



DAVE YOST

OHIO ATTORNEY GENERAL

Charitable Law Section
Office 614-466-3181
Fax 614-466-9788

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT is made by and between the Fraternal Order of Eagles Post No. 316 (“Eagles #316”), located at 1884 Ellsworth Ave., Salem, Ohio 44460 and the Attorney General of Ohio (“Attorney General”), for the purpose of resolving issues regarding Eagles #316’s charitable bingo operations. Together, the Attorney General and Eagles #316 are referred to hereinafter as “the parties.”

1. The Attorney General is responsible for the administration and enforcement of Ohio Revised Code Section 2915 (“ORC 2915 *et seq.*”), and the Ohio Administrative Code rules adopted thereunder, which regulate the conduct of charitable bingo in the State of Ohio.
2. The Attorney General is responsible for the enforcement of Ohio Revised Code Section 1716 (“ORC 1716 *et seq.*”), and the Ohio Administrative Code rules adopted thereunder, which requires, among other things, that every charitable organization, unless exempt, who intends to solicit contributions in this state by any means or have contributions solicited in this state on its behalf by any person or entity, prior to engaging in any solicitation, shall file a registration statement and other documentation with the Attorney General.
3. The Attorney General is responsible for the enforcement of Ohio Revised Code Section 109 (“ORC 109.23-33”), and the Ohio Administrative Code rules adopted thereunder, and, in particular, ORC 109.24, which reads, “[t]he Attorney General shall institute and prosecute a proper action to enforce the performance of any charitable trust and to restrain the abuse of it”.
4. The Attorney General has authority to refuse to grant a bingo license to an organization, may revoke or suspend the organization’s license, or may place limits, restrictions, or probationary conditions on the organization's license for a limited or indefinite period.
5. Eagles #316 is a 501(c)(8) tax exempt organization with the Internal Revenue Service (“IRS”). Eagles #316 is registered with the Attorney General as required under ORC Sections 1716 and 109.
6. During all relevant times Eagles #316 has held a Type III paper and electronic instant bingo license or a temporary permit # 0192-32. However, since January 1, 2026, Eagles #316 has not had a license to conduct any form of bingo.

7. The Attorney General conducted annual financial inspections of Eagles #316 for the bingo fiscal years 2024-2025.
8. During the bingo fiscal year 2024 Eagles #316 had charitable distribution arrearages in the amount of \$61,012.36 and gross profit deposit shortages totaling \$346,739.
9. During the bingo fiscal year 2025 Eagles #316 had charitable distribution arrearages in the amount of \$45,517.55 and gross profit deposit shortages totaling \$175,090.
10. From January 1, 2026 until January 12, 2026 Eagles #316 conducted unlicensed Type III bingo. The organization reported they misunderstood and believed their 2025 license was still valid until there was a resolution to the Notice of Intent filed in December 2025.
11. Eagles #316 failed to submit complete and timely Quarterly Reports for 2025.
12. Eagles #316 failed to respond and cooperate with the requests of the Attorney General's Office throughout the majority of 2025. However, starting November 2025 new administrators were appointed who have maintained consistent contact with the Attorney General's Office.
13. Since November 2025, Eagles #316 has filed several police reports alleging theft at their organization that contributed to the charitable arrearages and deposit shortages.

NOW THEREFORE, in consideration of the mutual promises herein expressed, and with intent to be legally bound, the parties agree as follows:

- A. Eagles #316 shall pay a total of **\$106,529.91** in 24 monthly installments starting **April 1, 2026**. The first twenty-three monthly payments will be in equal amounts of **\$4,500** each, and the final payment of **\$3,029.91** will be due on March 1, 2028. All payments shall be made from Eagles #316's general operating fund. Each payment shall be made by check payable to the Ohio State Eagles Charity Fund, Inc., and mailed to:

**Ohio State Eagles Charity Fund, Inc.
1170 Richfield Center
Beavercreek, Ohio 45430**

Eagles #316 must write in the "memo" line of the check if it should be credited toward the 2024 or 2025 distribution arrearages. If this notation is not made and the funds are applied to satisfy the current annual distributions, it could result in a violation of this agreement.

