

Final - sent to Edmonds

LEGAL DEPARTMENT FAX: (416) 224-7003

January 25, 2002

CONFIDENTIAL

Mr. Robert Edmonds
14 Albert Street
Coboconk, Ontario
K0M 1K0

Dear Mr. Edmonds:

Re: Lottery Draw

Further to your son's facsimile transmission to Chris Cooney on January 8, 2002, I have the following information. Please note that if you wish us to communicate formally with your son (or, for that matter, with anyone else), rather than with yourself, you should first provide us with your written consent to do so. This, among other things, helps to ensure that your privacy is respected as much as possible.

If you wish to pursue a claim for a prize in an Ontario Lottery and Gaming Corporation ("OLGC") lottery game, it is in your best interests to provide relevant details to OLGC (e.g., the name of the lottery game, draw date, prize amount, purchase information, and so on). Then, OLGC's Claim Review Committee would be in a position to make a decision. For more information on this process, please contact Suzy Tan at (416) 324-6523 (feel free to call collect).

Having said that, and recognizing that you and your son have attempted to provide some information, we wanted to highlight for you some of the key issues.

As mentioned on each on-line lottery ticket, and elsewhere, our lottery games are governed by OLGC's Game Rules. Since it appears that you are inquiring about a recent ENCORE lottery top prize (\$250,000), I am enclosing a copy of the current ENCORE lottery Game Rules for your convenience. Please note, for example, the definition of "winner" in Section 1.1 (which definition references the "bearer" of a winning ticket), as well as the requirement in Section 6.4 to physically present a winning ticket to OLGC. Please also note that the primary responsibility for checking whether a ticket is a winning ticket is the player's, rather than that of OLGC or of OLGC's Retailers. We do everything we can to assist in this regard, but, for obvious reasons, we cannot assume this responsibility. Further, if a player believes he has won a free ticket (or won more free tickets than are provided to him by a Retailer), it is the player's responsibility to promptly pursue the matter with the Retailer. As well, if a player chooses to give custody of his tickets to another party, it is the player's responsibility to ensure that that party is trustworthy. It goes without saying that OLGC's Retailers are not authorized by OLGC to attend at players' homes to collect their lottery tickets.

Your apparent concern, if I have understood it correctly, would not seem to relate to OLG. If you believe that someone who should not have received payment of a prize, has somehow received payment by contravening your rights, and if you are aware of the identity of that recipient, then it would seem logical for you to deal with that recipient directly (rather than with OLG), with a view to resolving your concerns as amicably as possible. If you believe there has been a theft of your property, you may also want to follow up with the appropriate authorities (OLG is not a law enforcement agency).

While OLG strongly believes that our Retailers generally act properly and in the best interests of our consumers, we are taking your apparent concerns seriously and we are looking into the actions of the Retailer in your situation. We would be glad to share with you appropriate information resulting from that, subject to any privacy and related issues. However, please bear in mind that OLG is not responsible for any alleged actions of the Retailer along the lines suggested by you or your son.

We wish you all the best in identifying and resolving your concerns with the appropriate parties and, if you choose to do so, in utilizing OLG's Claim Review Committee process.

Yours truly,

Tony Ferrara
Senior Legal Counsel

encl.

cc Suzy Tan

DRAFT: January 17, 2002

LEGAL DEPARTMENT FAX: (416) 224-7003

January 17, 2002

CONFIDENTIAL

Mr. Robert Edmonds
14 Albert Street
Coboconk, Ontario
K0M 1K0

Dear Mr. Edmonds:

Re: ENCORE Lottery Draw Held on July 13, 2001

Further to your son's facsimile transmission to Chris Cooney on January 8, 2002, I have the following information. Please note that if you wish us to communicate formally with your son (or, for that matter, with anyone else), rather than with yourself, you should first provide us with your written consent to do so. This, among other things, helps to ensure that your privacy is respected.

