

CJG

49

FEB 11 2026



Over \$3 Billion and Counting for our Schools

GOVERNOR Kelly A. Ayotte
CHAIRMAN Erle B. Pierce
COMMISSIONER H. Andy Crews
COMMISSIONER Stuart D. Trachy
EXECUTIVE DIRECTOR Charles R. McIntyre

December 23, 2025

Her Excellency, Governor Kelly A. Ayotte
And the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

The New Hampshire Lottery and Gaming Commission (“Lottery”) requests authorization to amend its existing contract with Crown NH Gaming, LLC d/b/a “DraftKings” (vendor #312289) of Boston, Massachusetts, to provide sports betting systems, equipment and services to operate mobile and retail sportsbooks within the state, by exercising a contract extension option for an additional two (2) years from July 1, 2026 to June 30, 2028. The parties also seek to increase the amount of promotional deductions allowed for the retail channel from 10% to 40%, effective July 1, 2026, Upon Governor and Council approval.

The original contract was approved by Governor and Council on November 25, 2019 (Item #72A).
100% Lottery Funds

EXPLANATION

The current contract with DraftKings resulted from a specific and unique competitive bid process to select the Lottery Commission’s agents or vendors for mobile and retail sports betting. DraftKings achieved the highest technical score for both the mobile and retail channels. The Governor and Executive Council approved the current contract on November 25, 2019, which has a completion date of June 30, 2026.

The original contract included the ability for the Lottery to extend the services by two additional terms of two years each under the same terms and conditions. DraftKings has been an excellent partner, complied with all contract terms, and has provided the Lottery with a mobile and retail solution that has supported the rapid expansion of sports betting within the state and formed a dedicated player base. For FY25, New Hampshire was ranked third in sports betting revenue to the state per capita. Through November 2025, sports betting has contributed over \$172 million to the Education Trust Fund since the product launched on December 30, 2019.

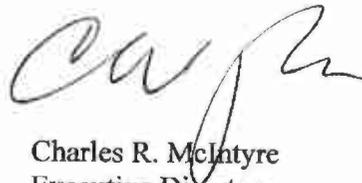
DraftKings is nationally recognized as a first-class sports wagering platform and continues to innovate and broaden its offerings. It is a member of the Responsible Online Gaming Association, an industry group dedicated to furthering responsible gaming efforts, and partners with multiple integrity monitoring associations to ensure the integrity of wagering and of the underlying events.



In addition to the extension, the parties wish to increase the amount of promotional deductions allowed for the retail channel, from 10% to 40%, in recognition of the increased investment and overhead costs required to operate that stream in compliance with all federal and state laws while also maintaining modern customer-oriented facilities.

Based on the foregoing, the Lottery respectfully requests approval of the requested action.

Very truly yours,

A handwritten signature in black ink, appearing to read "C. R. McIntyre", written in a cursive style.

Charles R. McIntyre
Executive Director

**Amendment No. 1 to
Contract Dated November 25, 2019
Between the New Hampshire Lottery and Gaming Commission
and Crown NH Gaming LLC d/b/a DraftKings**

This Amendment No. 1 (“Amendment”) is made and entered into this 12th day of December, 2025, by and between the New Hampshire Lottery and Gaming Commission (“NHLGC”) and Crown NH Gaming LLC d/b/a DraftKings (“DraftKings”), collectively referred to as “the Parties,” as follows:

WHEREAS, the Parties entered into a certain agreement by which DraftKings would provide and operate a full service sports betting solution, including technology and services, and such contract was approved by Governor & Council on November 25, 2019 (Item #72A) (the “Contract”);

WHEREAS, the Parties wish to extend the term of the Contract, as contemplated in Section 2.5 of the Contract, which authorizes the extension for two (2) additional two (2)-year terms; and

WHEREAS, to enhance the success and participation of retail sports betting in New Hampshire, the Parties seek to amend the contract by altering the cap applicable to DraftKings’ deductions of retail promotional payments from gross gaming revenue.

NOW, THEREFORE, in consideration of the promises and the mutual covenants set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties wish to amend the Contract as follows:

1. The Parties agree to extend the Contract Term by an additional two (2) years, commencing on June 30, 2026 and ending at 11:59 P.M. on June 30, 2028. All references in the Contract to the “Completion Date” shall be deemed references to June 30, 2028.

2. NHLGC acknowledges and agrees that DraftKings shall be entitled to deduct Retail Promotional Payments (capped at 40% of Gross Gaming Revenue for the Retail Platform in accordance with this Amendment) from Gross Gaming Revenue prior to DraftKings issuing any payment of Retail Gross Gaming Revenue.

3. The last sentence of the second paragraph of Exhibit A, Section V, Paragraph 9, “Marketing and CRM”, is deleted in its entirety and replaced with the following:

“The Parties further agree that Retail Promotional Payments may not exceed 40% of Gross Gaming Revenue for the Retail Platform.”

4. The fifth paragraph of Exhibit B, “Price,” is deleted in its entirety and replaced with the following:

“The Parties agree that Promotional Payments and Retail Promotional Payments made pursuant to Section V, Paragraph 9 shall not be considered part of the calculation of Gross Gaming Revenue. Furthermore, Promotional Payments (capped at 15% of Gross Gaming Revenue for the Online Platform) and Retail Promotional Payments (capped at 40% of Gross Gaming Revenue for the Retail Platform) may be deducted from Gross Gaming Revenue before the payments of 51% of Online Platform Gross Gaming Revenue and 50% of Retail Gross Gaming Revenue.”

