

AFFIDAVIT OF JACQUI KRUM

JACQUI KRUM, of full age, being duly sworn according to law upon her oath deposes and says:

1. I am the Senior Vice President and General Counsel of Wynn Resorts Development, LLC, an affiliate of Wynn MA, LLC ("Wynn MA") and a subsidiary of Wynn Resorts, Limited ("Wynn Resorts"). As such, I am fully familiar with the facts set forth in this affidavit.

2. On April 19, 2018, the Massachusetts Gaming Commission ("Commission") sent a notice of the adjudicatory hearing to consider the qualification status of Stephen A. Wynn to counsel for Wynn MA. The hearing is scheduled for April 27, 2018. Addendum A to the hearing notification ("Addendum") contained a list of twelve (12) inquiries upon which a representative of Wynn MA and Wynn Resorts should be prepared to testify at the hearing. I have been designated by Wynn MA and Wynn Resorts as their representative to testify to the matters contemplated by the Addendum.

3. On April 19, 2018 (and through subsequent inquiries), following her receipt of the hearing notification, including the Addendum, Kimmarie Sinatra, Executive Vice President and General Counsel of Wynn Resorts, forwarded Addendum A (and/or a summary of the contents of same) to the executive officers of Wynn MA and Wynn Resorts and to the directors of Wynn Resorts. Ms. Sinatra requested that each such individual provide responses to each and every inquiry contained on Addendum A that is applicable to them based on their current position with Wynn MA and/or Wynn Resorts. The persons receiving the inquiry from Ms. Sinatra included: D. Boone Wayson; John J. Hagenbuch; Jay L. Johnson; Robert L. Miller; Patricia Mulroy; Clark T. Randt, Jr.; Alvin Shoemaker; J. Edward Virtue; Matthew Maddox; Craig Billings; and Robert DeSalvio.

4. The following is a summary of the responses from the persons listed in Paragraph 3 (including responses from Ms. Sinatra) to the best of their respective recollections to the inquiries listed on Addendum A:

a. Inquiry 1: The directors last directly communicated with Mr. Wynn on the following dates:

- i. D. Boone Wayson – April 10, 2018.
- ii. John J. Hagenbuch – February 7, 2018.
- iii. Patricia Mulroy – February 26, 2018.
- iv. Clark T. Randt, Jr. – February 27, 2018.
- v. Alvin Shoemaker – February 7, 2018.
- vi. J. Edward Virtue – Mid-April, 2018.

No other director has had any communications directly with Mr. Wynn since the date of his resignation from Wynn Resorts.

b. Inquiry 2: The directors last indirectly communicated with Mr. Wynn on the following dates:

- i. D. Boone Wayson – February 12, 2018.
- ii. Patricia Mulroy – February 26, 2018.

No other director has had any communications indirectly with Mr. Wynn since the date of his resignation from Wynn Resorts.

c. Inquiry 3: The officers last directly communicated with Mr. Wynn on the following dates:

- i. Matthew Maddox – April 23, 2018.
- ii. Craig Billings – on or about March 21, 2018.

iii. Kimmarie Sinatra – April 12, 2018.

No other officer has had any communications directly with Mr. Wynn since the date of his resignation from Wynn Resorts.

d. Inquiry 4: The officers last indirectly communicated with Mr. Wynn on the following dates:

i. Craig Billings – Various indirect communications since Mr. Wynn’s resignation from Wynn Resorts.

ii. Kimmarie Sinatra – Various indirect communication since Mr. Wynn’s resignation from Wynn Resorts.

No other officer has had any communications indirectly with Mr. Wynn since the date of his resignation from Wynn Resorts.

e. Inquiry 5: No officer or director has engaged in “repetitive” direct or indirect communications with Mr. Wynn since the time of his resignation. However, Matthew Maddox, Craig Billings and Kimmarie Sinatra have engaged in multiple communications with Mr. Wynn and/or his representatives since the time of his resignation. The communications related to Mr. Wynn’s separation from Wynn Resorts, the disposition of his ownership stake in Wynn Resorts (including his intention to not vote his shares in the upcoming proxy election), settlement of litigation involving Wynn Resorts, and other issues related to the foregoing matters.

f. Inquiry 6: The directors last saw Mr. Wynn in person on the following dates:

i. D. Boone Wayson – February 14, 2018.

ii. Clark T. Randt, Jr. – February 27, 2018.

iii. J. Edward Virtue – February 27, 2018.

No other director has seen Mr. Wynn in person since the time of his resignation.

g. Inquiry 7: The officers last saw Mr. Wynn in person on the following dates:

i. Matthew Maddox – March 2018.

ii. Craig Billings – March 1, 2018.

iii. Kimmarie Sinatra – Believed to be February 15, 2018.

No other officer has seen Mr. Wynn in person since the time of his resignation.

h. Inquiry 8: Mr. Wynn's only property rights with respect to property owned by Wynn Resorts relate to the Surname Rights Agreement between Mr. Wynn and Wynn Resorts Holdings, LLC (an affiliate Wynn Resorts) dated August 6, 2004 ("Surname Rights Agreement").

i. Inquiry 9: The only personal property owned by Mr. Wynn located on the premises of any Wynn Resorts property consists of:

i. Boxes of records, which are expected to be removed by Mr. Wynn's law firm.

ii. Three pieces of art (on public display) that will revert to Wynn Resorts pursuant to the Separation Agreement between Mr. Wynn and Wynn Resorts dated February 15, 2018 ("Separation Agreement").

j. Inquiry 10: The only agreements now in effect between Mr. Wynn and Wynn Resorts are the following:

i. Surname Rights Agreement.

ii. Separation Agreement.


- iii. Settlement Agreement and Mutual Release between Wynn Resorts, Mr. Wynn, Elaine P. Wynn and Ms. Sinatra dated April 16, 2018.
 - iv. Settlement Agreement and Mutual Release between Wynn Resorts, Mr. Wynn, Linda Chen, Russell Goldsmith, Ray R. Irani, Robert J. Miller, John A. Moran, Marc D. Schorr, Alvin V. Shoemaker, D. Boone Wayson, Ms. Sinatra, Universal Entertainment Corp. and Aruze USA, Inc. dated March 8, 2018.
 - v. 2002 Indemnity Agreement between Wynn Resorts and Mr. Wynn.
 - k. Inquiry 11: The only debt obligation owed to Mr. Wynn by Wynn Resorts relates to Mr. Wynn's city Ledger account.
 - l. Inquiry 12: Pursuant the Registration Rights Agreement between Wynn Resorts and Wynn Family Limited Partnership (an entity indirectly controlled by Mr. Wynn) dated march 20, 2018, Mr. Wynn agreed to reimburse Wynn Resorts for any reasonable expenses incurred by Wynn Resorts in connection with the registration and sale of Mr. Wynn's shares covered by the prospectus supplement.
5. Wynn Resorts has implemented a policy whereby all officers and directors of Wynn Resorts and its subsidiaries, including Wynn MA, are required to notify me within forty-eight (48) hours of any communication, direct or indirect, with Mr. Wynn. Wynn Resorts will make information related to the aforementioned notifications by the officers and directors available to the Commission upon request.
6. Based on the foregoing, Mr. Wynn presently does not, and has no ability to, influence the strategy or operations of Wynn Resorts and/or Wynn MA.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


Jacquie Krum

Dated: April 26, 2018

Sworn and subscribed to me this
26 day of April, 2018


Notary Public

