

**ORDER 2009-106
IN RE SETTLEMENT AGREEMENT
HOOSIER PARK L.P.: CENTAUR, INC.
09-HP-02**

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


Approves

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 11th DAY OF JUNE, 2009.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary

RECEIVED

MAY 21 2009

INDIANA GAMING COMMISSION

STATE OF INDIANA
INDIANA GAMING COMMISSION

IN RE THE MATTER OF:)
)
HOOSIER PARK L.P.: CENTAUR, INC.) SETTLEMENT
) 09-HP-02
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Hoosier Park L.P.: Centaur, Inc. (“Hoosier Park”), (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

1. Pursuant to IC 4-33-9-12(a), a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
2. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present on a riverboat.
3. On January 4, 2009, a Gaming Agent was contacted by a Surveillance Supervisor regarding an underage person who was denied entry at the track-side entrance. The Security Officer had scanned the person’s identification revealing that he was underage. The Surveillance Supervisor stated that one of the surveillance personnel recognized the underage person as being on the casino floor earlier in the evening. The Surveillance Supervisor reviewed the surveillance footage and confirmed that the underage person was on the casino floor. The underage person had presented his identification to the Security Officer who had allowed him to enter the casino.
4. On February 1, 2009, while walking the casino floor, a Gaming Agent was informed by a Security Manager that an employee in the Deli recognized and pointed out an underage person on the casino floor. The Agent approached the person and asked for identification which confirmed that the person was underage. A review of surveillance footage showed the underage person entering the main entrance and the Security Officer did not ask for identification.

TERMS AND CONDITIONS

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


Hoosier Park shall pay to the Commission a total of \$9,000 in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. Neither this agreement nor any action performed pursuant to it will constitute an admission of any violation by Hoosier Park. This agreement extends only to known incidents specifically alleged in this agreement and wholly based on the facts described herein. If the Commission subsequently discovers additional facts, which are not described in this agreement, that may support an independent determination that a violation has occurred, the Commission may pursue disciplinary action for such violations even if the facts are 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, Hoosier Park agrees to promptly remit payment in the amount of \$9,000 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 Hoosier Park.

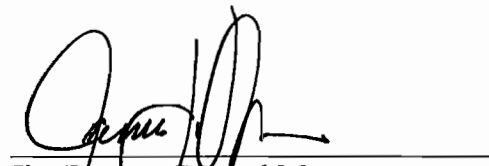
IN WITNESS WHEREOF, the parties have signed this Settlement Agreement on the date and year as set forth below.



Ernest E. Yelton, Executive Director
Indiana Gaming Commission

6.02.09

Date



Jim Brown, General Manager
Hoosier Park

5/20/09

Date