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J. MEYERS ESQ. LLC, a limited liability  
company,  
  
Plaintiff,  
  
v.  
  
HIGH 5 ENTERTAINMENT LLC d/b/a  
"HIGH 5 CASINO",  
  
Defendant.

SUPERIOR COURT OF NEW JERSEY  
CIVIL PART, LAW DIVISION: BERGEN  
COUNTY

Docket No.

*Civil Action*

**COMPLAINT AND JURY DEMAND**

Plaintiff J. MEYERS ESQ. LLC, a New Jersey limited liability company with offices in Denville, New Jersey, brings this action against Defendant HIGH 5 ENTERTAINMENT LLC, a New Jersey limited liability company d/b/a "HIGH 5 CASINO", seeking to recover money lost by MITCHELL DALLAS, individual and resident of Kansas City, Missouri; JULIAN BARGO, individual and resident of Cliffside Park, New Jersey; and JOHN/JANE DOES 1 through 100, an unknown number of individuals, residency unknown; to illegal gambling pursuant to N.J.S.A. 2A:40-6.

**INTRODUCTION**

1. This action is brought under New Jersey's Gambling Recovery Statute, N.J.S.A. 2A:40-1 *et seq.*, to recover sums lost by individuals lured to Defendant's patently illegal gambling website and software application, in violation of New Jersey law and regulations against unlawful

Internet gaming.

2. Defendant HIGH 5 ENTERTAINMENT LLC, a New Jersey limited liability company d/b/a HIGH 5 CASINO ("HIGH 5"), is the developer and operator of a website and digital software applications ("apps") that offers online games like blackjack, poker, roulette, slots, and the like—the typical games of chance found in a traditional brick-and-mortar casino.

3. HIGH 5 describes itself as a "social casino" to promote the deception that its games are free to play purely for entertainment purposes only. In reality, HIGH 5 throws a wild card into the deck: Defendant's HIGH 5 CASINO app and website offer sweepstakes awards that effectively transform their supposedly free "social casino" into an unauthorized gambling enterprise, prohibited by the laws and regulations of the State of New Jersey.

4. Plaintiff brings this action under New Jersey law to recover money wagered by MITCH DALLAS, JULIAN BARGO and potentially hundreds or more unnamed individuals while playing HIGH 5 CASINO's apps and website.

### **PARTIES**

5. Plaintiff J. MEYERS ESQ. LLC is a limited liability company organized under the laws of the State of New Jersey, with offices in Denville, New Jersey. Plaintiff is bringing this action in its own name as an informer under N.J.S.A. 2A:40-6, to recover an amount equal to the wages placed by MITCHELL DALLAS, a Missouri resident who lost approximately \$5,000 to Defendant HIGH 5's illegal online gambling operations; JULIAN BARGO, a New Jersey resident who lost approximately \$2,900 to Defendant HIGH 5's illegal online gambling operations; and JOHN/JANE DOES 1 through 100, being unknown individuals whose losses can be determined through discovery at trial.

6. Defendant HIGH 5 ENTERTAINMENT, LLC ("HIGH 5") is a New Jersey limited

liability company that owns and operates an internet gambling website (*available at* <https://high5casino.com>) under the brand "High 5 Casino". HIGH 5 maintains a business address at 1200 MacArthur Blvd., Mahwah, New Jersey 07430. Defendant HIGH 5 actively operates and promotes its Internet gambling website and app within this court vicinage and throughout New Jersey generally, which website, app and affiliated operations are not permitted and are illegal under New Jersey law.

7. HIGH 5 offers its games primarily through a website available on the Internet, but also through a proprietary app that can be downloaded to iPhones, Android phones and other personal electronic devices.

8. HIGH 5 entices individuals, such as MITCHELL DALLAS and JULIAN BARGO, to their unlawful Internet casino by fraudulently representing that they provide free games of chance designed purely for fun and entertainment. *MITCHELL DALLAS, JULIAN BARGO and other users of HIGH 5's website and app have discovered—after losing thousands of dollars—that HIGH 5 is in fact a real casino, where real money can be wagered in exchange for the chance to win an arbitrary financial reward.*

9. HIGH 5 sells to the user of their website, in exchange for real money, virtual utility tokens called "Game Coins" that can be used to wager on the digital games of chance described at ¶ 2, *supra*.

10. But the scheme does not end there. While the Game Coins sold by HIGH 5 have no value outside the platform itself, and are used only to play the digital games of chance, *HIGH 5 simultaneously distributes a second class of virtual tokens, "Sweeps Coins", that qualify the user for sweepstakes prizes. These Sweeps Coins are ultimately redeemable for real value, like cash, gift cards, cryptocurrency (including Bitcoin), etc.*

11. In sum, HIGH 5 allows users of its apps and websites to purchase Game Coins that can be used to play in their digital casino; and in return for playing, HIGH 5 distributes a secondary class of virtual currency, Sweeps Coins, ostensibly redeemable for real money and other valuable prizes.

