



**DAVE YOST**

OHIO ATTORNEY GENERAL

Charitable Law  
Office (614) 466-3181  
Fax (614) 466-9788

April 13, 2026

Fraternal Order of Eagles Post No. 772  
Attn: Dan Mercer, Gene Furbee  
334 Main St.  
Wellsville, Ohio 43968  
EIN # 34-0233161

Sent via certified mail to Post and Kiteworks email to Dan Mercer at: [dmercer1819@gmail.com](mailto:dmercer1819@gmail.com)  
and Gene Furbee at: [gfurbee56@gmail.com](mailto:gfurbee56@gmail.com)

Board Members of Fraternal Order of Eagles Post No. 772:

Enclosed please find a copy of the Adjudication Order of the Attorney General issued April 10, 2026. Please be advised that to appeal this order, a Notice of Appeal must be filed with this Office and with the Court of Common Pleas of Franklin County or of the county in which the place of business of the appellant is located. The appeal must be filed within fifteen (15) days of the service of this order.

Be advised that, under Ohio law, corporations must be represented by an attorney authorized to practice law in this State and that individuals not so authorized may not appear and represent those entities. If you have any questions regarding your status, you should contact an attorney for further guidance.

Your 2026 Charitable Bingo Application is hereby rejected and you cannot statutorily conduct any type of bingo after **April 28, 2026.**

Should you have any questions or concerns, please feel free to contact me at (614) 466-3181.

Very Respectfully,

**DAVE YOST**  
**OHIO ATTORNEY GENERAL**

Handwritten signature of Amy Davison in blue ink.

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AMY DAVISON (0074359)  
Senior Assistant Attorney General  
Charitable Law Section  
30 East Broad Street, 25th Floor  
Columbus, Ohio 43215  
[Amy.Davison@OhioAGO.gov](mailto:Amy.Davison@OhioAGO.gov)  
Certified Mail Receipt No. 9589 0710 5270 0568 8825 10

**CERTIFICATION**

The State of Ohio,  
County of Licking, SS

In accordance with Ohio Revised Code 119.09, I, the undersigned Senior Assistant Attorney General of the Charitable Law Section, hereby certifies that the foregoing is a true and exact reproduction of the original Order of the Ohio Attorney General entered on its journal, on the 13<sup>th</sup> day of April, 2026.



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AMY DAVISON  
Senior AAG, Charitable Law Section

Enclosure

**ADJUDICATION ORDER**  
**WELLSVILLE FRATERNAL ORDER OF EAGLES AERIE No. 772**  
**2026 TYPE III PAPER AND ELECTRONIC INSTANT**  
**BINGO APPLICATION**

**SUMMARY OF DECISION**

This matter is now before the Attorney General pursuant to R.C. 119.09 for final adjudication of the Ohio Attorney General's notice of intent reject the Wellsville Fraternal Order of Eagles Aerie No. 772's ("FOE #772") 2026 Type III paper and electronic bingo application ("Application"). Upon review of the record evidence considered in this case, the Attorney General hereby **rejects** the Application.

**BACKGROUND**

On February 11, 2026 the Ohio Attorney General's Office ("AGO") issued a written notice to FOE #772 of its intent to reject FOE #772's 2026 Type III paper and electronic bingo license application. The Notice laid out the reasons for the proposed rejection and informed FOE #772 that it could request a hearing on the matter. The Notice was mailed to the address provided by FOE #772 on its Application and was signed for on February 14, 2026. FOE #772 did not request a hearing on the intended rejection. Thus, the facts upon which the rejection was based are undisputed. See, Attachment A, Affidavit of Elizabeth Heider.

Those facts are as follows: FOE #772 submitted its renewal application to obtain a Type III paper and electronic bingo license on December 16, 2025. AGO Charitable License and Endorsement Coordinator Elizabeth Heider attempted to verify the information provided on the Application, including but not limited to FOE #772's representation that it was a 501(c)(8) federally tax-exempt organization. Upon contacting the Internal Revenue Service, Ms. Heider was informed that FOE #772's tax exempt status had been revoked on or about August 15, 2025 and it was no longer a 501(c)(8) organization. Further, a review of the AGO's Charitable records revealed that FOE #772 had previously failed to timely file its 2024 registration documents or pay the required penalty associated with the late filing. It is therefore not in compliance with the AGO's registration requirements.