6.4 As mentioned on each on-line lottery ticket, and elsewhere, the Ontario Lottery and Gaming Corporation's ("OLGC's") lottery games are governed by OLGC's Game Rules. I am enclosing a copy of the current ENCORE lottery Game Rules for your convenience [NOTE TO DRAFT: SUZY WILL FORWARD TO TONY]. Please note the definition of "winner" in Section 1.1 (which definition references the "bearer" of a winning ticket), as well as the requirement in Section 6.3 to physically present a winning ticket to OLGC. Please also note that the primary responsibility for checking whether a ticket is a winning ticket is the player's, rather than that of OLGC or of OLGC's Retailers. We do everything we can to assist in this regard, but, for obvious reasons, we cannot assume this responsibility. Further, if a player believes he has won a free ticket (or won more free tickets than are provided to him by a Retailer), it is the player's responsibility to promptly pursue the matter with the Retailer and, if not satisfied, directly with OLGC (our Contact Centre's toll-free telephone number is printed on every on-line ticket, and elsewhere). As well, if a player chooses to give custody of his tickets to another party, it is the player's responsibility to ensure that party is trustworthy. It goes without saying that OLGC's Retailers are not authorized by OLGC to attend at players' homes to collect their lottery tickets.

As you know, the ENCORE lottery game is a game which is available only as part of another OLGC "host" game. Your son's facsimile transmission provides information regarding only the LOTTO 6/49 "host" lottery game, but that was not the "host" game on which the above-noted ENCORE prize was won. I understand that there may have been a newspaper report that gave the impression that the ENCORE prize-winning ticket was a LOTTO 6/49 ticket, but that information was erroneous and was not provided by OLGC. In fact, with July 13, 2001 having been a Friday, there was no LOTTO 6/49 draw at all on that date. Put another way, any

selections which you may frequently play on the LOTTO 6/49 lottery game are not, in and of themselves, relevant regarding the above-noted draw.

Your concern, as I understand it would not seem to relate to OLG. If you believe that someone who should not have received payment of the above-noted prize, has somehow received payment by contravening your rights, and if you are aware of the identity of that recipient, then it would seem logical for you to deal with that recipient directly (rather than with OLG), with a view to resolving your concerns as amicably as possible. If you believe there has been a theft of your property, you may also want to contact to appropriate authorities (OLG is not a law enforcement agency).

While OLG strongly believes that our Retailers generally act properly and in the best interests of our consumers, we are taking your concerns seriously and we are investigating the apparent actions of the Retailer in your situation. We would be glad to share with you the results of that investigation, subject to any privacy and related issues. However, please bear in mind that OLG is not responsible for any actions of the Retailer along the lines suggested by you (if such actions in fact occurred).

However, without your providing at least a photocopy of the winning ticket to us, and, failing that, without convincing objective evidence that you, at some point in time, actually held the winning ticket, you can appreciate that there is little that OLG can do further here at this time. If that should change, we will advise you.

We wish you all the best in identifying and resolving your concerns with the appropriate parties.

Yours truly,

Tony Ferrara
Senior Legal Counsel

encl.

cc Suzy Tan

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CONFIDENTIAL

Mr. Robert Edmonds
14 Albert Street
Coboconk, Ontario
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Dear Mr. Edmonds:

Re: ENCORE Lottery Draw Held on July 13, 2001

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As mentioned on each on-line lottery ticket, and elsewhere, the Ontario Lottery and Gaming Corporation's ("OLGC's") lottery games are governed by OLGC's Game Rules. I am enclosing a copy of the current ENCORE lottery Game Rules for your convenience [**NOTE TO DRAFT: SUZY WILL FORWARD TO TONY**]. Please note the definition of "winner" in Section 1.1 (which definition references the "bearer" of a winning ticket), as well as the requirement in Section 6.3 to physically present a winning ticket to OLGC.

Should be Section 6.4.

Please also note that the primary responsibility for checking whether a ticket is a winning ticket is the player's, rather than that of OLGC or of OLGC's Retailers. We do everything we can to assist in this regard, but, for obvious reasons, we cannot assume this responsibility.

