

ORDER 2010-213

AN ORDER CONCERNING THE GAMBLING GAME LICENSE OF INDIANAPOLIS DOWNS, LLC

On March 31, 2008, the Indiana Gaming Commission (“Commission”) granted Indianapolis Downs, LLC (“Indianapolis Downs”), a license to conduct gambling games at a facility located at its racetrack in Shelbyville, Indiana (“Indiana Live”). One of the continuing conditions of this license was that Gomes + Cordish Gaming Management, LLC (“Gomes + Cordish”), or another suitable operator, serve as the gaming operations manager for Indianapolis Downs. Indianapolis Downs has requested that the Commission modify the gambling game license to eliminate the condition requiring a gaming operations manager.

The Commission has considered the following factors in contemplating Indianapolis Downs’ request for a modification to the conditions of its gambling game license:

1. Section I of the action taken in Commission Order 2008-26 requires “Gomes + Cordish Gaming Management, LLC, or another suitable operator, receive a permanent supplier’s license to serve as the gaming operations manager for Indianapolis Downs...”
2. Indianapolis Downs now controls the day-to-day operation of the Indiana Live facility, and has shown its skill in conducting gambling operations in a competent manner.
3. Indianapolis Downs employs the on-site management team at Indiana Live, including General Manager Richard Kline, Vice President of Internal Audit/Compliance Karin Brugler, Chief Financial Officer Fred Burford, and Director of Surveillance Lois Coyle-Duffy, all of whom have extensive experience.
4. Gomes + Cordish has notified the Commission that it no longer participates in the day-to-day operations at Indiana Live.
5. Indianapolis Downs has presented sufficient evidence that it possesses the skill, experience, and knowledge necessary to conduct a casino gambling operation at Indiana Live, in accordance with 68 IAC 2-1-5(c)(2), such that the existing condition on its license requiring an outside gaming operations manager is no longer necessary for Indianapolis Downs to maintain its suitability to hold a gambling game license.

COMMISSION ACTION

Modification of Section I of the Commission Action Taken in Order 2008-26.

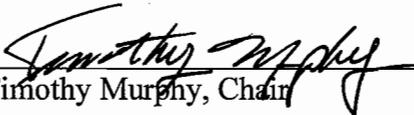
Based on the foregoing, and in accordance with IC 4-35, the Commission hereby **MODIFIES** the continuing conditions of Order 2008-26 under Commission Action heading “I. Gambling Game License and Proposed Slot Machine Facility” to read as follows, effective upon the issuance of a temporary occupational license to a Director of Slot Operations for Indiana Live:

“The Commission’s grant of the gambling game license is contingent upon the continuing conditions that: (1) Indianapolis Downs and all relevant affiliates refrain from commencing slot machine gambling in Indiana until formal approval to do so has been given by the Executive Director;

and (2) Indianapolis Downs and all relevant affiliates maintain the casino gambling operation in substantial compliance with all applicable state and local laws, including but not limited to IC 4-35 and Commission regulations, resolutions, orders and/or other directives relating to the gambling game license, or to the lawful operation or conduct of gambling games and/or pari-mutuel horse racing meetings in Indiana.”

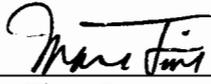
IT IS SO ORDERED THIS THE 10th DAY OF NOVEMBER, 2010.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Marc Fine, Secretary