12. Essentially, HIGH 5 is rewarding players of its High 5 Casino with promises of a chance at an arbitrary financial windfall, *just like a traditional brick-and-mortar casino*.

13. But HIGH 5 is *not* a licensed casino and is not authorized to offer Internet gaming in this state. HIGH 5 is *not* regulated by the New Jersey Casino Control Commission or the New Jersey Division of Gaming Enforcement. No one is looking over their shoulder to ensure that HIGH 5's digital dice aren't loaded.

14. The only casinos licensed by the New Jersey Casino Control Commission are the following, *available at* <https://www.nj.gov/casinos/services/info/> (last accessed Feb. 12, 2025):

Bally's Atlantic City
Borgata Hotel Casino & Spa
Caesars Atlantic City
Golden Nugget Atlantic City
Hard Rock Atlantic City
Harrah's Resort Atlantic City
Ocean Casino Resort
Resorts Casino Hotel
Tropicana Atlantic City

15. In addition to the above, the Casino Control Commission authorizes one gaming affiliate, pursuant to N.J.S.A. 5:12-82b(5) and 5:12-95.32, to operate an Internet gaming site on behalf of a casino licensee, *viz.*, Caesars Interactive Entertainment New Jersey LLC.

16. The Division of Gaming Enforcement authorizes the following Internet gaming

sites, *available at* <https://www.njoag.gov/about/divisions-and-offices/division-of-gaming-enforcement-home/internet-gaming-sites/> (last accessed Feb. 12, 2025), each of which is affiliated with a casino licensee per N.J.A.C. 13:69O-1.1 (next page):

<a href="https://play.ballybet.com">https://play.ballybet.com</a>
<a href="https://casino.fanatics.com">https://casino.fanatics.com</a>
<a href="http://www.virgincasino.com">www.virgincasino.com</a>
<a href="https://play.monopolycasinous.com/casino">https://play.monopolycasinous.com/casino</a>
<a href="http://www.borgatacasino.com">www.borgatacasino.com</a>
<a href="http://www.borgatapoker.com">www.borgatapoker.com</a>
<a href="http://www.nj.partycasino.com">www.nj.partycasino.com</a>
<a href="http://www.nj.partypoker.com">www.nj.partypoker.com</a>
<a href="http://casino.nj.betmgm.com">casino.nj.betmgm.com</a>
<a href="http://poker.nj.betmgm.com">poker.nj.betmgm.com</a>
<a href="http://casino.wheeloffortunecasino.com">casino.wheeloffortunecasino.com</a>
<a href="http://www.stardustcasino.com">www.stardustcasino.com</a>
<a href="http://casino.jackpocket.com">casino.jackpocket.com</a>
<a href="https://caesarspalaceonline.com/us/nj/casino">https://caesarspalaceonline.com/us/nj/casino</a>
<a href="http://wsop.com">wsop.com</a>
<a href="http://tropicanacasino.com">tropicanacasino.com</a>
<a href="http://harrahscasino.com">harrahscasino.com</a>
<a href="http://nj.betway.com">nj.betway.com</a>
<a href="https://casino.fanduel.com/">https://casino.fanduel.com/</a>
<a href="http://www.goldennuggetcasino.com">www.goldennuggetcasino.com</a>
<a href="http://nj-casino.goldennuggetcasino.com">nj-casino.goldennuggetcasino.com</a>
<a href="http://nj.betrivers.com/">nj.betrivers.com/</a>
<a href="http://www.jackpotcitycasino.com/">www.jackpotcitycasino.com/</a>
<a href="http://www.hardrock.bet">www.hardrock.bet</a>
<a href="http://www.nj.bet365.com">www.nj.bet365.com</a>
<a href="http://www.betoccean.com">www.betoccean.com</a>
<a href="https://nj.betparx.com/casino">https://nj.betparx.com/casino</a>
<a href="http://nj.playstar.com">nj.playstar.com</a>
<a href="http://www.resortscasino.com">www.resortscasino.com</a>
<a href="http://espnbet.com">espnbet.com</a>
<a href="https://casino.draftkings.com">https://casino.draftkings.com</a>
<a href="http://www.mohegansuncasino.com">www.mohegansuncasino.com</a>
<a href="http://www.pokerstarsnj.com">www.pokerstarsnj.com</a>

17. The webpage maintained by the Division of Gaming Enforcement further makes clear: "Any site not included on this list is NOT approved to offer Internet gaming in the State of

New Jersey." Ibid.

