

ORDER 2007-87

**IN RE SETTLEMENT AGREEMENT
RIH ACQUISITIONS IN, LLC
07-RS-01**


After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

APPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 13th DAY OF SEPTEMBER, 2007.

THE INDIANA GAMING COMMISSION:



William W. Barrett, Chair

ATTEST:



Tim Murphy, Vice Chair

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
RIH ACQUISITIONS IN, LLC)	07-RS-01
)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission ("Commission") by and through its Executive Director Ernest E. Yelton and RIH Acquisitions In, LLC ("Resorts") (collectively, the "Parties") desire to settle this matter prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

COUNT I

1. 68 IAC 2-6-6(c)(1) states that the casino during a conversion will request permission for the conversion from the commission and supply the commission with the following information:
 - (F) the current and future EPROM number that is installed or that is to be installed in the electronic gaming device. If a new EPROM is installed in an electronic gaming device, the EPROM must be one that is approved for use in Indiana.
2. During a GLI Slot Audit in December 2006, it was noted that there were five slot machines containing revoked EPROMs.

COUNT II

3. 68 IAC 6-3-4 states riverboat licensees must adopt internal control procedures addressing the refusal of wagers from and denying gaming privileges to any individual who the casino knows to be a voluntarily excluded person.
4. On February 20, 2007 a VEP participant won a \$1,720.00 jackpot and was paid \$1,231.52 after taxes were withheld. The jackpot was won and paid during a time that the casino's system was offline.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Resorts by and through its agents as described herein constitute a breach of the Riverboat Gambling Act, Title 68 of the Indiana Administrative Code and Resorts' approved internal control procedures. The Commission and Resorts hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Resorts. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

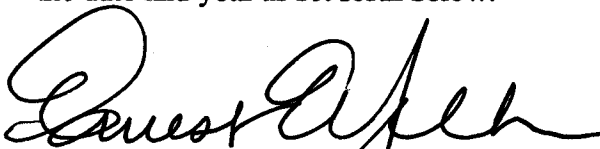
Resorts shall pay to the Commission a total of \$13,732.00 (\$10,000 for Count I; \$3,732 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. This agreement extends only to those violations and findings of fact, specifically alleged herein. If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described herein, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described herein.

Upon execution and approval of this Settlement Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Settlement Agreement by the Commission, Resorts agrees to promptly remit payment in the amount of \$13,732 and shall waive all rights to further administrative or judicial review.

This Settlement Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Settlement Agreement. This Settlement Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

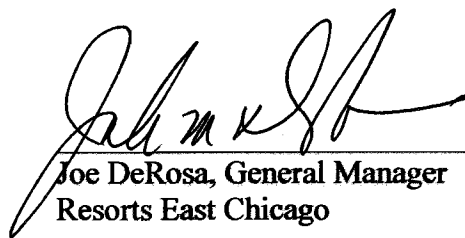
This Settlement Agreement shall be binding upon the Commission and Resorts.

IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date and year as set forth below.



Ernest E. Yelton, Executive Director
Indiana Gaming Commission

9/13/07
Date



Joe DeRosa, General Manager
Resorts East Chicago

9-11-07
Date