5. The Contract, as modified by the Parties (including via this Amendment) represents the entire understanding between the Parties with respect to the matters set forth herein and supersedes prior representations, understandings, or agreements, whether written or oral, expressed or implied regarding those matters specifically set forth herein.

6. This Amendment to the existing Contract authorizes the implementation of the provisions contained herein and therefore all other terms and conditions of the Contract shall remain in full force and effect unless explicitly superseded by the terms and conditions set forth in this Amendment.

7. This Amendment shall be effective upon the approval of the Governor & Council.

NOW THEREFORE, the Parties set their hands and execute this Amendment on the dates set forth below:

NEW HAMPSHIRE LOTTERY AND
GAMING COMMISSION

CROWN NH GAMING LLC
d/b/a DRAFTKINGS

Signed by:
By: Charlie McIntyre
9E212355257B420...

Name: Charles R. McIntyre
Title: Executive Director

Date: 12/12/2025 | 2:38 PM EST

Signed by:
By: Paul Liberman
02ED17463556485...

Name: Paul Liberman
Title: President and CEO

Date: 12/15/2025 | 3:56 PM EST

OFFICE OF THE ATTORNEY GENERAL

By: Mary E. Maloney

Mary E. Maloney

Title: Assistant Attorney General

Date: December 23, 2025

Approval By Governor & Executive Council on:

Signed: _____

(Print Name)

Title: _____

State of New Hampshire

Department of State

CERTIFICATE

I, David M. Scanlan, Secretary of State of the State of New Hampshire, do hereby certify that CROWN NH GAMING LLC is a Delaware Limited Liability Company registered to transact business in New Hampshire on October 28, 2019. I further certify that all fees and documents required by the Secretary of State's office have been received and is in good standing as far as this office is concerned.

Business ID: **830061**

Certificate Number: **0007336302**



IN TESTIMONY WHEREOF,
I hereto set my hand and cause to be affixed
the Seal of the State of New Hampshire,
this 25th day of November A.D. 2025.

A handwritten signature in black ink, appearing to read "David M. Scanlan".

David M. Scanlan
Secretary of State

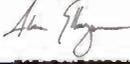


Limited Partnership or LLC Certification of Authority

I, Alan Ellingson, hereby certify that I am the Chief Financial Officer and Treasurer of Crown NH Gaming LLC a limited liability partnership under RSA 304-B or limited liability company under RSA 304-C. I certify that Paul Liberman is authorized to bind the partnership or LLC.

I further certify that it is understood that the State of New Hampshire will rely on this certificate as evidence that the person listed above currently occupies the position indicated and that they have full authority to bind the partnership or LLC.

DATED: 12/23/2025 | 10:36 AM PST

ATTEST: Signed by:

EST:04180000430...
Alan Ellingson, CFO/Treasurer



CERTIFICATE OF LIABILITY INSURANCE

DATE(MM/DD/YYYY)
11/10/2025

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Aon Risk Insurance Services West, Inc. San Francisco CA Office 425 Market Street Suite 2800 San Francisco CA 94105 USA	CONTACT NAME: PHONE (A/C. No. Ext): (866) 283-7122 FAX (A/C. No.): (800) 363-0105		
	E-MAIL ADDRESS:		
INSURED DraftKings Inc. 222 Berkeley Street Floor 5 Boston MA 02116 USA	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A: Fireman's Fund Indemnity Corp		11380
	INSURER B: Berkley National Insurance Company		38911
	INSURER C: Berkley Regional Insurance Company		29580
	INSURER D:		
	INSURER E:		

COVERAGES **CERTIFICATE NUMBER:** 570116603298 **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	Limits shown as requested	
C	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS-MADE <input type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			TCP701762615	11/07/2025	11/07/2026	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$1,000,000
							MED EXP (Any one person)	\$15,000
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$2,000,000
							PRODUCTS - COMP/OP AGG	\$2,000,000
C	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY			TCA 7017631-16 Auto Liab	11/07/2025	11/07/2026	COMBINED SINGLE LIMIT (Ea accident)	\$1,000,000
							BODILY INJURY (Per person)	
							BODILY INJURY (Per accident)	
							PROPERTY DAMAGE (Per accident)	
C	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED RETENTION			TCP701762615	11/07/2025	11/07/2026	EACH OCCURRENCE	\$5,000,000
							AGGREGATE	\$5,000,000
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR, PARTNER, EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N N	N/A	TWC7017863Q16	01/01/2025	01/01/2026	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$1,000,000
							E.L. DISEASE-EA EMPLOYEE	\$1,000,000
							E.L. DISEASE-POLICY LIMIT	\$1,000,000
A	Cyber Liability			USZ00089723 Cyber & E&O - Tech Prof. SIR applies per policy terms & conditions	11/17/2025	11/17/2026	Cyber Each Occ. Prof. Each Occ. Aggregate	\$10,000,000 \$10,000,000 \$10,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
 Crown NH Gaming is included as an Additional Named Insured. A waiver of Subrogation is granted in favor of Certificate Holder in accordance with the policy provisions of the workers Compensation - Casualty policy.

CERTIFICATE HOLDER New Hampshire Lottery Commission 14 Integra Drive Concord NH 03301 USA	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE <i>Aon Risk Insurance Services West, Inc.</i>
---	---

Holder Identifier :

570116603298

Certificate No :