18. Defendant HIGH 5 is not a casino licensee, nor an Internet gaming site affiliated with a casino licensee, and Defendant's High 5 Casino is not on the list maintained by the Division of Gaming Enforcement. HIGH 5 is not and never was authorized to operate an Internet gaming website in this State. HIGH 5 is thus operating an illegal gambling website, and the money wagered by MITCHELL DALLAS, JULIAN BARGO and others, while playing HIGH 5's illegal casino website, can therefore be recovered by statute.

19. This Court has personal jurisdiction over the Defendants because Defendant HIGH 5 is a New Jersey limited liability company with a mailing address in New Jersey and an agent for service of process registered with the New Jersey Dept. of the Treasury, Division of Revenue & Enterprise Services.

### **FACTUAL ALLEGATIONS**

20. Defendant HIGH 5 controls and operates its "High 5 Casino" website and distributes an affiliated app through Apple's App Store, Google's Play Store and elsewhere. High 5 Casino offers traditional games of chance like blackjack and roulette, along with a plethora of digital slot machines. The user interface on High 5 Casino is largely identical to the games of chance that may be found in traditional brick-and-mortar casinos (*fig's 1-2*):

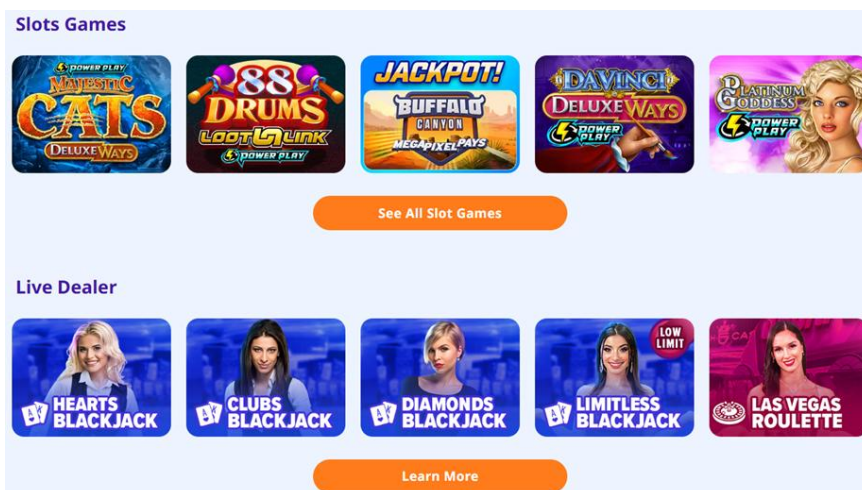


fig. 1



fig. 2

21. Just like in a real casino, the outcome of HIGH 5's games of chance are purportedly determined by *chance*. Once a user enters a wager on a particular game (e.g., blackjack or slots), the website or app being used displays a result determined by the algorithms contained in HIGH 5's software. But the outcome and odds of winning are determined by algorithmic code (known as a "random number generator") known only to HIGH 5.

22. Defendant HIGH 5 promotes a two-tiered system of virtual currency used to play their games. To play the games of chance available on the High 5 Casino website, users like MITCHELL DALLAS, JULIAN BARGO and others choose between wagering Game Coins—utility tokens that, by themselves, have no value outside the virtual casino—or Sweeps Coins,



*which may in fact be redeemed for real value.*

23. HIGH 5's website allows the users to seamlessly toggle between play using their Game Coins or Sweeps Coins. An example of the toggle button between the two modes of play in High 5 Casino appears below, (figs. 3-4, where 'GC' refers to the player's amount of Game Coins and 'SC' refers to the amount of Sweeps Coins ):



fig. 3



fig. 4

24. Defendant HIGH 5 repeatedly assures users of its High 5 Casino website that their *Sweeps Coins are, in fact, redeemable for cash and other valuable prizes* (figs. 5-6):

## Does High 5 Casino award real cash prizes?

Yes, High 5 Casino awards real cash prizes! While the platform focuses on a fun and engaging social casino environment, it also allows players to redeem Sweeps Coins for real cash prizes. When you accumulate enough Sweeps Coins, you have the option to convert them into real-world rewards, which is why our players can't get enough of our amazing games!

The process is designed to be quick and simple. Once you hit the required amount of Sweeps Coins, you can choose to either redeem them for cash prizes through the redeem cashier or exchange your sweepstakes tokens for physical items via Prizeout, a third-party rewards platform. Our players love the flexibility of being able to choose between cash prizes or fun rewards, making High 5 Casino a standout platform social casino gamers.

fig. 5 (available at <https://high5casino.com/helpcenter/how-to-redeem-real-cash-prizes/>)

### What can you win on social casinos?

Our social casino is totally free to play. But, you can gain Sweeps Coins while you play that can be exchanged for amazing prizes.

fig. 6 (available at <https://high5casino.com/>)

25. Advertisements on the High 5 Casino website and affiliated YouTube channel, @High5Casino, include Internet influencers holding over-sized checks to emphasize that users can

win big money playing games of chance on High 5 Casino (*fig. 7*):



**fig. 7**

26. HIGH 5's not-so-subtle marketing campaigns, broadcasting the potential of winning real money on their websites and apps, amount to an astounding admission: High 5 Casino offers real gambling, without any authorization to do so, and in violation of the laws of this state.

