

Legal Notices
State of Maine
Department of Public Safety

IN RE:

FIRST TRACKS INVESTMENTS, LLC
d/b/a ODDFELLAHS

NOTICE OF HEARING

LICENSE NO. SF039

At the below date, time, and location, the Commissioner of the State of Maine Department of Public Safety ("Commissioner") will conduct an adjudicatory hearing under the authority of 8 M.R.S. § 1205(2) to hear evidence and determine whether to uphold, modify, or overrule the decision of the Director of the Gambling Control Unit ("Director") to deny First Tracks Investments, LLC ("FTI") a facility sports wagering license. The hearing will take place:

March 6, 2025
9:00 a.m.
Champlain Conference Room
Department of Public Safety
45 Commerce Drive, Augusta, Maine 04333.

The hearing may be continued on additional dates if necessary.

GROUND FOR DENYING LICENSE

At the hearing, the Commissioner will determine whether by a preponderance of the evidence grounds exist to deny FTI's application for a facility sports wagering license, pursuant to 8 M.R.S. § 1205(2):

1. Pursuant to 8 M.R.S. §§ 1205(1)(H) for not meeting the requirements of 8 M.R.S. § 1206(2).

SUBJECT MATTER OF HEARING

The alleged facts of this matter include, but are not limited to, the following:

1. On or about August 23, 2024, FTI, d/b/a "Oddfellahs," filed an application for a facility sports wagering license with the Gambling Control Unit.
2. On or about August 31, 2024, the GCU issued FTI a temporary facility sports wagering license (no. SF039) pursuant to 8 M.R.S. § 1206(6).
3. In or around September 2024, FTI began conducting sports wagering pursuant to its temporary license at a restaurant and bar called Oddfellahs located at 55 Market Street, Portland, ME.
4. On or about January 17, 2025, following an investigation of FTI's eligibility, the Director of the Gambling Control Unit made a final determination decision denying FTI's facility sports wagering application, finding that FTI is not eligible to receive a license to conduct sports wagering at the Oddfellahs location, and served FTI with notice of the decision.
5. On or about January 21, 2025, FTI requested a hearing on the Director's decision before the Commissioner pursuant to 8 M.R.S. § 1205(2).

CONDUCT OF HEARING

This hearing will be held in accordance with the applicable provisions of the Maine Administrative Procedure Act, 5 M.R.S. §§ 9051-9064.

Commencement of Adjudicatory Proceeding. By issuing this notice the Commissioner now commences an adjudicatory proceeding under Title 5, chapter 375, subchapter 4 of Maine Revised Statutes.

Hearing Officer. The Commissioner has contracted with a Hearing Officer who will regulate the course of the hearing and assist the Commissioner in his efforts to find truth and administer justice. The Hearing Officer's duties include ruling on procedural issues prior to hearing, acting as the presiding officer at the hearing, providing legal counsel to the Commissioner throughout the hearing process, and drafting a written decision as directed by the Commissioner that contains the findings and conclusions made by the Commissioner at the hearing.

Gambling Control Unit. Pursuant to 5 M.R.S. § 9054(5), the Director and the Gambling Control Unit Staff with the assistance of an assistant attorney general will facilitate the presentation of this matter to the Commissioner by gathering and offering relevant evidence, modifying the noticed grounds for discipline and alleged facts as appropriate, examining witnesses, filing appropriate motions, and responding to FTI's motions and objections.

First Tracks Investments, LLC. Unless another party intervenes in this proceeding pursuant to 5 M.R.S. § 9054(1) or (2), FTI will be the sole party to this proceeding. FTI will have the right to be represented by an attorney. Representatives of FTI may testify before the Commissioner. FTI may call other witnesses to testify on its behalf and may cross-examine any witnesses who testify against it. FTI may present written evidence to the Commissioner and may make oral or written arguments to the Commissioner.

Intervention. Applications for intervention pursuant to 5 M.R.S. § 9054 will be accepted up to the commencement of the hearing.

Failure to appear. Failure to appear at the scheduled hearing may result in a hearing in absentia or disposition by default, and information obtained therein during the hearing may be used in subsequent legal proceedings. Any such default may be set aside for good cause shown.

Anyone with questions regarding this Notice may contact Department of Public Safety Staff Attorney Paul Cavanaugh at 207-446-6590 or paul.f.cavanaugh@maine.gov.

Dated: 2/5/2025

/s/ Paul Cavanaugh
PAUL CAVANAUGH
Staff Attorney
Department of Public Safety

Feb. 8, 15, 2025