

INDIANA GAMING COMMISSION
BUSINESS MEETING
DECEMBER 15, 2022

The Indiana Gaming Commission Business Meeting was stenographically taken down by me, Dianne Lockhart, RMR, CRR, a Notary Public in and for the County of Marion, State of Indiana, in the Auditorium of the Indiana Government Center South, 302 West Washington Street, Indianapolis, Indiana, commencing at the hour of 1:33 p.m., December 15, 2022. The following transcript is a true and accurate transcript of the proceedings held.

CIRCLE CITY REPORTING
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A P P E A R A N C E S

ON BEHALF OF THE GAMING COMMISSION:

Milton O. Thompson, Chairman

Marc D. Fine, Commissioner

Jason Dudich, Commissioner

Chuck Cohen, Commissioner

Daniel Housman, Commissioner

Michael E. Williams, Commissioner

Adam L. Hill, Commissioner

Greg Small, Executive Director

Jennifer Reske, Deputy Director

Dennis Mullen, General Counsel

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1 CHAIRMAN THOMPSON: All right. I'd like to
2 officially call the Commission meeting to order.
3 My name is Milt Thompson, Chairman of the Board
4 of the state Gaming Commission.

5 I'd like to first call upon our Executive
6 Director. Mr. Small, would you please call the
7 roll.

8 EXECUTIVE DIRECTOR SMALL: Chairman
9 Thompson.

10 CHAIRMAN THOMPSON: I'm here.

11 EXECUTIVE DIRECTOR SMALL: Participating via
12 telephone, Vice Chair Fine.

13 COMMISSIONER FINE: I'm here.

14 EXECUTIVE DIRECTOR SMALL: Secretary Dudich.

15 COMMISSIONER DUDICH: Here.

16 EXECUTIVE DIRECTOR SMALL: Commissioner
17 Cohen.

18 COMMISSIONER COHEN: Here.

19 EXECUTIVE DIRECTOR SMALL: Also
20 participating via phone, Commissioner Housman.

21 COMMISSIONER HOUSMAN: Here.

22 EXECUTIVE DIRECTOR SMALL: Commissioner
23 Williams.

24 COMMISSIONER WILLIAMS: Here.

25 EXECUTIVE DIRECTOR SMALL: And Commissioner

1 Hill.

2 COMMISSIONER HILL: Here.

3 CHAIRMAN THOMPSON: A quorum has been
4 established.

5 I'd like to move for approval of a couple of
6 sets of meetings. We omitted the ones from
7 June 30, 2022, and then I want to do them in
8 combination, unless there's any major
9 alterations, the September 27, 2022, minutes.
10 I'm going to call for an approval of those
11 minutes from the Commissioners.

12 COMMISSIONER DUDICH: So moved,
13 Mr. Chairman.

14 CHAIRMAN THOMPSON: There is a motion. Is
15 there a second?

16 COMMISSIONER COHEN: Second.

17 CHAIRMAN THOMPSON: Is there a discussion,
18 modifications or changes?

19 Hearing none, I'm going to call for a vote.

20 All those in favor of the motion to approve
21 the minutes, please signify by stating aye.

22 (Chorus of ayes.)

23 Opposed, same sign.

24 COMMISSIONER HOUSMAN: Aye.

25 CHAIRMAN THOMPSON: Opposed, would you care

1 to state a reason for the opposition?

2 EXECUTIVE DIRECTOR SMALL: I think that was
3 an aye.

4 CHAIRMAN THOMPSON: Oh, that was an aye.
5 That means that they're approved unanimously. So
6 we've approved both those minutes.

7 And now, Executive Director Small, would you
8 please provide the report of the Executive
9 Director, please.

10 EXECUTIVE DIRECTOR SMALL: Thank you,
11 Mr. Chair.

12 You may have noticed a couple new faces
13 here, and we are very pleased to have a fully
14 staffed Commission. I'd like to introduce our
15 two new Commission members.

16 First is Commissioner Michael Williams of
17 Lyons, Indiana. He's a retired --

18 MS. RESKE: Commissioner Housman, would you
19 mind muting your phone.

20 CHAIRMAN THOMPSON: There you go. That's
21 better.

22 I thought it was a shout out to Commissioner
23 Williams.

24 COMMISSIONER DUDICH: Welcome aboard.

25 (Laughter)

1 EXECUTIVE DIRECTOR SMALL: Let's try this
2 again. Commissioner Michael Williams of Lyons,
3 Indiana, is a retired Certified Public
4 Accountant, and most recently retired as a
5 partner with Hartman and Williams, and Michael E.
6 Williams, CPA.

7 In 2010 Mr. Williams retired from the
8 Indiana State Board of Accounts after 33 years of
9 service. That service included four years as
10 Deputy State Examiner. He currently serves as
11 the Director of the Utilities District of Western
12 Indiana, and the Indiana Electric Cooperatives.
13 Mr. Williams also serves as the president of the
14 Atlantic Terrace Condo Association in Daytona
15 Beach Shores, Florida. He graduated from Indiana
16 State University in 1977 with a B.S. degree in
17 accounting, and he was appointed to the
18 Commission in October of 2022.

19 Welcome aboard, Mr. Williams.

20 COMMISSIONER WILLIAMS: Thank you.

21 EXECUTIVE DIRECTOR SMALL: And next we have
22 our new chairman -- our new commissioner, Adam
23 Hill, of Indianapolis. He serves as CEO --

24 CHAIRMAN THOMPSON: You're sure he's not a
25 new chairman? Am I --

1 EXECUTIVE DIRECTOR SMALL: Are you
2 volunteering?

3 CHAIRMAN THOMPSON: I can move that up on
4 the agenda if you would like to do that.

5 (Laughter)

6 EXECUTIVE DIRECTOR SMALL: Commissioner Hill
7 is a CEO, principal and managing broker of LOR
8 Corporation, a full-service commercial real
9 estate and development company. Mr. Hill also
10 served as president of United Package Liquors,
11 which owned and operated 30 retail package liquor
12 stores in Indiana and Kentucky.

13 Prior to joining LOR, Mr. Hill practiced law
14 in Indianapolis and surrounding areas and focused
15 on commercial litigation, business transactions,
16 real estate, collections and creditor and debtor
17 rights. Mr. Hill holds a B.S. in business
18 management from Huntington University, and a law
19 degree from Indiana University. Mr. Hill also
20 serves as president of United Hope Foundation, a
21 local not-for-profit organization. Mr. Hill was
22 appointed to the Commission in October of 2022 as
23 well.

24 And we welcome you, Mr. Hill.

25 COMMISSIONER HILL: Thank you.

1 EXECUTIVE DIRECTOR SMALL: New hires. We
2 have one new hire to discuss in audit, and that
3 is Charles Crocker. Charles recently graduated
4 from the University of Indianapolis with a
5 bachelor's in finance. Charles is an Eagle Scout
6 and continues to volunteer his time with his
7 local Scout troop and the Edinburgh Masonic
8 Lodge.