Further, if a player believes he has won a free ticket (or won more free tickets than are provided to him by a Retailer), it is the player's responsibility to promptly pursue the matter with the Retailer and, if not satisfied, directly with OLGC (our Contact Centre's toll-free telephone number is printed on every on-line ticket, and elsewhere).

Edmonds claims he phoned the Contact Centre on Aug 1 – see Investigation's report Jan 8 - 2nd paragraph. Though 4th paragraph indicates that there were no records found in ONYX. I am not sure we can be confident to state that Edmonds did not call OLGC. The call may not have been logged, or have been logged under a generic consumer. Though I am not the best person to

respond to ONYX processes, & different ways to search the database, other than by a person's name or the retailer's #.

As well, if a player chooses to give custody of his tickets to another party, it is the player's responsibility to ensure that party is trustworthy. It goes without saying that OLGC's Retailers are not authorized by OLGC to attend at players' homes to collect their lottery tickets.

As you know, the ENCORE lottery game is a game which is available only as part of another OLGC "host" game. Your son's facsimile transmission provides information regarding only the LOTTO 6/49 "host" lottery game, but that was not the "host" game on which the above-noted ENCORE prize was won. I understand that there may have been a newspaper report that gave the impression that the ENCORE prize-winning ticket was a LOTTO 6/49 ticket, but that information was erroneous and was not provided by OLGC. In fact, with July 13, 2001 having been a Friday, there was no LOTTO 6/49 draw at all on that date. Put another way, any selections which you may frequently play on the LOTTO 6/49 lottery game are not, in and of themselves, relevant regarding the above-noted draw.

I don't think we should say anything about the newspaper report, because it may be an assumption on our part. Chris & I may have made that assumption simply because Edmonds pictogram fax has the word "Coboconk" & the Laplantte's Insider Win review was still fresh in our mind. Additionally, the July 13 date was not mentioned in any of the Edmonds correspondence. Also, when OLGC investigate further, we'd be asking if he plays other games.

Your concern, as I understand it would not seem to relate to OLGC. If you believe that someone who should not have received payment of the above-noted prize, has somehow received payment by contravening your rights, and if you are aware of the identity of that recipient, then it would seem logical for you to deal with that recipient directly (rather than with OLGC), with a view to resolving your concerns as amicably as possible. If you believe there has been a theft of your property, you may also want to contact to appropriate authorities (OLGC is not a law enforcement agency).

I believe the Edmonds has informed the OPP. Although it wasn't written on any of the Edmonds correspondence, it has been discussed in a telephone conversation between Edmonds and Chris Cooney. Can we say that he's done the right thing by contacting the law enforcement agency? And that we will be co-operating with them.

While OLGC strongly believes that our Retailers generally act properly and in the best interests of our consumers, we are taking your concerns seriously and we are investigating the apparent actions of the Retailer in your situation.

Are we "investigating" it. I guess that's subject to interpretation. Does reviewing our files and checking the facts over again constitute investigation? Further investigation will require that we speak with either Edmonds or Laplantte to gather more information. But I believe we will be delaying this until after Chris meets with OPP. I will also leave this to Chris to respond, perhaps there are further investigation that can be done, without talking to Laplantte or Edmonds.

We would be glad to share with you the results of that investigation, subject to any privacy and related issues. However, please bear in mind that OLGC is not responsible for any actions of the Retailer along the lines suggested by you (if such actions in fact occurred).

However, without your providing at least a photocopy of the winning ticket to us, and, failing that, without convincing objective evidence that you, at some point in time, actually held the winning ticket, you can appreciate that there is little that OLGC can do further here at this time. If that should change, we will advise you.

What if we fingerprint the ticket? Having said that, I have now placed the ticket in a baggy.

We wish you all the best in identifying and resolving your concerns with the appropriate parties.

Yours truly,

Tony Ferrara
Senior Legal Counsel

encl.

cc Suzy Tan

possible phrasing for the submitting "formal" claim issue -

If you wish to pursue a claim for a prize, please provide OLGC of this fact, along with any details (game, draw date, prize amount, purchase information etc) to support your claim. Your claim will then be reviewed by OLGC's Claim Review Committee, for a decision.