

Gambler sues casino for AUD 30m

Gold Coast property developer Harry Kakavas is suing the Melbourne casino and its chief operating officer John Williams for AUD 30 million he claims to have lost in a 14-month period from June 2005.

The Victorian Supreme Court was told Mr Kakavas, who was banned from Sydney's Star Casino, was lured by Crown Casino with offers of free flights in private jets, hundreds of thousands of dollars to gamble and a promise of a 20 per cent rebate on all losses.

Mr Kakavas's counsel Cliff Pannam, QC, said his client had banned himself from Crown in late 1994 but had been lured back by the casino in 2004 after it had learnt that he had been betting and losing large sums of money in Las Vegas.

„They deliberately set out to identify a punter they knew they could win large sums of money from,“ Dr Pannam told Justice David Harper in a pre-trial hearing.

Dr Pannam said because Mr Kakavas had been banned in NSW by the Commissioner of Police he was not allowed into the Crown Casino under Victorian law.

Mr Kakavas had himself banned from Jupiters Casino on the Gold Coast and the Treasury Casino in Brisbane in 2000, Burswood Casino in Perth in 2001 and the Sky City Casino in Adelaide three years later.

„During the time he lost all this money in the Crown Casino he had no lawful right to be there, because he was known to be subject to an interstate exclusion order,“ Dr Pannam said.

„He couldn't win because all of his winnings would be

forfeited to the state.

„His free will was impaired. Our case is that this impairment was taken advantage of by the casino.“

The court heard that Crown flew the high roller to Melbourne from his Gold Coast home around 30 times and on up to eight occasions the captain of the private jet handed him a box containing amounts of money between AUD 30,000 and AUD 50,000.

It was also heard that Mr Kakavas was a huge gambler who liked to bet up to AUD 300,000 a hand playing baccarat in the Mahogany Room at Crown.

Jeff Sher, QC, for the casino, said Mr Kakavas was not forced to do anything he didn't want to do.

He said during his betting spree he won more than AUD 10 million which he used to place further bets.

„So much for the representation, falsely and misleadingly led, that he was not entitled to keep the money,“ Mr Sher said.

„Even if you are induced to attend, encouraged to attend – even if you shouldn't be there – the risk still arises and it's a risk taken by both parties – the casino and the gambler.“

Mr Sher said Mr Kakavas could have flown back to Las Vegas to gamble. „He didn't have to go to the Crown Casino,“ he said.

„No one told him he had to bet AUD 300,000 on every hand, he could not have bet at all,“ Mr Sher said.

Mr Sher said the case should be thrown out and not proceed to trial.

„You should be responsible for your own actions – don't blame somebody else,“ he said.

The hearing resumes tomorrow.