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## Federal court issues summary judgement in favor of Churchill in Michigan case

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A federal judge has issued a summary judgment in favor of Churchill Downs Inc. in a case that pitted the company's account-wagering operation against Michigan gambling regulators.

The judge, Hala Y. Jarbou, who had initially issued a preliminary injunction in the case allowing Churchill's ADW, Twinspires.com, to continue to operate in the state, cited a recent U.S. Sixth Circuit Court ruling that said Churchill was likely to prevail on the merits of its arguments.

"[Churchill] is entitled to a permanent injunction because it can establish that it suffered a constitutional violation and will suffer continuing irreparable injury for which there is no adequate remedy of law," wrote Jarbou, who sits on the U.S. District Court for the Western District of Michigan.

The case arose after the Michigan Gaming Control Board told all ADWs operating in the state late in 2024 that their licenses would not be renewed for 2025 because the only racetrack in the state had not been issued a racing license. Under Michigan's regulations, ADWs were required to have an agreement with a licensed racetrack in order to take wagers from state residents.

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TwinSpires refused to comply with the order, and the gambling board sought legal remedy to stop the company from taking bets. But a succession of rulings have sided with Churchill Downs in the case.

The Sixth Circuit ruling in December said that Michigan's regulation tying an ADW license to a live racetrack license "interferes" with the federal Interstate Horseracing Act by "bolting on an additional consent for wager acceptances" beyond those required by the IHA. That aspect of the ruling has become the dominant legal principle at stake in a case in which Churchill appeared to be arguing that Michigan and other states had limited power to regulate account-wagering within their borders.

"Michigan can't condition the legality of interstate wagers on state requirements that add to the IHA's consent scheme," the Sixth Circuit wrote. "A license requirement for third-party facilitators doesn't regulate 'forms of gambling'... It regulates how off-track betting platforms accept interstate wagers. So Michigan's requirement is more like a plug-and-play supplement to the federal scheme than an earnest effort to regulate its residents' conduct."

Jarbou cited the Sixth Circuit ruling extensively in arguing that Michigan's attempts to revoke TwinSpires's license were regulatory over-reach.

"Here there are no relevant disputed facts, so the resolution of the motions for summary judgment is dictated by the Sixth Circuit's legal reasoning," Jarbou wrote.

Since the dispute arose, Northville Downs, a harness track, received a racing license from the gambling board, and ADWs have returned to the state.

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