9 We're excited to have him as part of the
10 team. Welcome aboard, Charles.

11 Reinvestigations. Our investigations
12 division has completed reinvestigations for the
13 following licensees: Konami, GPI, NRT, GLP
14 Capital, Halifax, Zuvid and Incredible
15 Technologies. The confidential reports are in
16 your materials, Commissioners. Directors Brown
17 and Leek are present should you have any
18 questions.

19 Exclusions. Since the September 2022
20 business meeting, Commission staff has added 27
21 individuals to the Exclusion List. With 27
22 additions to the list, it now totals 976
23 individuals.

24 Waivers. The IGC has also granted 13
25 waivers to Indiana casinos since the previous

1 meeting. This information is included in your
2 materials and will be posted on the Commission's
3 website.

4 That concludes my report, Mr. Chairman.

5 CHAIRMAN THOMPSON: Thank you. Before
6 moving on to our oath and swearing in those who
7 are going to be speaking today, I'd like to take
8 a moment, first of all, to say welcome to the new
9 Commissioners, all of you. Thank you.

10 Mr. Fine, I know that you're on -- on the
11 line here, and I'd like to let you know that I
12 have my own glasses this week, this time, so you
13 don't have to share them with me during this
14 meeting. I should be able to read our agenda a
15 little bit better this time around.

16 But more importantly, I'd like to take a
17 moment to acknowledge Susan Williams, who was --
18 has left our Commission. She was here for about
19 ten years and served honorably in that capacity.
20 I've known her a lot longer than that period of
21 time.

22 And when the governor asked me to leave the
23 Lottery Commission and would I move to the Gaming
24 Commission and then would I accept the position
25 as chairman of the board, I said on one

1 condition, that Susan Williams stays around long
2 enough for me to get acclimated, so I want to
3 thank Susan Williams for doing that. She stayed
4 for a few meetings before I knew that it was her
5 time to move along because of the things in her
6 life, but a former public servant, and still
7 continuing public servant, in all kinds of
8 capacities in local City-County Councillor and
9 former president of Indiana Sports Corporation
10 and in all kinds of capacities and she's always
11 freely giving. And I'm not going to take it up
12 in a resolution per se, but I would like for it
13 to be stated in our minutes that we'd like to
14 give all the thanks and congratulations for her
15 tenure here on the Gaming Commission, and I'd
16 like to have that a unanimous consent of our
17 Commissioners.

18 Do I hear it? An aye.

19 (Chorus of ayes.)

20 CHAIRMAN THOMPSON: We have unanimous
21 consent to our minutes for the commendation of
22 Susan Williams. Thank you for that.

23 Now, would you move on to the oath.

24 EXECUTIVE DIRECTOR SMALL: Yes, I will.

25 Anyone who plans on addressing the Commission, if

1 you could please stand and raise your right hand.

2 I, state your name, do hereby solemnly
3 swear, subject to the penalties of perjury, to
4 tell the truth, the whole truth, and nothing but
5 the truth, so help me God.

6 Thank you.

7 CHAIRMAN THOMPSON: Any old business before
8 the Commission?

9 Hearing none, any new business before the
10 Commission?

11 Hearing none, we'll move on to first we have
12 a transfer of ownership, and Deputy General
13 Counsel Alex Dudley will now present Order
14 2022-188.

15 MR. DUDLEY: Good afternoon, Commissioners.

16 Order 2022-188 involves an ownership
17 transfer request between sports wagering vendor
18 licensee Digital Gaming Corporation Limited,
19 doing business as Betway and Super Group Limited.

20 Upon receiving the transfer application, the
21 Commission completed a background and financial
22 investigation, finding that the transferee was
23 substantially compliant with Indiana statutes and
24 regulations and finding no derogatory information
25 that would affect the transferee's suitability

1 for holding the interest in DGC.

2 Approving Order 2022-188 would have the
3 effect of approving the ownership transfer
4 request.

5 CHAIRMAN THOMPSON: Thank you. Any
6 questions of Mr. Dudley?

7 Commissioners, all those -- a motion to
8 approve?

9 COMMISSIONER DUDICH: Mr. Chairman, I can
10 make a motion for the approval of Order 2022-188
11 as presented by staff.

12 CHAIRMAN THOMPSON: Is there a second?

13 COMMISSIONER COHEN: Second.

14 CHAIRMAN THOMPSON: There's a second.
15 Any discussion?

16 Hearing none, all those in favor of the
17 motion, signify by stating aye.

18 (Chorus of ayes.)

19 All those opposed, same sign.

20 The motion carries.

21 Thank you, Mr. Dudley.

22 Ms. Violi, petition for removal of Exclusion
23 List.

24 MS. VIOLI: Commissioners, you have before
25 you Orders 2022-189 through 2022-190 concerning

1 the petitions for removal from the Exclusion List
2 of Iran Brown and Otis Reed.

3 Petitioners Brown and Reed have been placed
4 on the Exclusion List for over three years and
5 have petitioned to be removed from the Exclusion
6 List. Telephonic hearings were conducted, at
7 which petitioners provided support to their
8 petitions.

9 Based on the totality of factors relevant in
10 these matters, the reviewing officer has
11 concluded that Mr. Brown has met the standard of
12 clear and convincing evidence, as reflected in
13 staff's finding of fact and recommendation.

14 Adopting staff's finding of fact and
15 recommendations would have the effect of granting
16 petitioner's petition for removal from the
17 Statewide Exclusion List.

18 Based on the totality of factors relevant in
19 these matters, the reviewing officer has
20 concluded that Mr. Reed has not met the standard
21 for clear and convincing evidence, as reflected
22 in the staff's findings of fact and
23 recommendation.

24 Adopting staff's findings and
25 recommendations would have the effect of denying

1 petitioner's petition for removal from the
2 Statewide Exclusion List.

3 CHAIRMAN THOMPSON: Thank you, Ms. Violi.
4 Any questions of Ms. Violi?

5 Then if there are none, then I would ask if
6 there is an approval, a motion of the Orders
7 2022-189 through 2022-190?

8 COMMISSIONER DUDICH: So moved,
9 Mr. Chairman.

10 CHAIRMAN THOMPSON: Is there a second?

11 COMMISSIONER WILLIAMS: I'll second that.

12 CHAIRMAN THOMPSON: Any questions?

13 Hearing none, all those in favor of the
14 motion, signify by stating aye.

15 (Chorus of ayes.)

16 Those opposed, same sign.

17 Hearing none, the motion approves.

18 Ms. Violi, continue.

19 MS. VIOLI: Commissioners, you have before
20 you Order 2022-191 concerning a settlement
21 agreement with Stacey Goans. Mr. Goans is an
22 Exclusion patron who won a jackpot. The
23 settlement agreement is included with your
24 packet.

25 And approving Order 2022-191 would approve

1 the settlement agreement.

2 CHAIRMAN THOMPSON: Any questions of
3 Ms. Violi?

4 Commissioners, all those -- may I accept a
5 motion for approval of Order 2022-191.

6 COMMISSIONER DUDICH: So moved,
7 Mr. Chairman.

8 CHAIRMAN THOMPSON: Is there a second?

9 COMMISSIONER COHEN: I'll second.

10 CHAIRMAN THOMPSON: There's a motion and a
11 second.

12 Any questions? Discussion?

13 Hearing none, all those in favor of the
14 motion, signify by stating aye.

15 (Chorus of ayes.)

