

IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

DILVAR TAYIP
Petitioner

V

Docket No. 25-1399-III

THE TENNESSEE SPORTS WAGERING COUNCIL
Respondents.

**SECOND AMENDED PETITION FOR JUDICIAL REVIEW
OF DECISION OF THE SPORTS WAGERING COUNCIL**

Appears now, the Petitioner, Dilvar Tayip, and petitions this honorable court for a review of a recent decision by the Tennessee Sports Wagering Council. In support of this second amended petition, the petitioner states as follows:

PARTIES

1. The petitioner is Dilvar Tayip and Mr. Tayip resides in Nashville, Tennessee at 316 Gaywood Drive, Nashville, Tennessee 37211.

2. The respondent, Tennessee Sports Wagering Council is a Tennessee State Agency that is responsible for regulating online sports wagering and fantasy sports within the state of Tennessee. The Tennessee Sports Wagering Council may be served with service of process at 312 Rosa Parks Avenue, 8th Floor, Nashville, Tennessee 37243. The Tennessee Attorney General may served with service of process at P.O. Box 20207, Nashville, Tennessee 37202.

JURISDICTION AND VENUE

3. Appeal to this honorable court from the Tennessee Sports Wagering Council is proper pursuant to Tennessee Code Annotated § 4-5-322 *et seq*, and pursuant to the Tennessee Uniform Administrative Procedures Act (TUAPA), and also pursuant to the Sports Wagering Council's own rules. Tennessee Code Annotated § 4-51-301 *et seq*. (Sports Gaming Act) – Governs sports wagering and establishes the Council's authority. Tennessee Code Annotated § 4-51-319 – Requires operators to implement and enforce self-exclusion programs. Tennessee Code Annotated § 4-5-322 (TUAPA) – Allows for judicial review of contested agency decisions, including the Council's rulings, and Tennessee Administrative Code Chapter 1350-01 – Establishes operator responsibilities, including adherence to self-exclusion policies.

4. The Chancery Court may reverse or modify the Sports Wagering Council's decisions if the Chancery Court finds that the decision prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: In violation of constitutional or statutory provision; In excess of the agency's statutory authority; Made using an unlawful procedure; Arbitrary, capricious, or characterized by an abuse of discretion.

BACKGROUND

This matter was previously filed as a petition vs Bet MGM LLC and as an Appeal of a decision rendered by the State of Tennessee Sports Wagering Council. Then, pursuant to an order to bifurcate, the action against Bet MGM LLC was divided into a separate cause of action. The facts of this matter are as follows:

5. Petitioner has engaged extensively in sports wagering since the process was legalized.

6. Petitioner has experienced much financial success in the past in his ventures in sports wagering.

7. Despite significant past financial success, the Petitioner decided at some point in 2021 that he would stop wagering on any matters whatsoever for a period of five years.

8. Petitioner placed himself on the Tennessee Voluntary Sports Wagering Self Exclusion List on or about June 16, 2021. Petitioner self-excluded until June 16, 2026. Tennessee's self-exclusion list allows individuals affected by problem gambling to voluntarily ban themselves from casinos, internet-based gambling, video gaming terminals, and fantasy sports wagering. They can choose the length of their ban from multiple options.

9. Petitioner also, on June 16, 2021, self-excluded from Bet MGM's own website, as a separate and apart act from his state of Tennessee self-exclusion. That self-exclusion should not have been lifted, under any circumstances, until June 16, 2026.

10. BetMGM's responsible gaming policy clearly states: "Self-exclusion is irrevocable and binding for the entire selected duration. Once a customer selects a self-exclusion period, it cannot be reversed or shortened under any circumstances. Removal from a state list does not alter or override the operator's separate exclusion obligations."

11. Even if Petitioner were removed from the State of Tennessee's self-excluded gamblers list early, as was the case in May of 2023, the BetMGM Self-Exclusion should have remained in effect until 2026.

12. According to BetMGM's own policy: If an individual on their self-exclusion list somehow places a wager, the wager will be canceled and the funds returned to the gambler.

