

Edgar Filing: MULTIMEDIA GAMES INC - Form 8-K

MULTIMEDIA GAMES INC  
Form 8-K  
January 05, 2006

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

Form 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of Report: January 5, 2006  
(Date of earliest event reported) January 4, 2006

Multimedia Games, Inc.

(Exact name of registrant as specified in its charter)

001-14551  
(Commission File Number)

Texas  
(State or other jurisdiction  
of incorporation)

74-2611034  
(IRS Employer  
Identification No.)

206 Wild Basin Rd., Bldg. B, Suite 400,  
Austin, Texas  
(Address of principal executive offices)

78746  
(Zip Code)

Registrant's telephone number, including area code: (512) 334-7500

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

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Item 8.01 Other Events

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Multimedia Games, Inc. (the "Company") was informed on January 4, 2006, that the Circuit Court of Jefferson County, Alabama issued an order in the case of Jefferson County Racing Association and Milton McGregor v. Hale, Civil Action No. CV 2005-07684, granting plaintiffs' motions that, (a) commencing on January 5, 2006, the law enforcement officials return all equipment, information and information media (the "Equipment") seized from the Birmingham Race Course in Birmingham, Alabama on December 22, 2005, and (b) plaintiffs may begin immediate repairs and reinstallation of the Equipment at the Birmingham Race Course. The court order prohibits operation of the games at the Birmingham Race Course without further order of the court.

The current schedule in the case requires the parties to work with a mediator to develop and submit a stipulated version of the facts in the case, and file briefs with the court by January 13, 2006, in connection with a January 17, 2006 hearing related to an extension of the existing preliminary injunction.

The Company intends to review these developments with its customer, assess its legal position, and pursue available remedies, including seeking a finding that its system may be operated under Alabama state law. There can be no assurance as to the outcome of the case or its implications for the Company's business at the Birmingham Race Course.

### Background

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The Company leased its new promotional sweepstakes system to the Birmingham Race Course, which system became operational on December 15, 2005.

Prior to deploying its system, as is its general practice, the Company obtained and relied upon independent legal opinions analyzing Alabama law as applied to sweepstakes systems. The Company believes its system is in compliance with applicable law. However, the gaming markets the Company addresses are heavily regulated, and the Company has consistently disclosed the risks of regulatory enforcement action against its customers and equipment.

On December 22, 2005, the Jefferson County Sheriff served a search warrant, issued by an Alabama state judge, on the Birmingham Race Course in Birmingham, Alabama. Pursuant to such warrant, the sheriff's officers removed an undetermined number of the Company's computer servers and sweepstakes video readers from the race course facility.

The Company had been informed that on the afternoon of December 22, 2005, the Circuit Court in Jefferson County, Alabama issued a temporary restraining order preventing the Jefferson County Sheriff from removing additional units, and essentially "freezing" matters until the January 3, 2006 hearing. In fact, the judge had issued a preliminary injunction, which had the same effect as the temporary restraining order noted above, for a period of 30 days or until further notice of the court.

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### SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

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MULTIMEDIA GAMES, INC.

Dated: January 5, 2006

By: /s/ Craig S. Nouis

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Craig S. Nouis  
Vice President and  
Chief Financial Officer

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