



DAVE YOST

OHIO ATTORNEY GENERAL

Charitable Law Section
Office 614-466-3181
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SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT is made by and between Loyal Order of Moose Lodge #1645 ("LOOM 1645"), located at 2110 E. Central Avenue Miamisburg, OH 45342, and the Attorney General of Ohio ("Attorney General"), for the purpose of resolving issues regarding LOOM #1645's charitable bingo operations. Together, the Attorney General and LOOM #1645 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 charitable 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. LOOM #1645 is a 501(c)(8) tax exempt organization with the Internal Revenue Service ("IRS"). LOOM #1645 is registered with the Attorney General as required under ORC Sections 1716 and 109;
6. LOOM #1645 was first issued bingo license no. 0178-38 in 2003;
7. In February 2024, Loyal Order of Moose Territory Manager Bill Rader requested investigative assistance from the Ohio Attorney General's Office Charitable Law Section concerning LOOM #1645 and the Miamisburg Moose 1645 Benevolent Fund ("the Benevolent Fund"). Rader relayed that LOOM #1645 had contracted with Benevolent Fund for bingo years 2020-2023 and that the Benevolent Fund disbursed funds back to LOOM

SETTLEMENT AGREEMENT
LOOM #1645

- #1645, individual officers and members of LOOM #1645, to retail establishments, building upkeep and maintenance costs, and other miscellaneous non-charitable expenses.
8. The Benevolent Fund had been the contracted charity for LOOM #1645 continuously since 2019 and therefore was contractually entitled to receive the charitable portion of LOOM #1645's bingo revenue.
 9. Rader self-reported this issue to the Office on or about March 2023 on behalf of the Loyal Order of Moose.
 10. The Office conducted an independent investigation, focusing on the years 2019 through 2025 ("the Investigation").
 11. Miamisburg Moose 1645 Benevolent Fund was first registered as a "trade name" in March 2019 and then incorporated in May 2019 by William Dean, Joanna White, and Jim McCord. The Benevolent Fund's corporate charter was cancelled by the Ohio Secretary of State in May 2024.
 12. William Dean and James McCord were also listed as "past governor" and "administrator" of LOOM #1645 on the organization's 2019 Annual Report, as filed with the Attorney General.
 13. The investigation revealed that Benevolent Fund repeatedly disbursed charitable funds, obtained from bingo back to LOOM #1645 and paid for non-charitable expenses, including building improvements, equipment, and other costs. From July 2019 to September 2024, our investigation identified a total of \$183,397.55 in Benevolent Fund disbursements as questionable.
 14. Upon review, LOOM #1645 produced records confirming that these expenses were improper or else LOOM #1645 lacked records of these expenses entirely.
 15. During bingo reporting periods of 2019, to 2025 LOOM #1645 had electronic bingo deposit shortages of \$132,472.74 and paper instant bingo deposit shortages of \$119,303.33. LOOM #1645 repeatedly failed to comply with the statutory four-day deposit rule under Ohio Administrative Code 109:1-5-21.
 16. Former Administrator Kenneth Jewell misused lodge credit cards, destroyed financial records, and made unauthorized payments. He pled guilty on November 7, 2025, to aggravated theft, grand theft, and multiple counts of credit card misuse and was sentenced to five years of probation.
 17. Prior to February 2023, LOOM 1645 lacked adequate internal financial controls. Issues included: No segregation of duties. Improper cash payments and loans to employees, \$60,000 in cash stored in an unsecured filing cabinet, and missing or destroyed bingo tracking records

SETTLEMENT AGREEMENT
LOOM #1645

18. The Office regards the foregoing conduct as a breach of fiduciary duties under ORC 109.23 and 1716.15. The Office further regards the foregoing conduct as violating ORC 2915.101, ORC 2915.13, ORC 2915.14, and Ohio Administrative Code (OAC) 109:1-5-21.