27. When users like MITCHELL DALLAS, JULIAN BARGO and others first sign up, HIGH 5 awards them an initial allotment of free Game Coins and a smaller number of Sweeps Coins and 'Diamonds', another form of non-redeemable utility token (*see fig. 8, infra*, next page). As a further incentive to keep playing, users are rewarded additional Game Coins and Diamonds every four hours, and a daily bonus of Sweeps Coins (*see fig. 9, infra*, next page)—*the latter of which HIGH 5 states, over and over again, are redeemable for cash and other real prizes.*



fig. 8



fig. 9

28. Of course, players typically lose their initial allotment of Game Coins as soon as they begin playing. As with a traditional brick-and-mortar casino, the longer a user plays, the more likely they will 'bust' by running out of the Game Coins needed to continue playing, necessitating that they purchase new Game Coins. *But unlike a properly licensed casino, the Gaming Defendants are not subject to any regulatory oversight as to the odds of winning.*

29. After their initial bankroll of Game Coins is gone, users can either replenish their account by cashing in a Sweeps Coin, or by purchasing additional Game Coins to keep playing, hoping to win more Sweeps Coins that they can eventually redeem for real value.

30. Despite HIGH 5's endless assurances, prominently displayed on their website and elsewhere, that High 5 Casino is "always free", the Defendant offers multiple options to *purchase* Game Coins, with Sweeps Coins thrown in as a bonus (*fig. 10, infra*, next page, where again, 'GC' refers to Game Coins and 'SC' refers to Sweeps Coins):

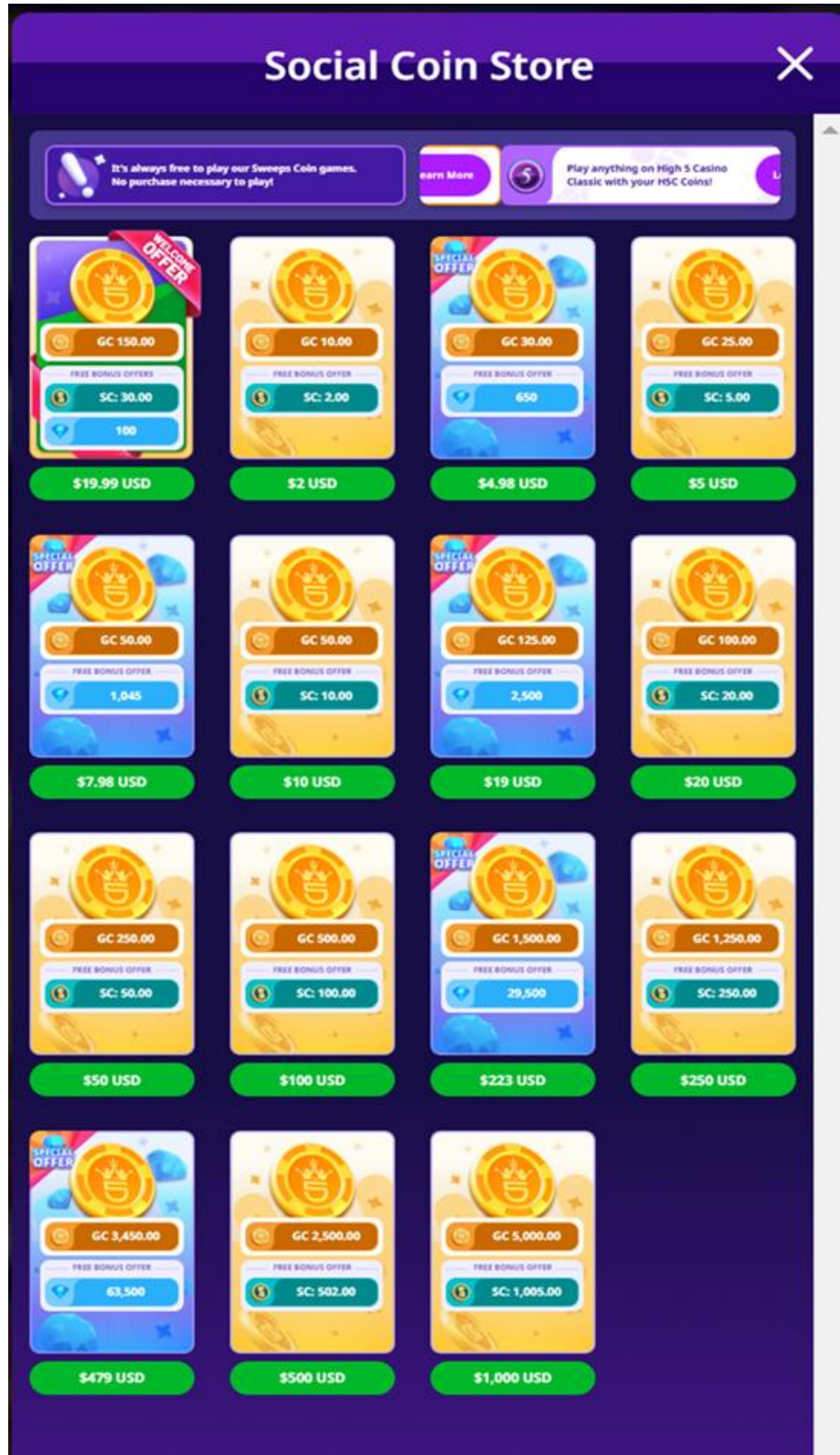
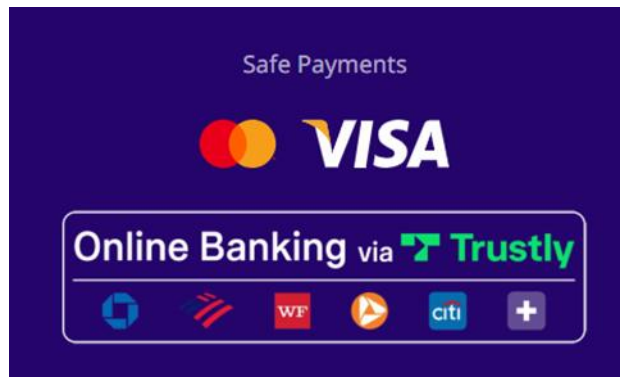


