating in this Promotion, each person agrees to comply with and abide by the Lottery statutes, Lottery regulations, all final decisions of the Director of the Lottery, and these and any other applicable Rules established by the Lottery Board and/or Director of the Lottery for the conduct of this Promotion. Any dispute arising that relates to any aspect of this Promotion shall be governed by the laws of the Commonwealth of Virginia, and the venue for the determination of any such dispute shall be in the city of Richmond, Virginia.
- P. WAIVER OF CLAIMS:** By entering this Promotion, each Prizewinner agrees to indemnify, hold harmless, and waive any claims against the Lottery and any of the affiliates, employees, directors, officers, agents, representatives and assigns of any of said entities, arising, directly or indirectly, out of, or in any way connected with, this Promotion or the Prizes awarded in connection therewith.
- Q. AMERICANS WITH DISABILITIES ACT ("ADA"):** The Lottery is not responsible for any third party's compliance with ADA Rules and Regulations where applicable in connection with a Prize.