16 Those opposed, same sign.

17 The motion carries.

18 License renewals. Mr. Neal.

19 MR. NEAL: Good afternoon, Commissioners.

20 You have before you Order 2022-192. Pursuant to
21 Indiana Code Section 4 --

22 MS. RESKE: Excuse me, Chris. The court
23 reporter needs you to speak up. Thank you.

24 MR. NEAL: Sorry. Yes. You have before you
25 Order 2022-192. Pursuant to Indiana Code Section

1 4-33-7-8 and 68 IAC Section 2-2-8, a supplier's
2 license must be renewed each year along with a
3 payment of the \$7,500 renewal fee.

4 Each of the following licensees has
5 submitted a timely request for renewal along with
6 the required payment: JCM American Corporation;
7 Aristocrat Technologies, Incorporated; American
8 Gaming Systems, LLC; SB Tech; United Tote
9 Company; and IGT.

10 Approving Order 2022-192 would have the
11 effect of renewing the license of each of the
12 respective licensees for a period of one year.
13 Thank you.

14 And next on the agenda you have before you
15 Orders 2022-193, 2022-194, 2022-195 and 2022-196
16 regarding the renewal of CSI Operating Company,
17 LLC, doing business as Caesars Southern Indiana;
18 Aztar Indiana Gaming Company, LLC, doing business
19 as Bally's Evansville; Indiana Gaming Company,
20 LLC, doing business as Hollywood; and CDITH, LLC,
21 doing business as the Queen of Terre Haute Casino
22 Resort casino owner's license renewals
23 respectively.

24 Caesars Southern Indiana, Bally's
25 Evansville, Hollywood and Queen of Terre Haute

1 have all filed the proper paperwork and paid
2 their renewal fee.

3 Previously by Orders 2021-207, 2021-208 and
4 2021-209, the Commission had approved the written
5 power of attorney for Caesars Southern Indiana,
6 Bally's Evansville and Hollywood respectively.

7 These approvals expire upon the renewal of
8 the casino owner's license, and for that reason,
9 all casinos must request renewal of the
10 Commission's approval of the written power of
11 attorney concurrently with the request for
12 renewal or present the Commission with a new
13 written power of attorney and a new
14 trustee-in-waiting. Caesars Southern Indiana,
15 Bally's Evansville and Hollywood have all stated
16 their intent to maintain their existing
17 trustees-in-waiting and have not presented the
18 Commission with any modifications to that power
19 of attorney.

20 Approving Orders 2022-193, 2022-194 and
21 2022-195 would have the effect of renewing the
22 license and approving the power of attorneys for
23 Caesars Southern Indiana, Bally's Evansville and
24 Hollywood for a period of one year.

25 And approving Order 2022-196 would have the

1 effect of renewing the license, not the power of
2 attorney, for Queen of Terre Haute Casino Resort
3 for a period of one year.

4 And next you have before you Order 2022-197.
5 Pursuant to Indiana Code Section 4-38-8-1, a
6 certificate of authority must be renewed each
7 year, along with the payment of a \$50,000 renewal
8 fee.

9 The following certificate holder has
10 submitted a timely request for renewal with the
11 required payment, and that is Gaming
12 Entertainment Indiana, LLC, doing business as
13 Rising Star.

14 Approving Order 2022-197 would have the
15 effect of renewing the certificate of the
16 respective licensee for a period of one year.

17 And now you have before you Order 2022-198.
18 Pursuant to Indiana Code Section 4-38-6-6, a
19 vendor license must be renewed each year along
20 with the payment of a \$50,000 renewal fee.

21 Each of the following licensees has
22 submitted a timely request for renewal along with
23 the required payment: That is Rush Street
24 Interactive, LP, doing business as BetRivers;
25 American Wagering doing business as Caesars

1 Sportsbook for Horseshoe Hammond; American
2 Wagering doing business as Caesars Sportsbook for
3 Caesars Southern Indiana; and Churchill Downs
4 Interactive Gaming, LLC, doing business as
5 BetAmerica.

6 Approving Order 2022-198 would have the
7 effect of renewing the license of each of the
8 respective licensees for a period of one year.

9 And, finally, you have before you Order
10 2022-199. Pursuant to Indiana Code Section
11 4-33-24-15 and 68 IAC 26-3-10, a paid fantasy
12 sports operator license must be renewed each year
13 with the payment of a \$5,000 renewal fee.

14 Each of the following licensees has
15 submitted a timely request for renewal along with
16 the required payment: SportsHub Technologies;
17 Yahoo Fantasy Sports, LLC; and Underdog Sports.

18 Approving Order 2022-199 would have the
19 effect of renewing the license of each of the
20 respective licensees for a period of one year.

21 Thank you.

22 CHAIRMAN THOMPSON: Any questions of
23 Mr. Neal, Commissioners?

24 If not, there is a motion on Orders 2022-192
25 through 2022-199 -- is there a motion?

1 COMMISSIONER COHEN: Mr. Chairman, I make a
2 motion to approve 2022-181 through 2022-199.

3 CHAIRMAN THOMPSON: And is there a second?

4 COMMISSIONER DUDICH: Second.

5 CHAIRMAN THOMPSON: A motion and a second.
6 Any discussion?

7 Hearing none, all those in favor of the
8 motion, please signify by stating aye.

9 (Chorus of ayes.)

10 All those opposed, same sign.

11 The motion carries.

12 Applications for permanent licensure are
13 next on the agenda. Director of Financial
14 Investigations Danielle Leek will now present
15 Orders 2022-200 through 204.

16 MS. LEEK: Good afternoon, Commissioners and
17 Executive Staff.

18 Orders 2022-200 and 2022-201 will approve
19 the permanent supplier licenses for JCM American
20 Corporation and American Gaming & Electronics.

21 Orders 2022-202 through 204 will approve the
22 permanent sports wagering vendor licenses for
23 PointsBet Indiana, Smarkets and Digital Gaming
24 Corporation.

25 Each of these companies and their key

1 persons have submitted the required applications
2 and received temporary licenses issued by the
3 IGC. Commission staff conducted background and
4 financial investigations on the companies, along
5 with their substantial owners and key persons.
6 Commission staff found no material derogatory
7 information that would affect suitability for any
8 of the applicants. Staff's final reports have
9 been provided in your confidential Commission
10 meeting documents.

11 Approving Orders 2022-200 through 204 will
12 grant the permanent licenses to JCM American
13 Corporation, American Gaming & Electronics,
14 PointsBet Indiana, Smarkets and Digital Gaming
15 Corporation, each subject to annual renewal.