fig. 10



31. Despite the representations alluded to in ¶27, *supra*, Defendant HIGH 5 gladly accepts U.S. dollars to purchase Game Coins to be used on High 5 Casino, through a variety of payment methods, including, but not limited to, debit cards, credit cards, bank transfers, gift cards and digital wallet transactions (*fig. 11*).



**fig. 11**

32. Incredibly, High 5 Casino's website includes a helpful reminder,<sup>1</sup> exhorting players to "set a monthly entertainment budget" on their ostensibly free gaming platform, cautionary language that belies Defendant HIGH 5's *ad nauseum* representations that their games are always "free to play" (*fig. 12*):

### **SET A MONTHLY ENTERTAINMENT BUDGET**

A good first step in budgeting for sweepstakes casinos is setting aside a specific amount each month for entertainment. Consider this an "entertainment budget" — similar to what you might spend on movies or dining out. By designating a specific amount, you're free to enjoy your favorite sweepstakes games without overspending or feeling pressured to make extra purchases. This method not only keeps gameplay in check but also gives you peace of mind knowing you're staying within limits that work for you.

**fig. 12**

<sup>1</sup> Available at <https://high5casino.com/blog/smart-budgeting-tips-for-sweepstakes-casinos/>.

33. HIGH 5 even claims to offer a self-exclusion policy to protect against gambling addiction (*fig. 13, infra*). But because HIGH 5 is not a licensed casino and is not beholden to any casino regulator, there is no way to ensure that they will honor any self-exclusion request from an addicted user, or otherwise enforce any of their ostensible 'self-exclusion' policies.

#### **Self-Exclusion and Taking a Break**

It's important to High 5 Casino that you have fun playing online. If you would like to take a temporary or permanent break from gaming, you can choose to self-exclude yourself from accessing the Platform. High 5 Casino fully supports decisions to self-exclude and has systems in place to ensure this is possible.

If you wish to pre-emptively self-exclude yourself from accessing the Platform, you may email a request to [Timeout@high5casino.com](mailto:Timeout@high5casino.com). The subject should state "SELF-EXCLUDE FROM H5C" and the email should include the following minimal information to allow identification of your account:

1. Your full name; and, if available
2. User ID and/or email address associated with your H5C account.

**fig. 13 (available at <https://high5casino.com/responsible-play>)**

34. While HIGH 5 promises that the Sweeps Coins won on High 5 Casino are redeemable for cash and other valuable prizes, MITCHELL DALLAS, JULIAN BARGO and others have discovered that Defendant's High 5 Casino is a fraud. The redemption process is a classic "bait and switch": Defendant HIGH 5 rarely, if ever, redeems any of the Sweeps Coins for any kind of real value, instead creating arbitrary reasons to deny or otherwise obstruct the redemption process.

#### **FACTS SPECIFIC TO MITCHELL DALLAS**

35. MITCHELL DALLAS is a natural person and citizen of Missouri who resides in Kansas City, Missouri at all times material to this Complaint. See Affidavit of MITCHELL DALLAS dated Feb. 21, 2025 ("DALLAS Aff."), filed herewith.

