

INDIANA GAMING COMMISSION BUSINESS MEETING

November 8, 2007
Resorts/Ameristar Casino
East Chicago, Indiana

Call to Order and Roll Call:

Chairman William Barrett called the meeting to order at approximately 1:04 p.m. local time. A quorum was present.

Present:

Commission Members: William Barrett, Chairman, Tim Murphy, Vice Chair, Tom Swihart, Secretary, Tim Walsh, Mary Shy, and Marc Fine. Commissioner Cummings was not present. Commission Staff: Ernest E. Yelton, Phil Sicuso, Jennifer Arnold, Chris Gray, Angie Bunton, Andrew Klinger, Adam Packer, Tami Timberman-Wright, Garth Brown, Larry Rollins, Glen Lloyd, and members of the public.

Approval of the Minutes:

Upon motion by Tom Swihart, second by Tim Murphy, and the unanimous vote of those present, the Commissioners approved the proposed minutes of the September 13, 2007, business meeting.

Report of the Executive Director:

The Executive Director introduced the newest Commission member, Marc Fine.

The Executive Director gave a staff update. Jill Clouse submitted her resignation as a background investigator. Glen Lloyd has been appointed as Director of Financial Investigations and Jayme Via from the audit division will take his place as an investigator. Ron McClain from the legal division will replace Jill Clouse. Mark Cosner was hired as a background investigator. Mary Graham has been hired as a Secretary for the investigation division.

The sixth gaming agent academy will begin January 15, 2008. This class will consist of agents for both horseracing tracks and replacements for vacancies on the boats. Veteran agents will be promoted to supervisor positions at the tracks and a third assistant director position will be created.

Hoosier Park and Indiana Downs have submitted their \$150 million license fee.

The Charity Gaming Division has been conducting educational sessions on the changes in HEA 1510 and the new emergency rules. In the last two months, 290 single event applications were

processed and issued, 96 non-license event notifications were processed and 212 annual licenses were approved.

In August of 2006 Thomas Donovan was evicted from Grand Victoria as an undesirable patron because it was believed he was counting cards. He requested a hearing in May of this year in an effort to be reinstated. The legal department determined he was not evicted or excluded by the Commission and was therefore not entitled to a hearing. In September Mr. Donovan filed a Complaint for Declaratory Judgment. The Attorney General has entered an appearance for the Commission and filed a Motion to Dismiss.

The request for preliminary injunction filed by East Chicago has been heard. The parties have until November 9 to file proposed findings of fact and conclusions of law.

New events have are being investigated by our Investigators on Columbia Sussex. The results of this investigation are not available at this time.

Waiver of Rules and Regulations:

Argosy was granted a request for a waiver to use a two part slip for manually paid jackpots and table game fills and credits.

French Lick was granted a request for a waiver to utilize the ACSC system and record only the name of the individual and not the signature or occupational license number.

All Casinos are required to continue to comply with 68 IAC 15-13-2(g) which states if a manually paid jackpot exceeds three thousand dollars (\$3,000), the appropriate multiple transaction log must be completed in accordance with 68 IAC 15-2-3. If the aggregate amount reaches the CTR threshold, the CTR will not need to be completed if all of the transactions are taxable jackpots and W2Gs have been completed

Old Business:

There was no old business.

New Business:

Voluntary Exclusion Program:

**Orders Concerning
The Voluntary Exclusion Program**

Order 2007-96

Order 2007-97

Order 2007-98

Order 2007-99

Order 2007-100

Order 2007- 101

Order 2007-102

Order 2007-103
Order 2007-104
Order 2007-105
Order 2007-106

Order 2007-96 approved the remittance of winnings by VEP participant John Doe #25 in the amount of \$1,104 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-97 approved the remittance of winnings by VEP participant John Doe #26 in the amount of \$2,305 as a fine. Argosy withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-98 approved the remittance of winnings by VEP participant John Doe #27 in the amount of \$4,250 as a fine. Blue Chip withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-99 approved the remittance of winnings by VEP participant John Doe #28 in the amount of \$1,250 as a fine. Caesars withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-100 approved the remittance of winnings by VEP participant John Doe #29 in the amount of \$4,339 as a fine. French Lick Resort Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-101 approved the remittance of winnings by VEP participant John Doe #30 in the amount of \$5,000 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-102 approved the remittance of winnings by VEP participant John Doe #31 in the amount of \$1,500 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-103 approved the remittance of winnings by VEP participant John Doe #32 in the amount of \$10,000 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-104 approved the remittance of winnings by VEP participant John Doe #33 in the amount of \$4,000 as a fine. Majestic Star Casino withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-105 approved the remittance of winnings by VEP participant John Doe #34 in the amount of \$550 as a fine. Resorts East Chicago withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Order 2007-106 approved the remittance of winnings by VEP participant John Doe #35 in the amount of \$2,338.70 as a fine. Resorts East Chicago withheld the winnings as required by Commission regulations and will remit the fine on behalf of the patron.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved Orders 2007-96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106 as recommended by Commission staff.