A copy of this executed agreement will be sent to State of Ohio Eagles Charity Fund, Inc.;

- B. Eagles #316 shall pay a Civil Penalty Amount. Upon execution of this SETTLEMENT AGREEMENT, the Civil Penalty Amount shall be in the amount of **\$5000**. The Attorney

General agrees to STAY **\$2,500** of the Civil Penalty Amount upon monthly compliance of the terms of this SETTLEMENT AGREEMENT. The Attorney General has sole authority to determine whether Eagles #316 has fully complied with this SETTLEMENT AGREEMENT. Should the Attorney General determine that Eagles #316 has failed to comply with this SETTLEMENT AGREEMENT, the remaining **\$2,500** Civil Penalty Amount shall be payable upon demand;

- C. Eagles #316 agrees that the **\$2,500** Civil Penalty amount shall come exclusively from their general operating account by check, cashier's check, money order, or wire transfer (for wire transfer please contact CharitableFundsAccounting@OhioAGO.gov), payable to "**Treasurer of the State of Ohio**" as Custodian for the Ohio Attorney General and mailed to:

Ohio Attorney General
Charitable Law Section
30 East Broad Street, 25th Floor
Columbus, Ohio 43215
RE: Fraternal Order of Eagles Post No. 316

Civil Penalty amounts shall be deposited in accordance with R.C. 109.112 into the AGO Court Order and Settlement Fund for transfer, upon the Attorney General's request, to the Charitable Law Fund established under R.C. 109.32;

- D. Upon execution of this Agreement and payment of the \$2,500 civil penalty, the Attorney General shall issue Eagles #316 a 2026 Type III paper and electronic instant bingo license within five (5) business days;
- E. Eagles #316 agrees that if it fails to comply with any requirements in Paragraphs A through G above, Eagles #316 shall pay **\$2,500** which is the stayed amount of the civil penalty in paragraph B above;
- F. If Eagles #316 fails to comply with the payment requirements above, the Attorney General shall certify the unpaid balance of the payment to the Ohio Attorney General's Collections Enforcement Section ("Collections") for collection. In the event of certification, Eagles #316 agrees to pay additional collection costs assessed by Collections in accordance with Ohio Revised Code Section 131.02(A) equal to the amounts charged pursuant to Ohio Revised Code Sections 109.08 and 109.081 for the cost of certification and the use of Special Counsel for the collection of the debt. Interest shall also be charged upon certification in accordance with Ohio Revised Code Section 131.02(D). Nothing in this paragraph should be construed to limit the Attorney General's discretion to pursue any other available remedy;
- G. Eagles #316 agrees that while it is paying off the distribution shortages noted in paragraph A, it will continue to make all current bingo fiscal year charitable distributions required under Ohio law pursuant to its charitable contract(s);