36. In or about 2023, DALLAS registered with and began using Defendant's High 5 Casino, which offers the chance to win sweepstakes prizes by accumulating ostensibly redeemable

Sweeps Coins as outlined in ¶¶'s 20-34, *supra*. DALLAS Aff., ¶3.

37. DALLAS downloaded HIGH 5's app to his iPhone from Apple's App Store. *Id.*, at ¶3. He then purchased Game Coins from HIGH 5 Gaming Defendants using a checking account, which he then wagered on his iPhone for the chance to earn Sweeps Coins, which HIGH 5 represented to him (and others) as redeemable for value. DALLAS Aff., at ¶¶4-5 and Exh. A thereto.

38. DALLAS' Affidavit makes clear that Defendant's High 5 Casino app is widely available to the public through Apple's App Store, and that many other persons, *viz.*, JOHN/JANE DOES 1 through 100, have similarly fallen victim to Defendant's unlawful scheme.

39. DALLAS was lured to purchase Game Coins from HIGH 5 and wager them on games of chances hosted on Defendant's High 5 Casino in the hopes of earning Sweeps Coins. *Id.*, at ¶4.

40. Playing games of chance by wagering Game Coins on Defendant's High 5 Casino website in the hopes of winning something of value, like Sweeps Coins, or by downloading HIGH 5's app to a personal electronic device like a cell phone or tablet, satisfies New Jersey's statutory definition of "gambling" and renders the device a "gambling device" or "slot machine" as those terms are defined at N.J.S.A. § 2C:37-1.

41. Between May and June 2024, DALLAS lost at least \$5,000 playing HIGH 5's illegal games of chance and was thus damaged by HIGH 5's illegal gambling enterprise. *Id.*, at ¶¶5-7.

42. HIGH 5 is not a licensed casino in the State of New Jersey. HIGH 5 does not meet the regulatory requirements for owning and operating an Internet gambling website under New Jersey law, N.J.A.C. § 13:69O *et seq.* The wagers placed by MITCHELL DALLAS with



Defendant HIGH 5 through his iPhone using the High 5 Casino app and through the High 5 Casino website constitute illegal gambling.

43. Upon information and belief, Defendant HIGH 5 maintains detailed records of every individual player's identity, individualized data about their purchase history, their redemption history, and every single wager they make. HIGH 5 maintains sufficient records to corroborate the losses suffered by MITCHELL DALLAS and others.

44. MITCHELL DALLAS failed to bring an action in his own name under N.J.S.A. 2A:40-5 to recover his losses within the time required thereunder.

45. Plaintiff J. MEYERS ESQ. LLC is therefore entitled to recover the losses sustained by MITCHELL DALLAS as an informer under N.J.S.A. 2A:40-6.

### **FACTS SPECIFIC TO JULIAN BARGO**

46. JULIAN BARGO is a natural person and citizen of New Jersey who resides in Cliffside Park, New Jersey at all times material to this Complaint. See Certification of JULIAN BARGO dated May 30, 2025 ("BARGO Aff."), filed herewith.

47. In or about 2023, BARGO registered with and began using Defendant's High 5 Casino, which offers the chance to win sweepstakes prizes by accumulating ostensibly redeemable Sweeps Coins as outlined in ¶¶s 20-34, *supra*. BARGO Aff., ¶3.

48. BARGO downloaded HIGH 5's app to his iPhone from Apple's App Store. *Id.*, at ¶3. He then purchased Game Coins from HIGH 5 using a credit card, and wagered those Game Coins using his iPhone for the chance to win Sweeps Coins, which HIGH 5 represented to him (and others) as redeemable for value. BARGO Aff., at ¶¶4-5 and Exh. A thereto.

49. BARGO's Certification makes clear that Defendant's High 5 Casino app is widely available to the public through Apple's App Store, and that many other persons, *viz.*, JOHN/JANE DOES 1 through 100, have similarly fallen victim to Defendant's unlawful scheme.

50. BARGO was lured to purchase Game Coins from HIGH 5 and wager them on games of chances hosted on Defendant's High 5 Casino in the hopes of winning Sweeps Coins. Id., at ¶4.

51. Playing games of chance by wagering Game Coins on Defendant's High 5 Casino website in the hopes of winning something of value, like Sweeps Coins, or by downloading HIGH 5's app to a personal electronic device like a cell phone or tablet, satisfies New Jersey's statutory definition of "gambling" and renders the device a "gambling device" or "slot machine" as those terms are defined at N.J.S.A. § 2C:37-1.

52. Between June and July 2024, BARGO lost at least \$2,900 playing HIGH 5's illegal games of chance and was thus damaged by HIGH 5's illegal gambling enterprise. Id., at ¶¶5-7.

