

**ORDER 2019-244
IN RE SETTLEMENT AGREEMENT**

**INDIANA GAMING COMPANY, LLC d/b/a HOLLYWOOD CASINO
LAWRENCEBURG
19-HW-04**

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

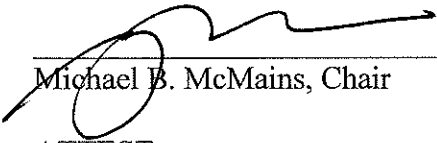
APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.


IT IS SO ORDERED THIS THE 17th DAY OF DECEMBER, 2019.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Joseph Smetanoff, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
INDIANA GAMING COMPANY, LLC)	19-HW-04
d/b/a HOLLYWOOD CASINO)	
LAWRENCEBURG)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Indiana Gaming Company, LLC d/b/a Hollywood Casino Lawrenceburg (“Hollywood”) (collectively, the “Parties”), desire to enter into this settlement agreement (“Agreement”) 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. IC 4-33-9-12(a) provides that 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) provides that a person under twenty-one (21) years of age shall not be present in a casino.
3. On September 1, 2019, Surveillance notified Gaming Agents that an underage person had been identified at the casino cage. The underage person presented a Republic De Guatemala Identification Consular Card to obtain a cash advance at the casino cage and the Cage Cashier determined that the patron was underage. A review of surveillance coverage determined that the underage person utilized the same identification, which indicated she was underage, to enter the casino.

COUNT II

4. 68 IAC 15-6-4(b) provides that vendors and visitors must report to security to complete the vendor and visitor log and to obtain a badge. When the vendor or visitor leaves the casino, the vendor or visitor must complete the appropriate portion of the log.
5. 68 IAC 15-6-4(e) provides that the vendor and visitor log shall contain the following information:
 - (1) The name of the vendor or visitor.
 - (2) The company or organization the vendor or visitor represents.
 - (3) The date and time the vendor or visitor entered the casino.
 - (4) The purpose that necessitates the vendor or visitor entering the casino.

(5) The date and time that the vendor or visitor exits the casino. The casino licensee is responsible for instituting a policy that ensures that vendor and visitor badges are returned to the security department and accounted for when the vendor or visitor exits the casino.

(6) If the person is a visitor, the individual who authorized the visitor's presence in the casino.

(7) Any other information deemed necessary by the executive director or the commission to ensure compliance with IC 4-33, IC 4-35, and this title.

6. On January 24, 2019, the Commission issued a memorandum to all casino licensees on occupational licenses and the usage of the vendor log which states vendor and visitor badges are not to be utilized by those who hold or should hold an individual occupational license. If individuals who hold or should hold an individual occupational license attempt to access the gaming floor using a vendor or visitor badge, casino staff should assist in the matter by refusing entry and directing those individuals to local Gaming Agents for assistance.

7. On September 3, 2019, a Gaming Agent conducted an audit of the vendor log.

8. As a result of the audit, it was determined that on August 13, 2019 and August 14, 2019, a Tech from Bally Gaming was on property to perform services on the casino floor. The Tech did not hold an occupational license at the time the service was performed and was allowed to perform work on a vendor's badge. The Tech later obtained the appropriate licensure on August 28, 2019.

9. As a result of the audit, it was also determined that on August 15, 2019, two (2) employees from Novomatic were allowed to perform services on the casino floor on a vendor's badge. Both employees were licensed but did not obtain and/or wear their Commission occupational licensing badge while on property.

COUNT III

10. 68 IAC 1-5-1(1)(A) & (10) provides that a casino or supplier licensee shall provide a written notice to the executive director as soon as the casino or supplier licensee becomes aware of a violation or apparent violation of a rule of the commission by a casino or supplier licensee or if apparent criminal activity has taken place at the casino. A casino licensee shall submit the notice required under this subdivision to a gaming agent in addition to submitting it to the executive director.

11. On September 26, 2019, a patron completed a W-9 for winnings from a sportsbook wager with an incorrect social security number (SSN). Gaming Agents then received an email from Hollywood's Compliance Manager notifying them that a patron had attempted to utilize an incorrect SSN.

The Cage Supervisor ran a check of the child support intercept database at the time of the transaction with the incorrect SSN. The patron was paid for his winning wager. The Cage Supervisor failed to run a Tax Identification Number (TIN) check while the patron

was present. The TIN check was not ran until approximately twenty (20) minutes later. The incorrect SSN was determined when the TIN check was completed. Gaming Agents were not timely notified of the patron utilizing an incorrect SSN and therefore were unable to interview the patron.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Hollywood by and through its agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Hollywood's approved internal control procedures. The Commission and Hollywood hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Hollywood.

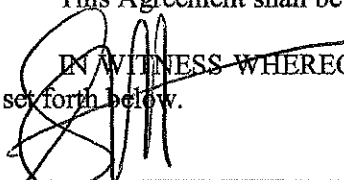
Hollywood shall pay to the Commission a total of \$7,500 (\$3,000 for Count I, \$3,500 for Count II and \$1,000 for Count III) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the Findings of this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the Findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the Findings above.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Hollywood agrees to promptly remit payment in the amount of \$7,500 and shall waive all rights to further administrative or judicial review.


This 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 Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Agreement shall be binding upon the Commission and Hollywood.

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



Sara Gonso Tait, Executive Director
Indiana Gaming Commission



Ryan Coppola, Interim General Manager
Indiana Gaming Company, LLC.

12/10/19

Date

12/6/19

Date