16 I'm happy to answer any questions that you
17 might have.

18 CHAIRMAN THOMPSON: Questions for Ms. Leek?

19 Hearing none, I call for a motion on Orders
20 2022-200 through 2022-204.

21 COMMISSIONER WILLIAMS: I make that motion
22 to approve.

23 COMMISSIONER COHEN: Second.

24 CHAIRMAN THOMPSON: There's a motion and a
25 second.

1 Any discussion?

2 I'm going to call for the vote.

3 All those in favor of the motion, signify by
4 stating aye.

5 (Chorus of ayes.)

6 Opposed, same sign.

7 Motion carries.

8 Thank you, Ms. Leek.

9 MS. LEEK: Thank you.

10 CHAIRMAN THOMPSON: Disciplinary actions.
11 Director of Compliance Angela Bunton will now
12 present disciplinary actions on Orders 2022-205
13 through 207.

14 MS. BUNTON: Good afternoon, Commissioners
15 and Executive Staff.

16 You have before you six settlement
17 agreements concerning disciplinary actions
18 against licensed suppliers, eleven settlement
19 agreements concerning disciplinary actions
20 against casinos, and six settlement agreements
21 concerning disciplinary actions against sports
22 wagering operators.

23 Order 2022-205 is a settlement agreement
24 with Ainsworth Game Technology and includes three
25 counts.

1 In count one and two, Ainsworth failed to
2 submit a level one license application in a
3 timely manner.

4 In count three, Ainsworth failed to submit
5 their company's three-year reinvestigation
6 application and five corresponding level one
7 license applications in a timely manner.

8 Ainsworth agreed to a monetary settlement of
9 \$15,000.

10 Order 2022-206 is a settlement agreement
11 with Aristocrat Technologies wherein the supplier
12 violated the rules for shipping electronic gaming
13 devices on four separate occasions.

14 Aristocrat agreed to a monetary settlement
15 of \$6,000.

16 Order 2022-207 is a settlement agreement
17 with Incredible Technologies wherein the supplier
18 failed to submit their company's three-year
19 reinvestigation application and six corresponding
20 level one license applications in a timely
21 manner.

22 Incredible Technologies agreed to a monetary
23 settlement of \$21,000.

24 Order 2022-208 is a settlement agreement
25 with NeoGames Solutions and includes two counts.

1 In count one, NeoGames failed to timely
2 notify the Commission of a licensee's
3 termination.

4 In count two, NeoGames failed to submit a
5 level one license application in a timely manner.

6 NeoGames agreed to a monetary settlement of
7 \$3,500.

8 Order 2022-209 is a settlement agreement
9 with SG Gaming wherein the supplier violated the
10 rules for shipping electronic gaming devices on
11 two separate occasions.

12 SG Gaming agreed to a monetary settlement of
13 \$3,000.

14 Order 2022-210 is a settlement agreement
15 with United States Playing Card Company wherein
16 the supplier failed to timely notify the
17 Commission of a licensee's termination on two
18 separate occasions.

19 The United States Playing Card Company
20 agreed to a monetary settlement of \$1,000.

21 Order 2022-211 is a settlement agreement
22 with Ameristar East Chicago and includes two
23 counts. In count one, Ameristar failed to
24 correctly verify an electronic gaming device's
25 settings after performing an update on the device

1 which led to an incorrect setting on the
2 electronic gaming device. As a result, two
3 jackpots were paid by TITO ticket and the
4 required taxes were not withheld. The casino
5 also failed to complete a child support search
6 since a W2-G was not completed.

7 In count two, Ameristar allowed a minor to
8 obtain access to the gaming floor.

9 Ameristar agreed to a monetary settlement of
10 \$8,000.

11 Order 2022-212 is a settlement agreement
12 with Bally's Evansville and includes two counts.
13 In count one, Bally's Evansville violated the
14 rules and their internal control procedures on
15 child support delinquency reporting.

16 In count two, Bally's Evansville had five
17 licensees working on an expired license.

18 Bally's Evansville agreed to a monetary
19 settlement of \$4,500.

20 Order 2022-213 is a settlement agreement
21 with Blue Chip Casino and includes two counts.

22 In count one, Blue Chip violated the rules
23 and their internal control procedures on child
24 support arrears delinquency reporting.

25 In count two, Blue Chip failed to timely

1 notify the Commission of position changes for
2 three licensees.

3 Blue Chip agreed to a monetary settlement of
4 \$7,500.

5 Order 2022-214 is a settlement agreement
6 with Caesars Southern Indiana and includes three
7 counts.

8 In count one, Caesars Southern Indiana
9 violated the rules and their internal control
10 procedures on child support arrears delinquency
11 reporting.

12 In count two, Caesars Southern Indiana
13 violated the rules on sensitive keys on two
14 separate occasions.

15 In count three, Caesars Southern Indiana
16 failed to verify an even exchange, failed to
17 notify surveillance of a table credit, and failed
18 to properly void an incorrect table fill.

19 Caesars Southern Indiana agreed to a
20 monetary settlement of \$15,000.

21 Order 2022-215 is a settlement agreement
22 with French Lick Resort Casino wherein the casino
23 allowed a minor to obtain access to the casino
24 floor.

25 French Lick agreed to a monetary settlement

1 of \$1,500.

2 Order 2022-216 is a settlement agreement
3 with Hard Rock Northern Indiana and includes four
4 counts.

5 In count one, Hard Rock failed to submit a
6 level one license application in a timely manner.

7 In count two, Hard Rock failed to properly
8 license their power of attorney.

9 In count three, Hard Rock violated the rules
10 of table fills.

11 In count four, Hard Rock failed to properly
12 flag a Voluntary Exclusion Program participant,
13 and another Voluntary Exclusion participant had a
14 duplicate account that was not flagged.

15 Hard Rock Northern Indiana agreed to a
16 monetary settlement of \$13,500.

17 Order 2022-217 is a settlement agreement
18 with Harrah's Hoosier Park and includes two
19 counts.

20 In count one, Hoosier Park violated the
21 rules and their internal control procedures on
22 child support arrears delinquency reporting.

23 In count two, Hoosier Park violated the
24 rules for sensitive keys.

25 Harrah's Hoosier Park agreed to a monetary

1 settlement of \$8,000.

2 Order 2022-218 is a settlement agreement
3 with Hollywood Lawrenceburg and includes two
4 counts.

5 In count one, Hollywood violated the rules
6 and their internal controls on child support
7 arrears delinquency reporting.

8 In count two, Hollywood failed to correctly
9 verify the settings for multiple electronic
10 gaming devices after performing a software
11 conversion. As a result, two jackpots were paid
12 by TITO tickets and the required taxes were not
13 withheld from one of the jackpots. The casino
14 also failed to complete a child support search on
15 the jackpot -- on one of the jackpots since a
16 W2-G was not completed.

17 Hollywood agreed to a monetary settlement of
18 \$9,000.

19 Order 2022-219 is a settlement agreement
20 with Horseshoe Hammond and includes two counts.

21 In count one, Horseshoe Hammond violated the
22 rules and their internal control procedures for
23 child support arrears delinquency reporting.

24 In count two, Horseshoe Hammond failed to
25 obtain Commission approval prior to eliminating a

1 level one licensed position.