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

- A. LOOM #1645 will pay \$183,397.55 to the Attorney General's Office as restitution to 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 Distributions Fund for distribution for charitable purposes at the sole discretion of the Attorney General;
- B. LOOM #1645 will pay \$5,000 to the Attorney General's Office as civil penalties to 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;
- C. LOOM #1645 agrees that Kenneth Jewell, James McCord, and Shawana Dean will never hold a fiduciary position with LOOM 1645 again;
- D. LOOM #1645 agrees to immediately request that the Benevolent Fund dissolve, file a final annual report with the Attorney General's Office, and transfer any remaining assets of the Benevolent Fund to a qualified 501(c)(3) charity with similar purposes.
- E. LOOM #1645 agrees to develop and adopt written internal control policies for bingo operations, cash handling, and record retention
- F. All current Board Members are required to complete the Office's Charitable University within 90 days of execution of the AOD, and provide evidence of completion to the Office;
- G. All current Board Members are required to attend the Office's Bingo School within 90 days of execution of the AOD, and provide evidence of completion to the Office;
- H. LOOM #1645 and all Board Members would agree to cooperate with any future investigation related to LOOM 1645 or persons and entities involved with LOOM 1645, conducted by the Office;
- I. If LOOM #1645 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, LOOM #1645 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;

SETTLEMENT AGREEMENT
LOOM #1645

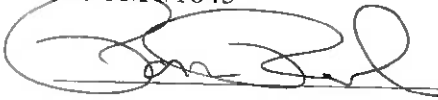
- J. LOOM #1645 agrees to comply with all state and federal laws relating to charitable gaming, and to fully cooperate with all state and federal authorities conducting investigations of LOOM #1645's charitable gaming operations;
- K. LOOM #1645 agrees to comply with the requirements of ORC 2915 *et seq.*, and any Ohio Administrative Code rules adopted thereunder;
- L. LOOM #1645 agrees to comply with the requirements of ORC 1716 *et seq.* (the Ohio Charitable Organizations Act), and any Ohio Administrative Code rules adopted thereunder;
- M. LOOM #1645 agrees to comply with the requirements of ORC 109.23-109.33 (the Charitable Trust Act), and any Ohio Administrative Code rules adopted thereunder;
- N. The Attorney General will issue LOOM #1645 its Bingo License for 2026 and will not consider the facts giving rise to this SETTLEMENT AGREEMENT when issuing charitable bingo licenses to LOOM #1645 in the future unless LOOM #1645 fails to comply with any provision of this SETTLEMENT AGREEMENT. In that event, the Attorney General may consider the facts giving rise to this SETTLEMENT AGREEMENT when determining whether to issue or deny future bingo licenses to LOOM #1645 and may move to revoke, suspend, deny, place limitations or probationary terms on LOOM #1645's Charitable Bingo License or application based on those facts;
- O. LOOM #1645 agrees that any evidence of a violation of this SETTLEMENT AGREEMENT shall be *prima facie* evidence of LOOM #1645'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;
- P. 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 LOOM #1645 will discharge the Attorney General from any obligations under the terms of this SETTLEMENT AGREEMENT, but will not discharge LOOM #1645 from any obligation it has under this SETTLEMENT AGREEMENT;
- Q. By signing this SETTLEMENT AGREEMENT, the Attorney General is not waiving any rights he has to conduct further investigations of LOOM #1645 and to initiate an action against LOOM #1645 for further violations of ORC 2915 *et seq.*, ORC 1716 *et seq.*, ORC 109.23-33, or any Ohio Administrative Code rules adopted thereunder;
- R. This SETTLEMENT AGREEMENT may be modified in writing by the parties. Modifications are at the sole discretion of the Attorney General;
- S. 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;

SETTLEMENT AGREEMENT
LOOM #1645

- T. This SETTLEMENT AGREEMENT supersedes any and all prior agreements between the Parties;
- U. This SETTLEMENT AGREEMENT is a limit, restriction, or probationary condition on LOOM #1645's charitable bingo license; and
- V. 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:

LOOM #1645



Date

6-15-26

By: Pam Rich (Print Name)

Its: Administrator (Organizational Title)

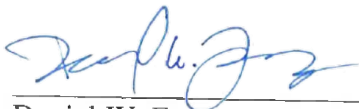
Date

By: _____ (Print Name)

Its: _____ (Organizational Title)

OHIO ATTORNEY GENERAL DAVE YOST

By:



Daniel W. Fausey
Section Chief, Charitable Law Section

06/16/26

Date