53. HIGH 5 is not a licensed casino in the State of New Jersey. HIGH 5 does not meet the regulatory requirements for owning and operating an Internet gambling website under New Jersey law, N.J.A.C. § 13:69O *et seq.* The wagers placed by JULIAN BARGO and JOHN/JANE DOES 1 through 100 with Defendant HIGH 5 through their High 5 Casino app on an iPhone or other personal device constitute illegal gambling.

54. Upon information and belief, Defendant HIGH 5 maintains detailed records of every individual player's identity, individualized data about their purchase history, their redemption history, and every single wager they make. HIGH 5 maintains sufficient records to corroborate the losses suffered by JULIAN BARGO and JOHN/JANE DOES 1 through 100.

55. JULIAN BARGO failed to bring an action in his own name under N.J.S.A. 2A:40-

5 to recover his losses within the time required thereunder.

56. Plaintiff J. MEYERS ESQ. LLC is therefore entitled to recover the losses sustained by JULIAN BARGO as an informer under N.J.S.A. 2A:40-6.

**FIRST CAUSE OF ACTION**  
**Violations of N.J.S.A. 2A:40-1, et seq.**  
**(On behalf of Plaintiff J. Meyers Esq. LLC)**

57. Plaintiff incorporates the foregoing allegations as if fully set forth herein.

58. New Jersey's gaming loss recovery statute, N.J.S.A. 2A:40-6, provides as follows:

If the person who shall lose and pay such money, or lose and deliver such thing or things as aforesaid, shall not, within the time aforesaid, without collusion, sue for the money or other thing or things so lost and paid, or delivered, any other person may sue for and recover the same, with costs of suit, from such winner, depositary or stakeholder as aforesaid; the one moiety thereof to the use of the person suing for the same, and the other moiety to the use of the state; provided the action is instituted within 6 calendar months from and after the expiration of the time limited in section 2A:40-5 of this title for the loser to sue for the same.

59. *Gaming*, as defined at N.J.S.A. 2A:40-1, means "[a]ll wagers, bets or stakes made to depend upon any race or game, or upon any gaming by lot or chance, or upon any lot, chance, casualty or unknown or contingent event." *Gambling* is separately defined at N.J.S.A. 2C:37-1(b), "means staking or risking something of value upon the outcome of a contest of chance or a future contingent event not under the actor's control or influence, upon an agreement or understanding that he will receive something of value in the event of a certain outcome."

60. N.J.S.A. 2C:37-1(d) defines "something of value" as "any money or property, any token, object or article exchangeable for money or property, or any form of credit or promise directly or indirectly contemplating transfer of money or property or of any interest therein, or involving extension of a service, entertainment or a privilege of playing at a game or scheme without charge."

61. The "Game Coins" and "Sweeps Coins" sold by Defendant HIGH 5 are "something of value" under N.J.S.A. 2C:37-1(d) because they are "token[s], object[s] or article[s]" sold for use at the Gaming Defendants' online casinos in exchange for real money or property or "any interest therein."

62. The High 5 Casino website and app owned and operated by Defendant HIGH 5 is an illegal gambling operation under N.J.S.A. 2C:37-1(b) because they offer games of chance at which players wager something of value (Game Coins, bought and paid for with real money) and, predominantly by chance and not by skill, are able to obtain Sweeps Coins which can ostensibly be redeemed for real value, such as cash, gift cards, cryptocurrency and other prizes.

63. Defendant HIGH 5 is the proprietor for whose benefit the games of chance are played because Defendant HIGH 5 operates the High 5 Casino website and apps and/or knowingly derives profits therefrom, and is not authorized to operate such online casino under N.J.A.C. § 13:69O *et seq.*

64. As such, MITCHELL DALLAS, JULIAN BARGO *et alios* were lured to an illegal, unlicensed gambling website where they purchased Game Coins to wager on games of chance offered by High 5 Casino, owned and operated by Defendant HIGH 5. DALLAS, BARGO *et al.* staked money, in the form of Game Coins purchased from Defendant HIGH 5 with U.S. currency, to play Defendants' games of chance (*e.g.*, slot machines, blackjack, roulette, *etc.*) for the chance to win something of value (*i.e.*, Sweeps Coins, ostensibly redeemable for cash and other valuable prizes, without additional charge).

65. The Sweeps Coins that DALLAS, BARGO *et al.* sought to win by playing the games of chance offered by High 5 Casino are "thing[s] of value" under New Jersey law because Defendant HIGH 5 represents that they can be redeemed for cash, gift cards, cryptocurrency and

other valuable prizes.