2 Horseshoe Hammond agreed to a monetary
3 settlement of \$2,500.

4 Order 2022-220 is a settlement agreement
5 with Horseshoe Indianapolis and includes five
6 counts.

7 In count one, Horseshoe Indianapolis failed
8 to correctly verify the settings on two
9 electronic gaming devices, setting devices as
10 incrementing progressive instead of a
11 non-incrementing progressive. Horseshoe
12 Indianapolis also had a bank of three electronic
13 gaming devices that were set up incorrectly with
14 an incorrect progressive incrementation rate.

15 In count two, Horseshoe Indianapolis
16 violated the rules on sensitive keys.

17 In count three, Horseshoe Indianapolis
18 failed to verify two even exchanges, had a
19 missing card on a poker table and failed to void
20 an incorrect table fill on two separate
21 occasions.

22 In count four, Horseshoe Indianapolis
23 violated the rules of the vendor log.

24 In count five, Horseshoe Indianapolis
25 failed -- violated the rules for the bill

1 validator drop and count process.

2 Horseshoe Indianapolis agreed to a monetary
3 settlement of \$19,500.

4 Order 2022-221 is a settlement agreement
5 with Rising Star and includes two counts.

6 In count one, Rising Star violated the rules
7 and their internal control procedures for child
8 support arrears delinquency reporting.

9 In count two, Rising Star failed to notify
10 surveillance prior to completing a token drop on
11 two separate occasions.

12 Rising Star agreed to a monetary settlement
13 of \$3,000.

14 Order 2022-222 is a settlement agreement
15 with Bally's Interactive doing business as Bally
16 Bet, and includes two counts.

17 In count one, Bally Bet failed to notify the
18 Commission of a termination in a timely manner.

19 In count two, Bally Bet failed to properly
20 restrict sports wagering prohibited participants
21 due to data discrepancies.

22 Bally Bet agreed to a monetary settlement of
23 \$3,500.

24 Order 2022-223 is a settlement agreement
25 with Digital Gaming Corporation Limited doing

1 business as Betway wherein Betway failed to
2 properly restrict sports wagering prohibited
3 participants.

4 Betway agreed to a monetary settlement of
5 \$21,000.

6 Order 2022-224 is a settlement agreement
7 with American Wagering doing business as Caesars
8 Sportsbook wherein Caesars Sportsbook failed to
9 properly log a multiple transaction log
10 transaction in the sportsbook at Bally's
11 Evansville.

12 Caesars Sportsbook agreed to a monetary
13 settlement of \$3,000.

14 Order 2022-225 is a settlement agreement
15 with Betfair Interactive US doing business as
16 FanDuel Sportsbook wherein FanDuel failed to
17 timely notify the Commission of a licensee's
18 termination on multiple occasions.

19 FanDuel agreed to a monetary settlement of
20 \$7,000.

21 Order 2022-226 is a settlement agreement
22 with PointsBet Indiana doing business as
23 PointsBet wherein PointsBet failed to properly
24 restrict sports wagering prohibited participants
25 due to data discrepancies.

1 PointsBet agreed to a monetary settlement of
2 \$1,750.

3 Order 2022-2277 is a settlement agreement
4 with BetMGM doing business as Roar Digital
5 wherein Roar Digital failed to properly restrict
6 sports wagering prohibited participants due to
7 data discrepancies. Two sports wagering
8 prohibited participants received multiple
9 marketing pieces while not properly restricted.

10 Roar Digital agreed to a monetary settlement
11 of \$28,250.

12 Order 2022-228 was removed from the agenda.

13 Relevant details for each settlement
14 agreement have been provided in your meeting
15 materials. Each settlement agreement will also
16 be available on the Commission's website
17 following the meeting.

18 Mr. Chair, this concludes my presentation.

19 CHAIRMAN THOMPSON: Thank you, Ms. Bunton.

20 Any questions of Ms. Bunton from the
21 Commissioners regarding the disciplinary actions?

22 And I would accept a motion on Orders
23 2022-205 through 2022-227.

24 COMMISSIONER DUDICH: So moved,
25 Mr. Chairman.

1 CHAIRMAN THOMPSON: Is there a second?

2 COMMISSIONER COHEN: Second.

3 CHAIRMAN THOMPSON: A motion and a second.

4 Any questions or discussion?

5 Hearing none, I'll call for the vote on the
6 motion.

7 All those in favor of the motion, signify by
8 stating aye.

9 (Chorus of ayes.)

10 Any opposed, same sign.

11 Hearing none, the motion carries.

12 Thank you very much.

13 MS. BUNTON: Thank you.

14 CHAIRMAN THOMPSON: On to occupational
15 licenses, Ms. Violi again, will you now present
16 those matters concerning occupational licenses
17 under Orders 2022-229 through 233.

18 For the record, please note that Orders 222,
19 228 and 231 have been withdrawn.

20 MS. VIOLI: Commissioners, you have before
21 you Orders 2022-229 through 2022-230 and Orders
22 2022-232 through 2022-233 concerning applications
23 for an occupational license to work for Indiana
24 licensees.

25 With regard to these orders, applicants

1 failed to disclose their complete criminal
2 history and/or had a felony conviction and
3 therefore failed to meet the established
4 standards for licensure. The applicants were
5 given an opportunity to withdraw their
6 applications from consideration, but failed to do
7 so. Detailed information regarding these orders
8 is contained in your confidential Commission
9 materials.

10 Approving Orders 2022-229 through 2022-230
11 and Orders 2022-232 through 2022-233 would have
12 the effect of denying these applications.

13 CHAIRMAN THOMPSON: Thank you for the
14 submission and for those things in your packets,
15 just assure everyone that these confidential
16 matters are submitted in advance and reviewed and
17 the Commissioners all have an opportunity to
18 review them. In terms of disciplinary actions,
19 obviously there's concern about ongoing. Thank
20 you for submitting this information.

21 Any questions of Ms. Violi?

22 Is there a motion on Orders 2022-229 through
23 230 and 2022-232 through 233?

24 COMMISSIONER DUDICH: So moved.

25 COMMISSIONER WILLIAMS: Second.

1 CHAIRMAN THOMPSON: A motion and a second.

2 Any discussion?

3 Hearing none, I would call for a vote on the
4 motion.

5 All those signify by stating aye.

6 (Chorus of ayes.)

7 All those opposed, same sign.

8 The motion carries.

9 Now Ms. Violi will present Orders 2022-234
10 through 242.

11 MS. VIOLI: Commissioners, next you have
12 before you Orders 2022-234 through 2022-242.
13 These orders concern settlement agreements
14 between Commission staff and occupational
15 licensees. In lieu of disciplinary action,
16 Commission staff offered each of these licensees
17 a settlement agreement that would have them agree
18 to an unpaid, voluntary relinquishment of their
19 occupational license for a period of regularly
20 scheduled working days, with no vacation or other
21 paid time off to be used.

22 Each of these licensees has agreed to the
23 terms of the settlement agreements. Detailed
24 information regarding these settlement agreements
25 are included in your confidential materials which

1 have been provided to you.

2 Approving Orders 2022-234 through 2022-242
3 would have the effect of ratifying the agreements
4 with occupational licensees.

