

**IN THE CROWN COURT SITTING AT SOUTHWARK
IN THE MATTER OF s.45 OF THE CRIME AND COURTS ACT 2013**

BEFORE THE PRESIDENT OF THE KING'S BENCH DIVISION

B E T W E E N : -

REX

- v -

ENTAIN PLC

ORDER

UPON hearing leading counsel for the Crown Prosecution Service (“**CPS**”);

AND UPON hearing counsel for Entain plc (the “**Company**”);

AND UPON hearing counsel for certain interested parties at a hearing in private on 4 December 2023;

AND UPON the Court considering at a hearing in private on 4 December 2023 a Statement of Facts setting out the conduct which forms the basis of a proposed Deferred Prosecution Agreement between the Director of Public Prosecutions and Entain plc (“**the DPA**”);

AND UPON the Court determining that it is necessary, in order to prevent prejudice to any future criminal proceedings against individuals referred to in the Statement of Facts (the “**Relevant Individuals**”), that the names of those individuals, and any other person named in the Statement of Facts, be anonymised;

AND UPON the Court considering that the postponement of the publication of the Statement of Facts by the prosecutor pursuant to paragraph 8(7) of Schedule 17 to the Crime and Courts Act 2013 is necessary for avoiding a substantial risk of prejudice to the administration of justice in any criminal proceedings against the Relevant Individuals;

AND UPON a declaration being made at a hearing in public on 5 December 2023 under paragraph 8(1) to Schedule 17 to the Crime and Courts Act 2013 that the proposed DPA is approved;

IT IS HEREBY ordered that:

1. The draft indictment provided under paragraph 2(1) of Schedule 17 CCA 2013 and section 2 of the Administration of Justice (Miscellaneous Provisions) Act 1933 is deemed to be served and is approved.
2. Under paragraph 2(2) of Schedule 17 CCA 2013, upon approval of the draft indictment the proceedings are automatically suspended.
3. Pursuant to paragraph 12, Schedule 17 of the Crime and Courts Act 2013:
 - a. a written summary of the judgment setting out the reasons for the declarations pursuant to para 7 and 8 of Schedule 17 of the Crime and Courts Act 2013 and handed down on 05 December 2023 shall be published immediately; the full judgment to be provided once any criminal proceedings against Relevant Individuals have concluded or until further order;
 - b. publication of that full judgment is postponed as above;
 - c. any publication of the anonymised form of the Statement of Facts, as provided to the Court on 5 December 2023, shall be postponed until the conclusion of any criminal proceedings against the Relevant Individuals, or until further order.

For the avoidance of doubt, insofar as the Statement of Facts sets out the facts agreed between the parties to this DPA, in determining whether to approve a DPA, the court did not make any finding of fact. The judgments referred to above only deal with the culpability of the Company. No findings are made against any individual.

4. Insofar as a number of third parties were provided with the anonymised Statement of Facts for the purposes of the private hearing on 4 December 2023, that version of the Statement of Facts may be provided by the CPS to other individuals named in the Statement of Facts where they are represented by solicitors based in the United Kingdom, subject to those individuals and the solicitors on their behalf entering into a confidentiality undertaking consistent with the undertaking entered into by participants in the 4 December 2023 hearing.
5. The Company shall be permitted to make a statement to the market in the form approved by the Court.
6. In the event that the anonymised Statement of Facts is required to be provided to the Company's regulators (in any jurisdiction for a purpose specific to a regulatory function), the Company shall apply in writing to the Court for permission to provide the Statement of Facts accordingly.
7. Pursuant to section 4(2) of the Contempt of Court Act 1981, there shall be postponed until the conclusion of any criminal proceedings against the Relevant Individuals, any report of

the paragraph 8 hearing save in the terms of or with reference to the terms of the written summary of the judgment and the approved market statement.

8. Any party affected by this order, shall have liberty to apply to vary or discharge this order, on 10 working days notice, such application reserved to Dame Victoria Sharp, President of the King's Bench Division if possible.

Dated: 05 December 2023