

Man sues lottery corp. for CAD 42.9 million in dispute over slot machine

A retired Wasaga Beach man is suing the Ontario Lottery and Gaming Corp. (OLG) after one of its slot machines allegedly indicated he'd won CAD 42.9 million, which he never received because the company claimed it was an error resulting from a „machine malfunction.“

Toronto law firm McPhadden Samac Merner Tuovi filed a statement of claim against the OLG Tuesday in the amount of CAD 42.9 million, plus CAD 3 million in damages, on behalf of Paul Kusznirowicz.

According to the statement, Kusznirowicz was playing an OLG slot machine called Buccaneer at Georgian Downs in Innisfil, Ont., on Dec. 8 when it showed he had won CAD 42.9 million.

When the machine's winning lights and sounds were activated, an OLG floor attendant initially told Kusznirowicz to go to the „winners circle“ to claim his prize, according to the statement. But other OLG employees immediately arrived and told him that the corporation would not be paying, because there had been a „machine malfunction.“

They offered him a free dinner for four at the casino's buffet.

The statement of claim – which has not been proved in court – says the OLG has not provided any evidence the machine actually malfunctioned.

„OLG should pay the CAD 42.9 million if it cannot show machine malfunction. Unlike other slot machines at the casino, Buccaneer did not have a sticker on it showing the maximum

amount that could be won," Kusznirowicz said in a release.

According to the statement of claim, Kusznirowicz suffers from chest pain, anxiety, depression and insomnia stemming from his experience with the slot machine.

„OLG has photographs taken of the machine at the time," his lawyer, Bryan McPhadden, said Tuesday. „OLG should release those photographs now if it is taking this position. Had OLG provided us with these long ago, as it has had ample opportunity to do, we may not have commenced the action or continued with it.“

Meanwhile, the corporation issued a news release Tuesday responding to the filing of the statement of claim. It says the machine did, in fact, display an error message and was taken out of service.

„The single Buccaneer-themed slot machine in question is a two cent per play machine with a base game reward of CAD 300 and an absolute maximum payout of CAD 9,025," the release states.

„The CAD 42 million figure is not a possible award given this machine's configuration and pay table settings.“

This is not the first time the OLG has been the centre of negative publicity.

Last month, Ontario's ombudsman said he wants to ban retailers who sell provincial lottery tickets from playing unless the OLG can prove fraud has dropped sharply.

André Marin said that he has written to OLG and given the agency six months to provide concrete evidence of a drop in fraud. If the results aren't satisfactory, he'll recommend that lottery ticket sellers and their families be banned from the games.

Marin announced his ultimatum a day after an independent audit showed that insiders had claimed CAD 198 million – 3.4 per

cent of total winnings – in prizes over 13 years, almost double OLG's estimate of CAD 106 million.

That is an astronomical number, and shows that fraud is rampant, Marin said.