

December 11, 2007

Ms. Jennifer J. Johnson  
Secretary  
Protection  
Board of Governors of the Federal Reserve System  
20<sup>th</sup> Street and Constitution Avenue, NW  
Washington, D.C. 20551

Department of Treasury  
Office of Critical Infrastructure  
And Compliance Policy  
Main Treasury Building,  
Room 1327  
1500 Pennsylvania Avenue, NW  
Washington, D.C. 20220

Re: Treas-DO; Docket Number Treas-DO-2007-0015 & Regulation GG;  
Docket No. R-1298

Dear Sir or Madam:

I am submitting this letter in support of the comments filed by Duplicate (2007), Inc. (“Duplicate”) in response to the Notice of Joint Proposed Rulemaking regarding the Prohibition on Funding of Unlawful Internet Gambling issued by the Departmental Offices of the Department of Treasury and the Board of Governors of the Federal Reserve System. As set forth below, based upon my many years as a player of Duplicate Contract Bridge and my extensive knowledge of Duplicate Contract Bridge and my knowledge of Duplicate Poker, it is my opinion that both Duplicate Contract Bridge and Duplicate Poker are games of skill.

I started playing contract bridge (and poker) at MIT in the early sixties. Within several years, I attained the rank of Life Master and began playing bridge professionally (paid by client partners). In 1967, while in my second year at Boston University Law School, I won over 700 master points (it takes 300 master points to be a Life Master) which ranked me seventh in the country of the roughly 100,000 members of the American Contract Bridge League (ACBL). In 1979, after numerous wins playing with my wife, a New York Times article proclaimed that my wife and I were probably the best mixed pair (man and woman pair) in the world. People Magazine then featured us in their “Couples Section” (a four-page spread).

Throughout my 30 years as an attorney for the U.S. Department of Justice, I continued to play bridge in national competition and represented the United States several times in international competition. I have been playing bridge professionally since my retirement from the government. On November 26, 2007, my picture was on the front page of the ACBL National Championships Bulletin in San Francisco for surpassing 20,000 master points. I have made many contributions to the game of bridge and have authored four well-known bridge bidding conventions (more than any other player).

In the middle eighties, I became very successful at playing poker in Atlantic City and during my bridge travels. In 1989, I published a book, Cappelletti on Omaha, which was well received, and The CARD PLAYER biweekly magazine (published in Las Vegas) hired me as a columnist. For over sixteen years, over 400 of my columns on many diverse aspects of poker appeared every two weeks. The CARD PLAYER magazine has been very successful and is probably the leading poker magazine in the world (also published in Europe) - and especially now during the current proliferation of poker on television and the internet. Over the past fifteen years, I have attended numerous poker tournaments and I have been playing on-line poker for about four years.

Bridge evolved from Whist and Duplicate Contract Bridge evolved from Duplicate Whist (dating back to 1890s) and Duplicate Auction Bridge (first played around 1915). The most typical form of duplicate contract bridge tournaments (which started around 1928) consist of 20 to 30 deals (requiring about 3 to 4 hours to play), where each of the four 13-card hands are preserved in a holder (called a "board") with four pockets. After a deal is bid and played and scored at the first table, the four hands, North, South, East and West are returned to the board and then passed to the next table.

At the end of the session, a final score on each board is determined for all the North-South pairs as to how well they did relative to all the other North South pairs that had played the same board. Similarly, a final comparative score is also determined for all the East-West pairs. Thus, the final duplicate scores are based on a comparison of which pair performs best holding the exact same cards rather than who holds the best cards (as in single table "rubber" bridge).

As indicated in the November 2007 edition of *Poker Pro Magazine*, Duplicate Poker has the following characteristics:

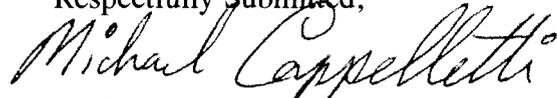
- There are always two or more tables of players, with the same number of players seated at each table.
- An identically shuffled deck of cards is used at each table for each hand played so that players in the same seat position at each table receive the same hole cards, and the common cards are the same at each table.
- Every player begins each hand with the same number of playing chips, regardless of how the previous hand played out.

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- The winner of each hand is determined by the number of chips at the end of the hand as compared with those held by all players in the same seat at other tables.

Session and tournament winners are determined by comparing the results achieved by the players who played identical hands so that skill determines who wins, not whether they were dealt good or bad cards. Any hand can be won, if it is played skillfully. In summary, Duplicate Poker, as with Duplicate Contract Bridge, is based on a comparison of which players do best holding the exact same cards. Thus, the luck of the draw is completely eliminated. Whether a player has four aces or a nothing hand on any given deal is irrelevant. It is simply his result compared with other players holding the same cards that matters. Therefore, Duplicate Poker, like Duplicate Contract Bridge, clearly is a game of skill.

Respectfully Submitted,

  
Michael Cappelletti