5 CHAIRMAN THOMPSON: Thank you.

6 Any questions for Ms. Violi on any of the
7 confidential documents submitted prior?

8 If not, is there a motion on Orders 2022-234
9 through 2022-242?

10 COMMISSIONER DUDICH: So moved.

11 CHAIRMAN THOMPSON: Is there a second?

12 COMMISSIONER COHEN: Second.

13 CHAIRMAN THOMPSON: There's a motion and a
14 second.

15 Any discussion?

16 Hearing none, all those in favor of the
17 motion, signify by stating aye.

18 (Chorus of ayes.)

19 Those opposed, same sign.

20 The motion carries.

21 Thank you.

22 Rules resolutions. Mr. Neal, will you
23 present the resolution on Rules 2022-243.

24 EXECUTIVE DIRECTOR SMALL: Chris, before you
25 get started, Dennis, could you kind of give us a

1 quick update on why we're doing this and where
2 the permanent rule stands.

3 CHAIRMAN THOMPSON: Good call.

4 MR. MULLEN: Yes, I'd be happy to, Executive
5 Director Small. So, Commissioners, as you'll
6 recall from our last meeting, our permanent rules
7 were approved and since that time they've been
8 sent over to the Office of the Attorney General
9 for review. Once it has conducted its review, it
10 will go to the governor who will sign the
11 permanent rule and it will become a part of our
12 Indiana Administrative Code 68 IAC.

13 However, given the uncertainty of the timing
14 of those approvals and the fact that our
15 emergency rules are subject to 90 days with a
16 90-day extension, there is a possibility that we
17 will not have an approval of the permanent rule
18 by the time our current emergency rule expires,
19 so Mr. Neal will present our emergency rule
20 again, out of an abundance of caution.

21 I'm probably taking a lot of what he planned
22 to describe, but, again, it's an abundance of
23 caution to ensure that we do not have any lapse
24 in coverage of this rule.

25 EXECUTIVE DIRECTOR SMALL: Thank you.

1 MR. MULLEN: You're welcome.

2 MR. NEAL: And so next on your agenda you
3 have before you Resolution 2022-243 which is
4 regarding the adoption of that emergency rule
5 regarding casino owners' licensees and other
6 persons subject to the jurisdiction of the
7 Commission. And the proposed emergency rule
8 would supersede and replace LSA Document
9 2022-303(E), which is that current emergency rule
10 that was adopted at the September 2022 meeting.
11 And the Commission's reason and rationale for
12 adopting that emergency rule remain true and
13 support today's action.

14 Commission staff is requesting that the
15 Commission adopt this emergency rule for the
16 regular 90 days and with that a 90-day extension,
17 which would allow this new emergency rule to run
18 until the end of June 2023.

19 Commission staff has already presented that
20 permanent rule, as Dennis said, on the casino
21 owner's licensees and other persons subject to
22 the jurisdiction of the Commission and sent that
23 final rule to the Office of the Attorney General
24 to begin the final approval process, but because
25 of the amount of time it takes to formally

1 promulgate the rule, like he said, it is possible
2 that we might not have the final approvals yet
3 before the expiration of the current emergency
4 rule. And as I said, out of an abundance of
5 caution, in order to avoid any gaps in coverage
6 of the rules, Commission staff is presenting this
7 emergency rule for Commission approval.

8 CHAIRMAN THOMPSON: In addition, the
9 Commission meeting for the first quarter of next
10 year has not been set, so we want to be sure that
11 we covered that interim period.

12 Thank you, Mr. Neal, for that.

13 Any questions from the Commissioners on the
14 extension of the emergency rule?

15 Is there a motion on Resolution 2022-243?

16 COMMISSIONER WILLIAMS: I'll make that
17 motion to approve.

18 CHAIRMAN THOMPSON: Motion. Is there a
19 second?

20 COMMISSIONER HILL: I'll second.

21 CHAIRMAN THOMPSON: Motion and a second.

22 Any discussion?

23 No further questions of Mr. Neal?

24 All those in favor of the motion, signify by
25 stating aye.

1 (Chorus of ayes.)

2 Those opposed, same sign.

3 Hearing none, the motion carries.

4 Thank you, Mr. Neal.

5 Deputy Director Jenny Reske will now
6 introduce the disparity study and maybe a couple
7 words about that disparity study.

8 MS. RESKE: Thank you, Mr. Chair.

9 Commissioners, statute requires the Gaming
10 Commission to conduct a disparity study every
11 five years. That's the statistical analysis to
12 determine utilization of minority and women-owned
13 businesses, and also to estimate the capacity of
14 minority and women-owned businesses to engage in
15 business with casino operators.

16 We are very fortunate that Drew Klacik of
17 the Public Policy Institute has once again agreed
18 to conduct our study. It is our fourth study.
19 We began this in 2007, which I hate to admit to,
20 and I'm sure Drew does too. But we followed the
21 same format as we have in the previous studies.

22 Drew will come present the study and we will
23 also have a discussion of the legal analysis that
24 was conducted to ensure that it comports with all
25 applicable laws.

1 And I would also like to note,
2 Commissioners, that this is Drew's last project
3 in his career as --

4 CHAIRMAN THOMPSON: So he thinks.

5 MS. RESKE: Yes, so he thinks. As he is
6 planning to retire and move on to doing more of
7 the things he loves outside of work.

8 So, Mr. Chair, with your permission.

9 CHAIRMAN THOMPSON: Yes, please. Thanks for
10 being here.

11 MR. KLACIK: Thanks. Mr. Chairman,
12 Commissioners, as Jenny said, my name is Drew
13 Klaciak, and she's basically stolen all my lines I
14 was going to say.

15 I'm a very senior policy analyst at the IU
16 Public Policy Institute. More importantly, the
17 Public Policy Institute started doing
18 gaming-related research for the Commission with
19 the selection of the very first license in
20 Indiana. I started just a little bit later than
21 that, but every once in a while you might hear me
22 say riverboat instead of casino, which should
23 give you some idea about how long I've been
24 working on gaming-related research.

25 So Jenny kind of explained this part

1 already, but I always like to start with
2 saying -- and this is awkward because it's behind
3 you all.

4 MS. RESKE: We have it in front of us too,
5 Drew.

6 MR. KLACIK: Oh, cool, okay. So the goal of
7 a disparity study, as Jenny said, is to determine
8 whether or not the entity that's being analyzed
9 is spending an appropriate amount of their public
10 expenditures with MBE and WBE businesses.

11 Almost always disparity studies involve a
12 unit of government, oftentimes city or state.
13 Occasionally there'll be other public entities
14 like a university or not-for-profit hospital.
15 This is one of the rare times when the disparity
16 study is focused on the behavior of private
17 firms, and you'll want to remember that because
18 that becomes a little bit different. Private
19 firms don't have to behave in exactly the same
20 ways in terms of bidding, etc., that public
21 sector firms do.

22 You all can interrupt me at any point or we
23 can ask -- do questions at the end, however you
24 feel most comfortable.

