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August 4, 2006

Ms. Paula Penz  
Gaming Commissioner  
Choctaw Nation Tribal Compliance Agency  
P.O. Box 5229  
Durant, Oklahoma 74702

Mr. Martin J. Caplan  
President  
Double D Gaming, Inc.  
1146 S. Delsea Drive  
Vineland, New Jersey 08360

Re: Detailed review and analysis of the *Wild Cherry* Electronic Amusement skill stop game submitted by Double D Gaming, Inc.

Dear Ms. Penz and Mr. Caplan:

By request received April 3, 2006 and subsequent information received through August 3, 2006, ***Nick Farley & Associates, Inc.*** has conducted a review and examination of the *Wild Cherry* Electronic Amusement skill stop game developed by Double D Gaming, Inc. This review was undertaken to determine compliance with the following:

- The document titled Tribal Technical Standards and Procedures for Electronic Gaming Under the Tribal-Oklahoma State Compact - Version 3.0 Issued by the Choctaw Gaming Commission on July 14, 2005;
- The Oklahoma State-Tribal Gaming Act (SB-1252); and
- The ability to maintain the required information to allow for a Tribal gaming operation to comply with the National Indian Gaming Commission's Minimum Internal Control Standards CFR Part 542, specifically Section 542.13 Minimum Internal Control Standards for Gaming Machines (NIGC MICS).

## **Section I –Game Overview**

The *Wild Cherry* Electronic Amusement skill stop game was configured for use as a stand alone player terminal. The player terminal was equipped with a communication port that facilitates communication with an external Monitoring and Control System (MCS). It should be noted that *Nick Farley & Associates, Inc.* has verified that accounting and security information is available and may be transmitted from the player terminal. Compliance to any communication protocol has not been verified.

## **Section II – Game Play and Outcome**

*Wild Cherry* is a three reel electronic skill stop amusement game. To initiate game play, a player inserts U.S. paper currency, coins or tokens. When utilizing coins or tokens, the player may stake a wager up to a maximum of three. When utilizing paper currency, the value of the bill(s) inserted is displayed on the “Credits” meter to the player as credits available for game wager. Available credits may be wagered, up to a maximum of three, by pressing the BET button one time for each of the credits being wagered. After a wager is staked, game play begins by pressing the *SPIN* button, at which point the three reels begin to spin. Shortly after the *SPIN* button is activated the three STOP buttons illuminate. Once the STOP buttons are illuminated, the player may activate these buttons to stop the spinning reels. The player must utilize at least one of the three STOP buttons on the game terminal labeled “*STOP REEL 1*”, “*STOP REEL 2*”, and “*STOP REEL 3*”. If none of the STOP buttons are activated by the player, the game will time-out and “VOID” will show on the LED display. In the event that the game does time-out, the amount wagered will be returned to the “Credits” meter to be utilized on future game play. If the player is successful in stopping the reels on a winning combination of symbols, the player will receive an award based upon the game outcome. All awards are dispensed by the hopper, except the jackpot award, which is dispensed via hand pay.

## **Section III – Features and Options**

By accessing the operator menu, the operator is availed to five administrative features. The operator menu is activated through the key switch on the cabinet exterior. Once activated, the administrative features are accessed through the exterior buttons on the player terminal.

The first feature offered in the operator menu displays award payouts. The operator may select the reel position, at which time the seven-segment LED display will show the prize to be awarded for the manually manipulated game outcome.

The second feature offered in the operator menu allows the operator to test the coin hopper. With the cabinet door in the open position, the hopper will dispense 10 coins or tokens.

The third feature offered in the operator menu permits the operator to view the soft accounting meter information for the specific player terminal.

The fourth feature offered displays the last 10 games played, including the game outcome and all relevant information necessary to recreate the previous games played. This recall is displayed by returning the reels to the positions that correspond with the previous game outcome. All other necessary information is displayed on the LED displays.

The fifth feature offered displays a recall of the last 5 bills that have been inserted into the bill acceptor.

