

Daniel Wallach Quoted in Gambling Compliance on Link Between Super Bowl and N.J. Sports Betting Case

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By: Daniel L. Wallach

Super Bowl Is In New Jersey But Not Of New Jersey

Tony Batt, GamblingCompliance
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As the deadline approaches for New Jersey to challenge a federal sports-betting ban before the U.S. Supreme Court, the Garden State is left to wonder what might have been this Super Bowl weekend if it had prevailed in lower courts.

The Super Bowl will be played in East Rutherford, New Jersey, but almost all of the \$550m projected to flow into the region will be spent in New York City, which is just seven miles west of the stadium. New Jersey partisans have complained bitterly about the media's incessant references to the "Super Bowl in New York."

Meanwhile in Nevada, sportsbooks are expected to break last year's record of \$99m in Super Bowl bets. An estimated \$9.9bn is expected to be wagered illegally on the game.

But for casinos in Atlantic City, it will be as if the Super Bowl does not even exist. "You can't get a room in Las Vegas this week, but you can get one at Revel [Atlantic City's newest casino] for \$89 per night," said Ray Lesniak, a Democratic state senator who authored New Jersey's sports-betting law.

Things might have been quite different if the 3rd U.S. Circuit Court of Appeals [2] in Philadelphia last September had not upheld a lower court's ruling that sports betting in New Jersey would violate the Professional and Amateur Sports Protection Act of 1992.

With sports betting as a marketing tool, Atlantic City casinos could rake in millions of dollars in the short term and possibly billions in the long term,

Lesniak said. Instead, New Jersey casinos can only wonder how much they could have made on a Super Bowl played within the state's borders. That is in addition to the revenue which could have been produced by wagers later this year on the World Cup, an event played just once every four years. New Jersey is not alone in seeking a slice of the Super Bowl betting pie.

A bill in Canada, which has stalled because the Canadian Senate has not voted on it [3], would amend the country's Criminal Code to allow single event sports wagering on games such as the Super Bowl.

"I can't believe that we are a year down the road, and there has been no progress [on the bill]," said Bill Rutsey, CEO of the Canadian Gaming Association.

Daniel L. Wallach, an attorney with the Fort Lauderdale, Florida, firm of Becker & Poliakoff, said the Super Bowl may be the best argument for the legalization of sports betting.

"It provides tangible evidence of the extraordinary economic benefit that could be realized by states," Wallach said. "Just imagine the numbers that a warm-weather state such as Florida would generate if sports betting were to become legal."