66. The casino games offered by High 5 Casino each meet the definition of a "[c]ontest of chance," as defined by N.J.S.A. 2C:37-1(a), because they are "any contest, game, pool, gaming scheme or gaming device in which the outcome depends in a material degree upon an element of chance, notwithstanding that skill of the contestants or some other persons may also be a factor therein." The games of chance available on High 5 Casino are ostensibly programmed to have outcomes that are determined entirely by chance, using algorithms designed to generate random numbers, so that a contestant's skill does not affect the outcome.

67. The games of chance available on High 5 Casino are not "electronic amusements" or "skill-based attractions" as those terms are used and defined at N.J.S.A. 5:8-101 because their outcomes depend entirely upon chance and not upon the skill of the player, are not offered by a "recognized amusement park" as described under the Carnival-Amusement Rides Safety Act, N.J.S.A. 5:3-31 *et seq.*, and because the games of chance offered by High 5 Casino are illegal "contest[s] of chance" as defined at N.J.S.A. 2C:37-1(a).

68. As a direct and proximate result of Defendant HIGH 5's operation of its illegal gambling websites and apps, marketed as 'High 5 Casino', MITCHELL DALLAS lost \$5,000 wagering at Defendants' games of chance; JULIAN BARGO lost \$2,900 wagering at Defendants' games of chance; and JOHN/JANE DOES 1 through 100 have lost an unknown amount of money wagering at Defendants' games of chance.

69. Plaintiff has standing to bring this action to recover the amounts lost by MITCHELL DALLAS, JULIAN BARGO and JOHN/JANE DOES 1 through 100 as an informer under N.J.S.A. 2A:40-6 because each of them, respectively, failed to bring an action to recover their losses under N.J.S.A. 2A:40-5 within the time limits specified thereunder.

70. Plaintiff, J. MEYERS ESQ. LLC, seeks an order: (1) awarding one moiety of \$5,000, *viz.*, \$2,500, to Plaintiff, and one moiety, *viz.*, \$2,500, to the State of New Jersey on behalf of MITCHELL DALLAS; (2) awarding one moiety of \$2,900, *viz.*, \$1,450, to Plaintiff, and one moiety, *viz.*, \$1,450, to the State of New Jersey on behalf of JULIAN BARGO; (3) awarding one moiety of an amount to be determined at trial to Plaintiff and to the State of New Jersey on behalf of JOHN/JANE DOES 1 through 100; (4) awarding interest, and reasonable attorneys' fees, and costs to the extent allowable by law; and (5) awarding such other and further relief as equity and justice require.

### **PRAYER FOR RELIEF**

Plaintiff J. MEYERS ESQ. LLC respectfully requests that this Court enter an Order:

- a. Awarding an amount of \$5,000 on behalf of MITCHELL DALLAS, "the one moiety thereof to the use of the person suing", *i.e.*, J. MEYERS ESQ. LLC, and "the other moiety to the use of the state";
- b. Awarding an amount of \$2,900 on behalf of JULIAN BARGO, "the one moiety thereof to the use of the person suing", *i.e.*, J. MEYERS ESQ. LLC, and "the other moiety to the use of the state";
- c. Awarding reasonable attorneys' fees and costs of suit;
- d. Awarding pre- and post- judgment interest, to the extent allowable by law;
- e. Awarding such other and further relief as equity and justice require.

### **JURY TRIAL DEMANDED**

Plaintiff requests trial by jury of all contested facts.

### **DESIGNATION OF TRIAL COUNSEL**

Justin A. Meyers, Esq., is designated as trial counsel for Plaintiff.

Dated: June 4, 2025

By: /s/ Justin Meyers  
Justin A. Meyers, Esq.

LAW OFFICES OF G. MARTIN MEYERS, P.C.  
*Attorneys for Plaintiff J. Meyers Esq. LLC*

**RULE 1:4-8(a) CERTIFICATION**

I hereby certify that the Complaint herein and all documents annexed thereto comport with the requirements of Rule 1:4-8(a).

Dated: June 4, 2025

By: /s/ Justin Meyers  
Justin A. Meyers, Esq.

LAW OFFICES OF G. MARTIN MEYERS, P.C.  
*Attorneys for Plaintiff J. Meyers Esq. LLC*

**RULE 1:38-7(b) CERTIFICATION**

I hereby certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).

Dated: June 4, 2025

By: /s/ Justin Meyers  
Justin A. Meyers, Esq.

LAW OFFICES OF G. MARTIN MEYERS, P.C.  
*Attorneys for Plaintiff J. Meyers Esq. LLC*

**RULE 4:5-1 CERTIFICATION**

I hereby certify that the matter in controversy is not the subject of any other proceeding, and that to the best of my knowledge and belief, no other court proceeding or arbitration is

contemplated, and no other parties need be joined at this time.

Dated: June 4, 2025

By: /s/ Justin Meyers  
Justin A. Meyers, Esq.

LAW OFFICES OF G. MARTIN MEYERS, P.C.  
*Attorneys for Plaintiff J. Meyers Esq. LLC*