**DECISION**

The AGO is authorized to issue a bingo license to an entity that meets the definition of a "charitable organization" as set forth in R.C. 2915.01(H). There, a "charitable organization" is "defined to include only those organizations that are "exempt from federal income taxation" under the Internal Revenue Code. R.C. 2915.01(H). To qualify as a "charitable organization" that is eligible to receive a bingo license, an organization must have been in continuous existence as such in this state for a period of two years immediately preceding the making of an application. R.C. 2915.01(H). It is undisputed that when FOE #772 filed its Application on December 3, 2025, its 501(c)(8) status had been revoked, and it did not meet the definition of "charitable organization". It is therefore ineligible to receive a bingo license from the AGO.

The AGO may also deny a license if an organization "makes or has made an incorrect or false statement that is material to the granting of the license in an application filed under this [2915.08]." R.C. 2915.08(F)(2)(b). In its Application, FOE #772 represented to the AGO that it was a 501(c)(8) tax-exempt organization. It was not.

Finally, Ohio Administrative Code Section 101:1-4-01(A) requires charitable organizations that conduct bingo to submit information showing compliance with R.C. 1716. Further, O.A.C. 109:1-4-02(B) places the burden upon an applicant to demonstrate to the AGO that it is eligible, qualified, and suitable to be granted and retain a bingo license under the standards of 2915 and OAC 109:1. Not only is FOE #772 *not* a charitable organization eligible to receive a license, but it has also failed to comply with its registration requirements when it was. Specifically, R.C. 1716.02 requires a bingo operator is required to timely file an annual registration statement and report and pay a registration fee. It is undisputed that FOE #772 failed to timely file its 2024 registration documents and is not in compliance with the AGO's registration requirements.

Based on the foregoing, FOE #772 is not a charitable organization that is eligible to receive a Type III paper and electronic bingo license and has not demonstrated that it is suitable to be granted or retain such a license. FOE #772's 2026 Type III paper and electronic bingo license is hereby **rejected**.

### ADJUDICATION

**IT IS ORDERED, ADJUDGED AND DECREED THAT THE 2026 PAPER AND ELECTRONIC INSTANT BINGO LICENSE APPLICATION FILED BY WELLSVILLE FRATERNAL ORDER OF EAGLES AERIE NO. 772, INC. IS HEREBY REJECTED.**

Any appeal from this Adjudication must be pursued by filing a Notice of Appeal (a copy or the original) with the Ohio Attorney General's Office, Charitable Law Section, 30 East Broad Street, 25th Floor, Columbus, Ohio, 43215.

The appeal must set forth the order appealed from and state that the Order is not supported by reliable, probative and substantial evidence and is not accordance with law. A copy or the original of such Notice of Appeal shall also be filed by the appellant with the Court of Common Pleas of the county in which the place of business of the appellant is located. Such Notice of Appeal shall be filed within fifteen (15) days after the mailing of the notice of the Ohio Attorney General's Order as provided in Section 119.12 of the Ohio Revised Code.

By Order of the Ohio Attorney General DAVE YOST

  
\_\_\_\_\_  
Chief Counsel

4.10.26  
\_\_\_\_\_  
Date

Appendix - Delegation Letter



**DAVE YOST**  
OHIO ATTORNEY  
GENERAL

Office 614-728-5458

February 24, 2023

Re: Authorized Designee for Charitable Bingo and Distributor Adjudications

Chief Counsel and Ethics Officer, Bridget C. Coontz will serve as the designee of Ohio Attorney General Dave Yost for Charitable Bingo and Distributor Adjudications issued pursuant to Ohio Revised Code Chapters 2915 and 119, revoking the prior designation of Deputy Attorney General, Jonathan Fulkerson.

The Charitable Law Section will transmit the record of proceedings to Chief Counsel and Ethics Officer, Bridget C. Coontz with ten (10) days of the deadline to file objections to the hearing officer's report and recommendation pursuant to ORC 119.09.

Upon receipt of an adjudication order, the Charitable Law Section will enter the order in its journal and serve a copy to the party affected in accordance with ORC 119.09.

This designation shall remain in effect for the duration of her employment or until revoked under my signature.

DAVE YOST  
Ohio Attorney General

A handwritten signature in cursive script that reads "Dave Yost", written over a horizontal line.

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30 East Broad Street, 17<sup>th</sup> Floor | Columbus, Ohio | 43215

[www.OhioAttorneyGeneral.gov](http://www.OhioAttorneyGeneral.gov)