13. Petitioner placed wagers with BetMGM starting in May 2023 until approximately June 2025, with wins and losses totaling nearly \$300,000.00. See attached, as *Exhibit A*, some samples of wagers placed during the pendency of the self-exclusion agreement. Bank statement proof of deposits made by the self-excluded petitioner to BetMGM LLC during the period of self exclusion can also be produced, under seal, if the court would like to review that information. Petitioner presented all of this information verbally to the Tennessee Sports Wagering Council but he was not represented by counsel during those proceedings.

14. Pursuant to BetMGM's own policy, Petitioner should not have been able to place any wager during his self-exclusion term, *even if* the state of Tennessee ended his self-exclusion early.

15. By allowing the Petitioner to wager prior to the petitioner's self-exclusion term ending, which would not have occurred until June 2026, BetMGM preyed on the petitioner, and, essentially, removed petitioner from his incubation of treatment too early, in violation of their own policies and to the great financial detriment of the petitioner.

16. The state of Pennsylvania encountered several similar instances of misconduct by BetMGM in January 2025, and the Pennsylvania Gaming Control Board (PGCB) fined BetMGM \$261,000 as a result of the violation in addition to requiring that BetMGM return the amounts wagered to the self-excluded gamblers.

17. In Tennessee, the Sports Wagering Council has the authority to fine, suspend, or revoke the license of any company that accepts wagers from self-excluded individuals. The

Sports Wagering Council requires licensed sports books to have internal systems to enforce self-excluded status of state citizens. See the Tennessee Sports Gaming Act, codified at Tennessee Code Annotated § 4-51-301 *et seq.*

18. The Tennessee Sports Wagering Council provided notice to petitioner, Dilvar Tayip, via a letter sent through Certified Mail and dated September 5, 2025, see attached as *Exhibit B*, that appeal of his player dispute, pursuant to Sports Wagering Council Rule 1350-02-.09(3) was denied.

19. Petitioner is seeking this appeal pursuant to Tennessee Sports Wagering Council Rule 1350-02-.10(4).

CAUSES OF ACTION FOR THE TENNESSEE SPORTS WAGERING COUNCIL

20. The Chancery Court may reverse or modify the Sports Wagering Council's decisions if the Chancery Court finds that the decision of the Sports Wagering Council prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: In violation of constitutional or statutory provision; In excess of the agency's statutory authority; Made using an unlawful procedure; Arbitrary, capricious, or characterized by an abuse of discretion.

21. The respondent Bet MGM LLC is violating the Tennessee Sports Gaming Act by illegally and unethically accepting wagers from a self-excluded Tennessee citizen.

22. In failing to bring about consequences to the powerful foreign corporations, such as the respondent Bet MGM LLC, that prey on vulnerable Tennessee citizens, the Sports Wagering Council is essentially issuing arbitrary and capricious rulings that violate the due process rights of the petitioner.

23. The facts of this matter support the finding that the Sports Wagering Council prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: In violation of constitutional and statutory provisions.

24. The facts of this matter support the finding that the Sports Wagering Council prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: In excess of the agency's statutory authority.

25. The facts of this matter support the finding that the Sports Wagering Council prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: Made using an unlawful procedure.

26. The facts of this matter support the finding that the Sports Wagering Council prejudiced the petitioner's rights because the administrative findings, inferences, conclusions, or decisions were: Arbitrary, capricious, or characterized by an abuse of discretion.

27. The Sports Wagering Council essentially allowed BetMGM LLC to take the petitioner's personal property without consequence, thereby allowing conversion of said property to occur.

28. The Sports Wagering Council essentially allowed BetMGM LLC to breach a contract with the petitioner without facing any consequences whatsoever, and without leaving the petitioner any other way to assert his rights against the powerful, foreign corporation except through the mechanisms and civil procedures provided for by the Sports Wagering Council Rules.

PRAYERS FOR RELIEF

As a result of violations of the causes of action listed above, the petitioner respectfully requests that the previous decisions of the Tennessee Sports Wagering Council be reversed.

Petitioner respectfully requests an award of any and all other relief that he is entitled to under the law that is supported by the facts even if not specifically pled or requested herein.