25 One of the -- one of the, I think best

1 things about constantly engaging the Public
2 Policy Institute is that every disparity study
3 has been done using the same methodology, which
4 means estimates of capacity, documentation of
5 utilization and then the results of disparity are
6 consistent across time so that we can measure
7 progress or lack of progress being made by the
8 casinos over the course -- over the course of
9 time.

10 Before I go any further, I'll say that once
11 again, there has been no finding of disparity.
12 Having said that, when we look towards the
13 future, the trends tend to be moving closer and
14 closer towards a finding of disparity, and that
15 may be further challenged by the pandemic and
16 changes in the way casinos have behaved since the
17 pandemic occurred.

18 So key definitions are capacity. That --
19 that's kind of the hard one because that's an
20 estimate, and you collect as -- one collects as
21 much data as they can about the potential number
22 of ready, willing and able MBE and WBE firms to
23 do business with, in this case the casinos, so
24 that's an estimate. Remember that.

25 Utilization is a real number. It's the

1 amount of money that the casinos have spent with
2 MBEs, WBEs and others over the course of the
3 study.

4 Disparity, it's what the study is called,
5 but it's the simplest part. When you estimate
6 capacity and calculate utilization, all you do is
7 subtraction, and if it's a negative number
8 there's disparity. If it's a positive number,
9 there's not. So for the life of me I don't
10 understand why they call it a disparity study
11 because most of us learned how to do subtraction
12 somewhere in early grade school, right.

13 Capacity is the estimate, and it's even
14 further challenging in the sense that there are
15 multiple ways over the course of time that
16 capacity has been estimated. The Brook -- not
17 Brookings Institute, Urban Institute did a
18 research project on disparity studies and they're
19 going to use the word government all the time
20 because, as I said, that's primarily who does
21 disparity studies.

22 The -- the narrowest estimate of capacity
23 uses only firms it had previously contracted with
24 in the estimate, but almost everybody agrees
25 that's overly conservative. The most liberal

1 estimate of capacity are all firms in -- in the
2 area, which kind of ignores a little bit the
3 ready, willing and able part.

4 And so we, starting with the very first
5 disparity study, used a advisory commission to
6 come up with what we would -- the methodology we
7 would use to determine -- I just turned it off
8 instead of advancing it, so. You prepped me so
9 well, too.

10 Utilization is much simpler. There's really
11 only three ways you can define it. One is actual
12 expenditures, the other is contracts, and the
13 third is encumbrance. And we use -- because of
14 the great data that Robert has built, we use
15 actual expenditures. That is by far the most
16 real. So in this case it's every expenditure
17 made by a casino since January 1, 2017, through
18 December 31, 2021.

19 I've kind of talked about this a bit
20 already, but it really is the critical point,
21 which is how are we going to define capacity,
22 because capacity is going to determine, you know,
23 in almost every case what -- what the finding of
24 disparity looks like.

25 Starting with the very first disparity study

1 we did, we used a group of elected officials and
2 business community members to help us determine
3 before I did any work how we were going to define
4 disparity, because the one thing you don't want
5 to do -- or how we're going to define capacity,
6 because the one thing you don't want to do is do
7 hours and hours of work and then find out that
8 folks disagree on how capacity is going to be
9 measured, right, so.

10 So we did that and we found out that -- that
11 capacity is going to be defined by firms that
12 have done business with the casinos, firms that
13 have expressed interest doing -- firms that have
14 expressed interest in doing business with the
15 casinos, firms that have done similar business
16 based on NAICS codes with other -- with
17 governments where the casinos are located, and
18 then firms that have showed up at outreach
19 efforts to express being ready, willing and able
20 and interested.

21 The cool thing is, again, we've used that
22 same definition every time, which gives us the
23 ability to track the casinos' behavior over time.

24 If you -- if you -- if you change the
25 definition of capacity, the very act of changing

1 the definition of capacity can change the
2 disparity finding, right, and we want a world
3 where we're making progress in all areas, so in a
4 perfect world, you're growing capacity,
5 increasing utilization and disparities actually
6 shrink even though you've increased capacity.

7 Again, the nice thing about our study is
8 that we've kept those measures constant over time
9 so that we can see how the performances evolved.

10 I kind of already talked about this slide.
11 I told you how capacity is measured. Maybe the
12 key part of that is that this time we did online
13 outreach efforts, three of them, to give the last
14 group of potential vendors the opportunity to
15 express ready, willing and able to do business
16 with the casino.

17 Utilization I already talked about too,
18 which are the actual expenditures made between
19 January 1, 2017, and December 31, 2021. I hope I
20 said that right.

21 All three measures are important. Again, in
22 a perfect world, we'd like to see both capacity
23 and utilization increase while disparity remains
24 eliminated.

25 Another slightly quirky part about doing

1 work for casinos is that while they spend money
2 in the same areas as government, which
3 traditionally are construction, procurement,
4 professional services and other services, gaming
5 casinos do business with firms that in my
6 experience in government, governments tend not to
7 do business with. They sell shrimp. They sell
8 liquor. They sell poker chips. They sell gaming
9 machines, right. So when we get to procurement,
10 it becomes -- which are basically supplies, we
11 track in subcategories gaming-related supplies,
12 which are the machines and the chips, and then
13 gaming-related amenities, which are the shrimp
14 and the bourbon and everything else.

15 One of the interesting parts about the
16 pandemic is that in every previous study,
17 procurement was the singularly largest
18 expenditure category for the casinos. In this
19 study it's down behind construction in terms of
20 spending, which is going to obviously impact
21 individual firms both in the procurement and the
22 construction area.

23 I talked about this in the intro, but I
24 think it's important to go through it again
25 because it is the most controversial part of

1 any -- of any disparity study, and that's
2 estimating capacity.

3 Our definition, I would say, is kind of in
4 the middle or maybe in the high middle category
5 where we use -- and we've been maintaining since
6 the first disparity study the casino vendor list
7 of both -- of both companies that have expressed
8 being ready, willing and able and companies that
9 have successfully attracted business with the
10 casino. Then we look for disparity studies --
11 not disparity studies -- MBE and WBE vendor lists
12 maintained by the cities and the communities
13 where casinos are located. And then to further
14 give everyone a chance, we have a series of, in
15 this case, online outreach meetings giving firms
16 the ability to, even if they've missed out on any
17 previous opportunity to do business with or
18 register with the casino, the ability to tell us
19 that they are ready, willing and able and then we
20 pass that information on to the casinos, so
21 that's -- that's that kind of critical area that,
22 again, I will remind you was developed not by me
23 alone, but by the Gaming Commission, the
24 researchers and the original advisory group that
25 stayed with us for the first two -- first two

1 presentations -- or first two research efforts.

2 This is kind of greater detail of the
3 outreach efforts. I think the key point is
4 there's three and they were all reasonably well
5 attended on an online basis. We not only
6 identified some new firms that identified as
7 ready, willing and able, but we learned a bit
8 about how they feel, both positively and
9 negatively, their ability to do business with the
10 casinos has gone over the course of time.