Occupational License Matters:

Order 2007-108

Order Denying the Application for Occupational Licenses of Hamp Liggins, Jr. Marty House, Joe Draper and Nicholas Emmons. These individuals were either ineligible to have a hearing held on their felony waivers or chose not to apply for a felony waiver. Commission staff recommended their license applications be denied.

Action: Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission denied the application for the occupational license of Hamp Liggins, Jr., Marty House, Joe Draper and Nicholas Emmons in Order 2007-108.

Order 2007-109

An Order Dissolving the Recommendation of the Administrative Law Judge in the Matter of Kenneth Calvin, 07-OL-FL-01. This in an action where Mr. Calvin's license terminated on June 27, 2007, prior to the ALJ's order. Commission staff recommended no further action be taken.

Action: Upon Motion by Tim Murphy, second by Mary Shy, and unanimous vote of those present, the Commission approved the Order dissolving the ALJ's ruling in Order 2007-109.

Order 2007-110

An Order Concerning the Appeal of the Commissioner's Denial of the Occupational License of Andy Tiet, FL-DEN-07-01. On October 25, 2007, the ALJ recommended the Commission issue an occupational license to Andy Tiet. Commission staff recommended the Commission adopt the recommendation of the ALJ.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission adopted the recommendation of the ALJ in Order 2007-110.

Supplier License Matters

Order 2007-111

An Order Concerning the Renewal of Supplier Licenses. Aristocrat Technologies, Benchmark Hospitality of Indiana, Inc., Paltronics, Inc., Southwest Surveillance Systems, requested renewal of their supplier licenses. Commission staff recommended the requests be approved.

Action: Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission granted the renewal of supplier licenses for Aristocrat Technologies, through November 8, 2008, Benchmark Hospitality of Indiana, Inc., through September 13, 2008, Paltronics, Inc., through November 16, 2008, and Southwest Surveillance Systems, through December 2, 2008, in Order 2007-111.

Order 2007-112

An Order Concerning the Request of Strategic Communications, LLC to Withdraw its Supplier License Application. This is an action wherein Strategic Communications LLC was unable to fully comply with requests of the Commission. Commission staff recommended the withdrawal of their supplier license application.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission granted the withdrawal of Strategic Communications, LLC's supplier license application in Order 2007-112.

Disciplinary Actions:

**Settlement Agreement of
Indiana Gaming Company, L.P.
07-AR-02
Order 2007-113**

A settlement agreement was reached regarding Ct. 1, an illegal bet, and Ct. 2, failure to inspect cards and an improperly destroyed deck of cards. Commission staff recommended and Indiana Gaming Company, L.P. agreed to pay a total fine in the amount of \$15,000.

Action: Upon Motion by Mary Shy, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Casino Aztar
07-AZ-03
Order 2007-114**

A settlement agreement was reached regarding Ct. 1: failure to escort a vendor to the soft count room. The vendor was also carrying a non-transparent bag into the soft count room, and; Ct. 2: two vendors, while wearing vendor badges, were found playing slot machines. Commission staff recommended and Casino Aztar agreed to pay a total fine in the amount of \$15,000.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Belterra Casino and Resort
07-BT-04
Order 2007-115**

A settlement agreement was reached regarding Ct. 1: eight progressive were identified as having only lock, Ct. 2: underage patron allowed to board the casino, and Ct. 3: six decks of cards were missing from the Card and Dice Destruction room, along with other discrepancies from the Card and Dice Destruction room. Commission staff recommended and Belterra Casino and Resort agreed to pay a total fine in the amount of \$37,000

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Blue Chip Casino, LLC
07-BC-04
Order 2007-116**

A settlement agreement was reached regarding Ct. 1: underage patron allowed to board the casino. Commission staff recommended and Blue Chip Casino, LLC agreed to pay a total fine in the amount of \$22,500.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
RDI/Caesars Riverboat Casino, LLC
07-CS-04
Order 2007-117**

A settlement agreement was reached with Caesars regarding Ct. 1: failure of live poker tables to have drop boxes, Ct. 2: an underage patron was allowed to board the casino; Ct. 3: occupational badge violation, Ct. 4: sensitive key violation, Ct. 5: violation concerning cash payout tickets, Ct. 6: violation concerned ten locked progressives, and Ct. 7: failure to have Gaming Agent sign bill and credit test on seven slot machines. Caesars agreed to a total fine of \$49,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
French Lick Resort•Casino
07-FL-03
Order 2007-118**