Respectfully submitted,
LAW OFFICE OF RACHEL ZAMATA, LLC

/s/ Rachel Zamata Odom Swanson
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CERTIFICATE OF SERVICE

I hereby certify that, upon the filing of this document on April 2 2026, a true and correct copy of the foregoing has been sent via email to:

Tennessee Attorney General's Office
Tyler Sanders
P.O. Box 20207
Nashville, Tennessee 37202-0207
tyler.Sanders@ag.tn.gov

And

Kevin Baltz, Esq.
BAKER DONELSON
1600 West End Avenue, Suite 2000, Nashville, Tennessee 37203

kbaltz@bakerdonelson.com

Counsel for Bet MGM LLC

/s/ Rachel Zamata Odom Swanson
Rachel Zamata Odom Swanson, Esq.

EXHIBIT A

My Bets

Close

Live 1

Open 1

Settled

Parlay • 3 Legs | [Edit Bet](#) +645

Kentucky -2.5 | Alabama -8.5 | Boston Celtics -11.5

[Hide legs](#) ^

Kentucky -2.5 -110

Spread

Result: Kentucky -2.5

Kentucky won by **9**

Illinois @ Kentucky • 75 - 84 Finished

Alabama -8.5 +100

Spread

Alabama ahead by **9**

• Saint Mary's CA @ Alabama • 63 - 72 2H < 03:45

Boston Celtics -11.5 -105

Spread

Celtics ahead by **13**

• Celtics @ Trail Blazers • 129 - 116 Q4 < 01:15

Stake: **\$1,000.00**

Potential payout: **\$7,454.55**

Cash Out \$2,574.25

[Auto cash out](#)

TN • 3/23/25 • 5:36 PM

Betslip ID: 200K2CBZFB



My Bets

Close

Live 3

Open 3

Settled

Panathinaikos Athens (GRE) -16.5 | [Edit Bet](#) -125

Spread

Panathinaikos Athens (GRE)	29	18	11	-	-
Anadolu Efes (TUR)	11	10	1	-	-

● LIVE Q2 < 07:15

Stake: **\$1,454.00**

Potential payout: **\$2,617.20**

Cash Out \$1,317.74

[Auto cash out](#)

TN • 5/6/25 • 2:16 PM

Betslip ID: 202J70KZG2



Science City Jena -32.5 | [Edit Bet](#) -145

Spread

Science City Jena	100	26	32	27	15
VfL Bochum	77	20	18	14	25

● LIVE Q4 < 00:15

Stake: **\$750.00**

Potential payout: **\$1,267.24**

Cash Out Unavailable

[Auto cash out](#)

TN • 5/6/25 • 1:57 PM

Betslip ID: 202J6DHKYD



Parlay • 2 Legs | [Edit Bet](#) +220

F.C. Barcelona (ESP) +7.5 | FC Barcelona

[Hide legs](#) ^

✓ **F.C. Barcelona (ESP) +7.5** -140

Spread

EXHIBIT B



312 Rosa L. Parks Avenue, 8th Floor
Nashville, Tennessee 37243

September 5, 2025

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED TO:

Dilvar Tayip
316 Gaywood Drive
Nashville, TN 37211

Re: Decision regarding Appeal of Player Dispute under SWC Rule 1350-02-.10

Mr. Tayip:

At its September 3, 2025 meeting, the Tennessee Sports Wagering Council (SWC) considered the appeal of your Player dispute under SWC Rule 1350-02-.09(3). The Council voted 7-0 to decide your appeal on the existing record without a hearing and uphold the decision of the Executive Director of the SWC to dismiss your appeal.

Please note that, under SWC Rule 1350-02-.10(3), "[t]he written decision of the Council will be final, and no further petition for rehearing or reconsideration to the Council will be allowed." Finally, under SWC Rule 1350-02-.10(4), "[e]ither party may seek judicial review of the final decision of the Council in accordance with the Sports Gaming Act and the Rules."

Sincerely,

A handwritten signature in black ink, appearing to read "Billy Orgel", is written over a printed name.

Billy Orgel
Chair, Sports Wagering Council