

**ORDER 2013-113
IN RE SETTLEMENT AGREEMENT
CAESARS RIVERBOAT CASINO, LLC
13-CS-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 27th DAY OF JUNE, 2013.

THE INDIANA GAMING COMMISSION:



Matt Bell, Chair

ATTEST:



Marc Fine, Vice-Chair

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
CAESARS RIVERBOAT CASINO, LLC)	13-CS-02
d/b/a HORSESHOE CASINO HOTEL)	
SOUTHERN INDIANA)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Caesars Riverboat Casino, LLC d/b/a Horseshoe Casino Hotel Southern Indiana (“Horseshoe South”), (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

COUNT I

1. Pursuant to IC 4-33-9-12 and 68 IAC 1-11-1(c), 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. On February 13, 2013, a Gaming Agent was contacted by a Security Supervisor in regard to a questionable identification being presented at the turnstiles. The patron was attempting to use his military identification card to enter the casino but the date of birth on the back was not legible. The patron acknowledged to the Gaming Agents that he was 20 years old and that he had been allowed entry into the casino multiple times over the past week. He was allowed entry into the casino on February 6th at 12:22, February 7th at 1:02 and 20:18, February 8th at 19:53 and on February 12th at 06:32.

COUNT II

3. 68 IAC 14-3-2 (b) states that all playing cards must meet the following specifications: (1) all decks of cards must be a complete standard deck of fifty-two cards in four suits. The four suits shall be hearts, diamonds, clubs and spades. Each suit shall consist of numerical cards from: (A) two to ten; (B) a jack; (C) a queen; (D) a king; and (E) an ace.
4. On February 3, 2013, a Gaming Agent received a call from the Table Games Shift Manager stating that a playing card was missing from a deck of cards at a blackjack table. The missing card was discovered when the cards were being counted down prior to being removed from the table. The Gaming Agent was informed that there was a malfunction

of the automatic shuffler and it was taken off the table. The shuffler had been inspected by a Slot Tech and a Table Games Dual Rate when it was removed from the table and they completed a "Shuffler Repair Request" that indicated that all cards had been accounted for. The next morning, upon request by a Table Games Shift Manager, another Slot Tech inspected the shuffler and discovered a gold deck 3 of clubs in the bottom of the shuffler. Upon surveillance review, it was discovered that from 17:26 to 18:53, the casino experienced issues with the shuffler while both the black and gold decks were being shuffled. The black decks were counted down and taken off the table. The gold decks were not counted down until the table was closed the next morning. The six deck shoe containing the gold decks was short one card for approximately 11 hours and 40 minutes.

5. On March 2, 2013 a Gaming Agent was notified by a Surveillance Supervisor that at a Blackjack table the two different color decks of playing cards were incomplete. The black color decks had six missing cards and the gold colored decks had five missing cards. All of the cards were found in the bottom of the automatic shuffler. Review of the video coverage showed that when separately placed in the automatic shuffler; both colored decks caused the shuffler to display the red error light. Even though the error light was displayed the Dealer placed both decks separately through the shuffler twice more until the green light was displayed. Once the green light was displayed the cards were put into play. The final time the gold colored deck was placed in the shuffler the red error light was displayed. The Dealer then placed the gold colored decks in the shuffler three different times and each time the red light was displayed. The gold decks were removed from the shuffler and placed into play. When the black decks were placed in the shuffler and the red light was displayed the Dealer counted both decks of cards and discovered that cards were missing from both decks.

COUNT III

6. 68 IAC 2-3-9.2 (b)(2)(C) states riverboat licensees must advise the enforcement agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee:
The occupational licensee transfers to another position with the riverboat licensee.
The forms must be submitted to the enforcement agent within fifteen (15) days of the occurrence of the change or action.
7. On March 8, 2013 a Gaming Agent was advised by the Gaming Supervisor of a possible violation by the casino regarding updating the Commission. During a criminal investigation another Gaming Agent had discovered that a Dealer had been working as a Dual Rate Supervisor for approximately seven years. When the Agent spoke to the Poker Room Manager he was informed that the Dealer and five other Dealers had been working as Dual Rate Supervisors for approximately six to seven years. The Gaming Supervisor investigated and found that three of the Dealers were not listed as Dual Rate Supervisors in the Commission's OCCLIC system and there was no paperwork in their files indicating the change in title.

COUNT IV

8. 68 IAC 15-6-2(a)(3)(A) states whether or not a riverboat licensee or operating agent chooses to observe flexible scheduling all patrons boarding or exiting the riverboat shall pass through an approved patron counting system.
9. 68 IAC 11-1-6(b) states failure to comply with approved internal control procedures may result in the initiation of a disciplinary action. According to Horseshoe Southern Indiana internal control K-6, Prohibited Guests all Casino entrance posts and rovers are responsible to verify the age of the guests. Upon request of the identification the guest must possess an acceptable form of identification. If the guest cannot produce an acceptable form of identification the guest will not be permitted to board the casino.
10. On March 17, 2013 a Gaming Agent was notified by another Gaming Agent that there was an altercation between six or seven patrons at the turnstiles and force was used on one subject to effect an arrest. The other parties were not identified since they left the area. There was a large crowd of people at the turnstiles and at the same time as the altercation several people rushed through and around the turnstiles without identifications being verified. Approximately seventy six (76) people had entered the casino without going through the turnstiles. Review of the video coverage showed a large crowd waiting to enter the casino. Due to the amount of time it was taking to verify the identifications of the patrons the crowd attempted to push their way through the turnstiles. When the altercation occurred a Security Officer and two Gaming Agents attempted to break up the altercation. The Security Officer was punched in the face and kicked in the kidney area. At this same time a large number of people overwhelmed the two Security Officers at the turnstiles and entered the casino through or around both the entrance and exit turnstiles. The employee entrance turnstile was ripped from the side with the rope still attached and the security podium was pushed forward several inches. A Gaming Agent advised at around the same time as the altercation at the turnstiles there were altercations at the hotel, hotel garage, rotunda, casino valet and casino garage. These all occurred after an event in the Showroom had ended and people were asked to leave the Showroom. The Security Officer on duty at the time of the incident was contacted by the Commission's Audit Director. The Security Officer informed the Director that the Security Officers on duty the night of the incident had walked through the turnstiles to account for the patrons who had gone around the turnstiles.

COUNT V

11. 68 IAC 2-3-9.2 (b) states riverboat licensees must advise the enforcement agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee:
 - (1) The occupational licensee's employment with the riverboat licensee is terminated for any reason.

The forms must be submitted to the enforcement agent within fifteen (15) days of the occurrence of the change or action.

12. On January 10, 2013 the Licensing Coordinator received a termination notice for a Board of Directors member. The member's termination date was November, 2010.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Horseshoe South by and through its agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Horseshoe South's approved internal control procedures. The Commission and Horseshoe South hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Horseshoe South. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

Horseshoe South shall pay to the Commission a total of \$44,000 (\$30,000 for Count I; \$8,000 for Count II; \$1,500 for Count III; \$2,500 for Count IV and \$2,000 for Count V) and a letter outlining the corrective action taken regarding the counting of cards when the automatic shuffle machine indicates a problem, 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 herein. If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described herein, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or 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, Horseshoe South agrees to promptly remit payment in the amount of \$44,000 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 Horseshoe South.

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



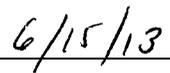
Ernest E. Yelton, Executive Director
Indiana Gaming Commission



Date



Eileen Moore, General Manager
Caesars Riverboat Casino, LLC



Date