**Section IV – Circuit Board and Software Identification**

Operation of the *Wild Cherry* electronic amusement skill stop game is controlled by software stored on EPROMs housed on the main Central Processing Unit (CPU) board. There is also a sound board that is connected to the main CPU board. These boards are identified as follows:

Purpose	Identification
Main CPU	© Bally Gaming Inc. AS 3356-201 Rev. E
Sound Board	SSB2000

The software which controls the operation of the *Wild Cherry* electronic amusement game is stored on two (2) EPROMs housed on the main CPU board, and is identified as follows:

Software Id	Memory Size	Board Position	Checksum	Kobetron GI-3000 Signature
Wild C Indian 6/17/06 U12	27C512	U12	00BB8F51	U8A1
Wild C Indian 6/17/06 U15	27C512	U15	00AFF16D	24A0

**Section V – Review and Analysis of the Source Code**

Double D Gaming, Inc. has submitted its program source code for the *Wild Cherry* Electronic Amusement skill stop game, and all associated software components. This source code has been disclosed in confidence. In respect for this confidential information, specific excerpts from the source code will not be included with this document. The source code’s affect on the game and player station will be discussed in broader terms.

Through the analysis of the source code we have established the method of game outcome determination. Through the use of a deceleration routine the reels are uniformly slowed to a stop in a consistent number of symbols after the STOP button is pressed by the player for each reel.

Through the use of frame by frame videotape analysis, we have verified that, on average, the reels will stop between 3 and 4 symbols after the STOP buttons are pressed. The final position of the reels is based solely on the action of the player and not on the number or ratio of prior wins to prior losses or any other factor relating to the profit or revenues retained by the operator from prior plays of the game. We have verified that no Random Number Generator or other secondary decision making process is being utilized that would compromise the integrity, or adversely affect the outcome, of the game.

## **Section VI – Findings and Conclusion**

We have evaluated the *Wild Cherry* Electronic Amusement game to the following:

- The document titled Tribal Technical Standards and Procedures for Electronic Gaming Under the Tribal-Oklahoma State Compact - Version 3.0 Issued by the Choctaw Gaming Commission on July 14, 2005;
- The Oklahoma State-Tribal Gaming Act (SB-1252); and
- The ability to maintain the required information to allow for a Tribal gaming operation to comply with the National Indian Gaming Commission's Minimum Internal Control Standards CFR Part 542, specifically *Section 542.13 Minimum Internal Control Standards for Gaming Machines* (NIGC MICS).

Based upon our evaluation, we have determined that the *Wild Cherry* Electronic Amusement game meets all of the criteria included in the previously listed documents, and meets the criteria outlined as follows:

- Each Electronic Amusement Game must require decisions or actions by players that could affect the result of the game
- Player's performance and opportunity for success can be improved by skill;
- There is no auto-hold, "smart-hold", or a similar feature that allow players to automatically determine optimum play or that makes decisions for the players.
- The information provided is complete and not misleading;
- The outcome of the game is not based on the number or ratio of prior wins to prior losses or any other factor relating to the profit or revenues retained by the operator from prior plays of the game;
- The player terminal stores detailed information about the last ten (10) game plays,
- Significant events are logged;
- The theoretical payout percentage has been determined to be between 81.72% and 83.29% using standard probability and statistics calculations and/or computer models.

The *Wild Cherry* Electronic Amusement game maintains all of the required information which must be transmitted to an online monitoring system for the purpose of generating accounting and security reports.

Therefore, we hereby recommend approval of the *Wild Cherry* Electronic Amusement game for use in Compacted Tribal gaming facilities located in the State of Oklahoma.

It should be noted that all findings and conclusions of fact have been determined based upon product compliance with legislation, regulations and/or standards established for the jurisdiction addressed herein. Therefore, ***Nick Farley & Associates, Inc.*** asserts that the information contained in this document is applicable only for the products described for use in the jurisdiction(s) listed herein. ***Nick Farley & Associates, Inc.*** prohibits use of the information contained herein for other than its intended purpose.

The submitting party has provided suitable information indicating that it is in good standing with the jurisdiction referenced herein. ***Nick Farley & Associates, Inc.*** makes no judgment on the submitting party's license status or suitability for licensure. The information contained herein pertains merely to the submitting party's product compliance.

Should you have any questions, or require any additional information, please feel free to contact our office at (440) 439-TEST (8378).

Sincerely,



Nick Farley  
*President*

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