

ORDER 2018-106

IN RE SETTLEMENT AGREEMENT

**AMERISTAR CASINO EAST CHICAGO, LLC
18-AS-02**

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

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

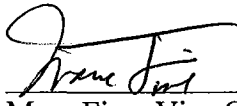
IT IS SO ORDERED THIS THE 28th DAY OF JUNE, 2018.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Marc Fine, Vice Chair

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
AMERISTAR CASINO EAST)	18-AS-02
CHICAGO, LLC)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Ameristar Casino East Chicago, LLC (“Ameristar”), (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

1. 68 IAC 2-3-9.2(b)(2)(C) states riverboat licensees must advise enforcement agents, on a form prescribed or approved by the commission, when one of the following events occurs with an occupational licensee: The occupational licensee transfers to another position with the riverboat licensee.
2. On February 12, 2018, a Gaming Agent discovered that a Soft Count Team Member was occasionally performing duties of a Dual Rate Supervisor. Surveillance also identified this same individual as a Dual Rate Supervisor. A review of the Commission’s Occupational Licensing Database showed the employee was licensed as a Soft Count Team Member and not a Dual Rate Supervisor.
3. On March 7, 2018, Ameristar informed Gaming Agents that the individual had been promoted, however, Gaming Agents were never notified of this promotion. Therefore, the employee did not have a badge representing his new title.

TERMS AND CONDITIONS

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

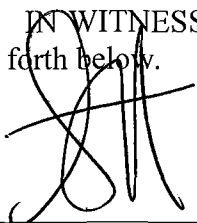
Ameristar shall pay to the Commission a total of \$1,500 in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings 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, Ameristar agrees to promptly remit payment in the amount of \$1,500 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 Ameristar.

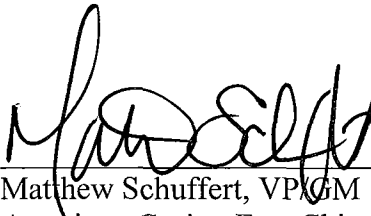
IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.



Sara Gonso Tait, Executive Director
Indiana Gaming Commission

6/27/18

Date



Matthew Schuffert, VP/CM
Ameristar Casino East Chicago, LLC

6/15/18

Date