

## [Full Tilt Poker Sued Over Bot Use](#)

By Jessica Welman for POKER NEWS DAILY | Posted on October 04, 2009

The legal woes keep piling up for **Full Tilt** Poker, as the site now has a third lawsuit on its hands to go along with pending legal action from former pro **Clonie Gowen** and former employee Jason "JDN" Newitt. Unlike the previous two cases, this suit comes from a customer rather than someone with inside knowledge of how the company works.

Heads-up online poker player **Lary "pokergirl z" Kennedy** and former Full Tilt customer **Greg Omotoy** filed their complaint on October 1st and levied accusations of fraud, libel, slander, false advertising, and racketeering against the popular online poker room.

Kennedy and Omotoy sought legal action after **Full Tilt Poker** confiscated more than \$80,000 spread across the two players' accounts because the site believed they were **using bots**, which is against its Terms of Service. Shortly after her account was frozen in 2007, Kennedy posted her story on the popular TwoPlusTwo online poker forum seeking advice. As the thread developed, news broke that Kennedy was multi-accounting, logging into Full Tilt on Omotoy's account in an attempt to elicit more action at the heads-up tables.

The official complaint against Full Tilt alleges that a player known on the site as "**TheComplainer**" accused Kennedy of being a bot and suggests that his good standing with Full Tilt resulted in her being booted off the site. TheComplainer, known among the TwoPlusTwo community as "Crazy Mike" and "Gatorade," had a reputation as an anti-bot poker crusader and accused several other players of being bots as well.

In addition to seeking restitution and damages in relation to the confiscated funds, the lawsuit accuses the site of a number of other crimes and makes insinuations about the inner workings of its management team. The suit is filed against the companies Full Tilt Poker and **Tiltware** as well as several individual members of Team Full Tilt. The list of individuals named in the claim includes **Howard Lederer**, Raymond Bitar, **Phil Gordon**, **Chris Ferguson**, **Andy Bloch**, Perry Friedman, **Erick Lindgren**, **Erik Seidel**, **Phil Ivey**, **Patrik Antonius**, **John Juanda**, **Gus Hansen**, Mike "The Mouth" Matusow, and **Allen Cunningham**.

Within the claim, Kennedy and Otomy's representation explains that Full Tilt originally consisted of two separate companies, Tiltware and **Vert Enterprises**. It suggests that, despite Full Tilt's assertion that they are separate entities operating out of California and St. Kitts and Nevis, respectively, the two companies are one in the same and even suggests that Vert Enterprises actually ran an office out of Los Angeles for over two years. When describing the roles of the individuals named in the suit, the claim also argues that Bitar, Lederer, and Ferguson all play major executive positions in the company.

The suit accuses Ferguson and Bloch of creating bots to populate slow cash game tables on the site and increase the profits of the company. The bot accusation and the contention that Team Full Tilt and Full Tilt Red Pros are playing with "house money" are used in the claim to depict Full Tilt as an **online casino** rather than cardroom and, as such, in violation of California state law as well as online gaming laws in several other states.

These illegal online gambling charges are joined by accusations of fraud, unfair competition, and false advertising. The complaint also invokes the **Racketeer-Influenced Corrupt Organization Act (RICO)**, which has historically been used to levy criminal charges against organized crime syndicates, but is used in private suits as well in part because it enables plaintiffs to receive triple the amount of damages. Kennedy and Otomy's claim suggests that Full Tilt has willfully committed hundreds of illegal gambling transactions that fall under RICO's definition of racketeering.

Full Tilt has yet to issue a response to any of the charges issued in this most recent suit or in the pending litigation involving Newitt and Gowen. While the latter two are remaining mum about their cases against the company, Kennedy has taken her story to the Web and posting the complaint against Full Tilt on her official pokergirl website.