

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

KALSHIEX LLC,

Plaintiff,

and

UNITED STATES OF AMERICA
& COMMODITY FUTURES TRADING
COMMISSION

Proposed Plaintiff-Intervenors,

v.

MARK FURCOLO, in his official capacity
as Director of the Division of State Lottery;
PETER F. NERONHA, in his official
capacity as Rhode Island Attorney General;
and CHRISTINA TOBIASZ, in her official
capacity as Gaming and Athletics
Administrator, Department of Business
Regulation

Defendants.

C.A. No. 1:26-cv-00327-MSM-PAS

CONSENT MOTION TO CONSOLIDATE CASES

Pursuant to Federal Rule of Civil Procedure 42(a), the parties in the above-captioned case respectfully request that the Court consolidate this matter with Case No. 1:26-cv-00333-MSM-PAS. The actions involve common questions of law and fact and arise from the same underlying circumstances. Consolidation will promote judicial economy, avoid duplicative proceedings, conserve the resources of the Court and the parties, and eliminate the risk of inconsistent rulings. Consolidation is also appropriate here because the State of Rhode Island will not seek to remand Case No 1:26-cv-00333-MSM-PAS.

All parties consent to this motion. Accordingly, the parties respectfully request that the Court consolidate these actions and designate Case No. 1:26-cv-00327-MSM-PAS as the lead case for all further proceedings.

Dated: June 5, 2026

Respectfully submitted,

For the Plaintiffs,

KALSHIEX LLC,

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For the Defendants,

MARK FURCOLO, in his official capacity as Director of the Division of State Lottery; PETER F. NERONHA, in his official capacity as Rhode Island Attorney General; and CHRISTINA TOBIASZ, in her official capacity as Gaming and Athletics Administrator, Department of Business Regulation

By Their Attorney,

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CERTIFICATION

I hereby certify that I filed the within document on this 5th day of June 2026 via the ECF filing system and that a copy is available for viewing and downloading.

/s/ Michael Collins