

[J-38-2018]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

SANDS BETHWORKS GAMING, LLC,	:	No. 216 MM 2017
	:	
Petitioner	:	
	:	
	:	
v.	:	
	:	
	:	
PENNSYLVANIA DEPARTMENT OF	:	
REVENUE; C. DANIEL HASSELL IN HIS	:	
OFFICIAL CAPACITY AS SECRETARY	:	
OF THE PENNSYLVANIA DEPARTMENT	:	
OF REVENUE; AND THE	:	
PENNSYLVANIA GAMING CONTROL	:	
BOARD,	:	
	:	
Respondents	:	

ORDER

PER CURIAM

AND NOW, this 30th day of August, 2018, Petitioner’s August 2, 2018 Application for Leave to File a Post-Submission Communication is GRANTED.

Because the constitutionality of the Gaming Act’s Casino Marketing and Capital Development (“CMCD”) distribution scheme remains an issue in this litigation, we further order that Respondents, the Pennsylvania Department of Revenue, Secretary Hassell, and the Pennsylvania Gaming Control Board, shall retain all funds deposited into the CMCD Account during the 2017-2018 fiscal year until further order of this Court.

This order should not be interpreted as a ruling on the merits of Petitioner’s underlying legal challenge. Our intent at this juncture is simply to prevent the Board from

taking any action that could prevent this Court from ordering the relief that Petitioner seeks. All affected slot machine licensees shall continue to pay the supplemental daily assessment as required by law. See 4 Pa.C.S. § 1407(c.1).

In light of the foregoing, Petitioner's August 15, 2018 Application for Leave to File a Post-Submission Communication (in the nature of a request for a preliminary injunction) is DISMISSED AS MOOT.