- H. Eagles #316 agrees to timely submit quarterly reports by uploading all requested information to the Charitable Account Management Portal located at: <https://charitableportal.ohioago.gov>;
- I. Eagles #316 shall submit updated internal controls specific to their organization within thirty (30) days of this executed agreement. Additionally, each person listed on the 2026 bingo application and future applications shall sign a document affirming they have reviewed those internal controls. The original document will be kept at Eagles #316 and a copy will be uploaded through their Ohio Attorney General Portal;
- J. Eagles #316 agrees that if it fails to comply with requirements in Paragraph A through G above, it will surrender its Charitable Bingo License and/or Charitable Bingo Temporary License to the Attorney General as well as request, in writing, the withdrawal of any Charitable Bingo License Applications it has pending or refrain from initiating an application for the next two license years;
- K. Eagles #316 agrees that all individuals listed on the “People” section of the 2026 bingo application shall complete the Attorney General’s Bingo School and Charitable University by July 1, 2026. This mandate includes all Bingo Records Custodians, Bingo Volunteers, and Instant Bingo Game Operators. To attend Bingo School, you must first register at: <https://charitable.ohioago.gov/Charitable-Bingo/Register-for-Bingo-Training>. Charitable University is a webinar offered at: <https://charitable.ohioago.gov/Charitable-University>;
- L. Eagles #316 agrees that fulfilling the terms of this SETTLEMENT AGREEMENT in no way negates its current contractual obligations to its contracted charity or its successor(s). Current charitable distributions starting January 1, 2026 shall be made from the respective instant bingo checking accounts pursuant to Ohio law and be labeled in the memo line “2026 Quarter 1(example) charitable distribution”;
- M. Eagles #316 agrees to comply with all state and federal laws relating to charitable gaming, and to fully cooperate with all state and federal authorities conducting investigations of Eagles #316’s charitable gaming operations;
- N. Eagles #316 agrees to comply with the requirements of ORC 2915 *et seq.*, and any Ohio Administrative Code rules adopted thereunder;
- O. Eagles #316 agrees to comply with the requirements of ORC 1716 *et seq.* (the Ohio Charitable Organizations Act), and any Ohio Administrative Code rules adopted thereunder;
- P. Eagles #316 agrees to comply with the requirements of ORC 109.23-109.33 (the Charitable Trust Act), and any Ohio Administrative Code rules adopted thereunder;

- Q. The Attorney General may consider the facts stated above when issuing future charitable bingo licenses to Eagles #316;
- R. Eagles #316 agrees that any evidence of a violation of this SETTLEMENT AGREEMENT shall be *prima facie* evidence of Eagles #316's violation of the applicable laws related to charitable gaming, ORC 2915 *et seq.*, ORC 1716 *et seq.*, ORC 109.23-109.33, or any Ohio Administrative Code rules adopted thereunder, in any subsequent action or proceeding brought by the Attorney General;
- S. This SETTLEMENT AGREEMENT is binding upon the parties, any and all successors, assigns, subsidiaries, agents, employees, or representatives of the parties or any other affiliates. Any breach of this SETTLEMENT AGREEMENT by Eagles #316 will discharge the Attorney General from any obligations under the terms of this SETTLEMENT AGREEMENT, but will not discharge Eagles #316 from any obligation it has under this SETTLEMENT AGREEMENT;
- T. By signing this SETTLEMENT AGREEMENT, the Attorney General is not waiving any rights he has to conduct further investigations of Eagles #316 and to initiate an action against Eagles #316 for further violations of ORC 2915 *et seq.*, ORC 1716 *et seq.*, ORC 109.23-33, or any Ohio Administrative Code rules adopted thereunder;
- U. This SETTLEMENT AGREEMENT may be modified in writing by the parties. Modifications are at the sole discretion of the Attorney General;
- V. The parties have read and understand this SETTLEMENT AGREEMENT and have entered into the same knowingly, voluntarily, and with the opportunity to gain advice of counsel;
- W. This SETTLEMENT AGREEMENT supersedes any and all prior agreements between the Parties; and
- X. This SETTLEMENT AGREEMENT is entered into by both parties and may be executed in counterparts or facsimiles, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. It shall be considered binding and effective upon the date of the last signature of all requisite parties and individuals.

The parties to this SETTLEMENT AGREEMENT have either executed it or caused it to be executed by their duly authorized representatives as evidenced by the signatures below:

Fraternal Order of Eagles, Post No. 316


Signature

2-22-2026
Date

By: ALBERT F. SHULTE (JAMIC) (Print Name)

PRESIDENT (Organizational Title)

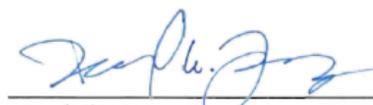

Signature

Feb 22, 26
Date

By: Wanda Bender (Print Name)

SECRETARY (Organizational Title)

OHIO ATTORNEY GENERAL DAVE YOST

By: 
Daniel W. Fausey
Section Chief, Charitable Law Section

03/02/26
Date