A settlement agreement was reached with French Lick Resort•Casino regarding Ct. 1: Violation regarding payouts, Ct. 2: an underage patron was allowed to board the casino, and Ct 3: violation regarding unsecured chip tray, Ct. 4: violation concerning table game progressive controller lock, Ct. 5: violation of patron admissions and patron taxes, Ct. 6: VIP cage door left open, Ct. 7: violation of VEP rules, and Ct. 8: violation regarding revoked EPROM. French Lick Resort•Casino agreed to a total fine of \$41,000 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Mary Shy, second by Tom Swihart, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Grand Victoria Casino and Resort LP
07-GV-03
Order 2007-119**

A settlement agreement was reached with Grand Victoria Casino and Resort regarding Ct. 1: failure to report cameras/keyboards malfunction in Surveillance area, Ct. 2: sensitive key violation, Ct. 3: an underage patron was allowed to board the casino, Ct. 4: progressive link on machine set incorrectly, Ct. 5: violation of VEP rules, Ct. 6: unsecured slot door, and Ct. 7: failure to properly secure casino fanny pack containing entry fees. Grand Victoria Casino and Resort agreed to a fine of \$65,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Horseshoe Hammond, Inc.
07-HH-04
Order 2007-120**

A settlement agreement was reached with Horseshoe Hammond, Inc. regarding sensitive key violation. Horseshoe agreed to a fine of \$1,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

**Settlement Agreement of
Majestic Star Casino I & II
07-MS-04
Order 2007-121**

A settlement agreement was reached with Majestic Star I & II regarding Ct. 1: key and lock issues on table game progressive controllers, Ct. 2: VEP rule violations, Ct. 3: violation of temporary badge rule, Ct. 4: failure to lock money cart prior to transportation. Majestic Star Casino agreed to a total fine of \$67,500 and Commission staff recommended the approval of this settlement.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the proposed terms of the agreement.

Financing matters:

Order 2007-122

An Order ratifying the previously awarded interim waiver and approval of debt transactions proposed by Blue Sky Casino, LLC.

Action: Upon Motion by Tim Murphy, second by Tim Walsh, and unanimous vote of those present, the Commission adopted Order 2007-122, which ratifies the Executive Director's October 23, 2007, interim approval and waiver.

Order 2007-123

An Order Approving up to \$225 Million in Bridge Notes Proposed by Majestic Star Casino, LLC, and Majestic Star Casino II, Inc.

Action: Upon Motion by Tom Swihart, second by Tim Walsh, and unanimous vote of those present, the Commission approved the proposed bridge notes in Order 2007-123.

Merger Application

Order 2007-124

An Order Concerning the Application of Hamlet Merger, Inc., a Wholly Owned Subsidiary of Hamlet Holdings, LLC, to Merge With Harrah's Entertainment, Inc.

Action: Upon Motion by Tim Murphy, second by Tim Walsh, and unanimous vote of those present, the Commission approved the application of Hamlet Holdings, LLC.

Renewal of Riverboat Owner's Licenses

Resolution 2007-125

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Belterra Resort Indiana, LLC.

Action: Upon Motion by Tim Murphy, second by Tom Swihart, and unanimous vote of those present, the Commission approved the renewal of Belterra Resorts Indiana, LLC's riverboat license.

Resolution 2007-126

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Grand Victoria Casino and Resort, LP.

Action: Upon Motion by Tom Swihart, second by Tim Murphy, and unanimous vote of those present, the Commission approved the renewal of Grand Victoria Casino and Resort, LP's riverboat license.

Next Meeting:

The next business meeting of the Commission will be March 6, 2008, at a yet to be determined location.

Adjournment:

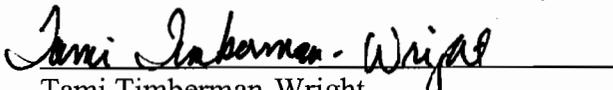
The meeting was adjourned at approximately 2:25 p.m.

Minutes:

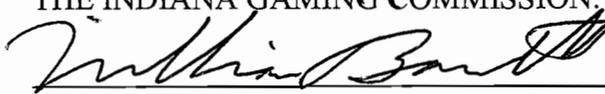
Karen Price and Associates, 7863 Broadway, Suite 118, Merrillville, Indiana 46410, transcribed the, business meeting. The transcript is a complete record of the meeting. Anyone wishing to see the transcript may review it at the Commission Office at 101 West Washington Street, East Tower, Suite 1600, Indianapolis, Indiana.

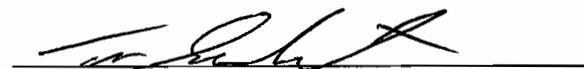
These minutes were prepared by Tami Timberman-Wright, Administrative Assistant for the Indiana Gaming Commission. This transcript may also be viewed online at www.in.gov/gaming.

Respectfully Submitted,


Tami Timberman-Wright

THE INDIANA GAMING COMMISSION:


William Barrett, Chairman


Tom Swihart, Secretary

3.31.08

Date