11 I told you this in the beginning, but we
12 found no disparity in any of the four categories.
13 That's consistent with the three previous
14 studies. And I should say the first time -- the
15 first disparity study, I had hours of anxiety
16 when I found no disparity because there's almost
17 never not disparity, but, remember, the way the
18 casinos do business is much different than the
19 way governments do business. Governments have to
20 do blind, sealed bidding. Casinos don't. They
21 have the opportunity to, if they choose to,
22 overpay to use an MBE or W -- or at least not
23 choose the lowest responsible bidder, all right,
24 so casinos have managed, much to their credit, to
25 avoid incurring disparity in any of the four

1 categories across all four of the studies.

2 COMMISSIONER DUDICH: Hey, Drew, real quick,
3 on the capacity dollar number, I get the
4 utilization because you're pulling actual
5 spending. How do you determine the dollar amount
6 of capacity, because the definitions you've been
7 talking about, the number of firms that are
8 ready, willing and able, to me that's a number.
9 There's 15 MBE firms. How do you then equate a
10 dollar amount to capacity?

11 MR. KLACIK: So it's a -- it becomes a share
12 issue, right. If there's -- if there are
13 27 percent MBE firms, then the capacity is
14 27 percent, and then you take total dollars spent
15 times .27 and you get the amount that would have
16 been spent, which -- which assumes, which all
17 studies pretty much do, that every firm -- that
18 across these large numbers, that all firms on
19 average are capable of doing about the same
20 amount of business, right, but, remember, there's
21 hundreds and thousands of firms in each of those
22 categories.

23 COMMISSIONER DUDICH: Okay. So it's a
24 percentage of the number of MBE or WBEs within
25 kind of the total number of potential vendors and

1 then comparing that to the utilization gets you
2 that dollar amount?

3 MR. KLACIK: Yeah.

4 COMMISSIONER DUDICH: All right. I was
5 wondering where it was coming from, so that
6 helps. Thank you.

7 MR. KLACIK: So there is no disparity --
8 there has not been and there is not disparity.
9 Having said that, if you look at the chart that's
10 in the study and behind you, I guess in front of
11 you as well, you can see that over time both MBE
12 and WBE expenditures as a share of total
13 expenditures has been trending down.

14 I was talking to Jason about this before the
15 presentation, but that spike in 2019 kind of
16 makes my graph look very unattractive, but if you
17 think that through, it's kind of the beginning of
18 the investment in building the new facility up in
19 northwest Indiana and it really goes into 2020 as
20 well and that is when procurement expenditures
21 started to slow down as a result of the pandemic.

22 And so, boy, in the early years, remember, I
23 was shocked, 14 percent MBE and 11 percent WBE,
24 and it's now down to around 8 percent to
25 8.5 percent in both categories. Some come closer

1 than others, but regular monitoring will be
2 essential going forward to make sure that whoever
3 does this next isn't telling you about
4 disparities.

5 This is kind of some of the -- and,
6 remember, I said it's cool that we can do
7 comparisons. So compared to the previous study,
8 MBE spending by casinos went from 10.7 percent
9 down to 6.8 percent. WBEs went from 9.7 to 6.9
10 percent. There are actually only two categories
11 where spending for minority- or women-owned
12 businesses grew as a share of total expenditures
13 between the previous study and this study. And
14 that's in construction. MBE utilization grew
15 dramatically from 14 percent to 26 percent.
16 That, no doubt, was in part because of that spike
17 that we saw in -- in 2019 and 2020 for the
18 building of the facility up in northwest Indiana
19 and a very diligent effort to maximize the MBE
20 spending there. The other category was
21 procurement, which went from 8.7 percent to
22 9.5 percent between the last two studies, but in
23 every other category, both MBE and WBE
24 expenditures have decreased, some not as much as
25 others, and to be fair, I think I labeled a

1 couple stable in professional services.

2 One other major concern that has always
3 jumped out to me during the course of these
4 studies is when you average out the amount of
5 expenditures per firm, you kind of start to
6 understand how we've managed to avoid incurring
7 disparity by the casinos, and that's that the
8 average spend per -- let's use construction as an
9 example because that's what I have on the slide.
10 The average MBE construction firm had a contract
11 of over \$900,000, WBEs almost \$300,000, others
12 only \$181,000, which means that we are spending
13 an appropriate amount of money within the
14 category, but because of the size of all the MBE
15 and WBE contracts, way less firms are being
16 engaged than -- than might be if the spend was
17 the same as it is for others, and so we're making
18 some firms very wealthy, but the wealth isn't
19 being spread across as many firms as it might be.

20 Then, and I've hinted at this too, there's
21 kind of been a double whammy related to the
22 pandemic. One of them is clearly temporary,
23 which is spending for procurement and for
24 professional and other services related to
25 events, and attendance dropped dramatically in

1 2020, increased slightly in 2021, but was not up
2 to prepandemic levels. The question becomes is
3 that going to be a temporary trend related to the
4 pandemic or has the pandemic fundamentally
5 changed the way the casinos business model. That
6 will be critical to track, not as much for
7 MBE/WBE -- well, in part for MBE/WBE impact, but
8 it's also going to change for whoever does this
9 next, or create the potential for some firms to
10 be angry because if the amount of procurement
11 spending goes down dramatically, there might not
12 be disparity, but there potentially are a lot
13 less MBE, WBE and other firms that are enjoying
14 wealth generated by doing business with the
15 casinos.

16 And in terms of that, you can see that, so,
17 for example, procurement went down from 212
18 million in 2019 to 109 million in 2020 and only
19 grew to 130 million in 2021, which kind of makes
20 sense because 2021 is kind of a transition year,
21 as is 2022. Hopefully someday we're not
22 transitioning out of the pandemic anymore. Total
23 spending obviously then would be even a more
24 dramatic drop, 383 million in 2019, down to 292
25 million in 2020, but then only growing to 284 in

1 2021.

2 So if those trends continue, both the trend
3 of overall decrease in MBE and WBE spending and
4 the shifts within categories, I would venture to
5 guess that you will see disparity by the next
6 study, which makes the annualized tracking system
7 that Robert and the Commission have -- Commission
8 staff have created a really important tool that
9 would at least allow you on an annualized basis
10 to provide a heads-up that disparity is becoming
11 increasingly more likely and if steps aren't
12 taken, we'll see it in the next study. Once you
13 see a disparity study, then you're allowed to
14 establish MBE and WBE goals.

15 With that, I think I have finished one of
16 the last presentations of my full-time career and
17 am willing to answer any hard questions you can
18 ask of me.

19 CHAIRMAN THOMPSON: Mr. Klacik, thank you so
20 much for the presentation. I found it most
21 interesting, particularly given the past years
22 that we've been talking about.

23 Has any of your analysis or studies begun to
24 look at tier two or subcategories?

25 MR. KLACIK: No, and most disparity studies

1 don't, actually. But particularly in
2 construction, that would be a worthwhile
3 endeavor. One of the challenges is that that's
4 a -- I've done other disparity studies in the
5 past, I try not to, but it's difficult for
6 government to demand that their prime reports
7 subcontractor data. It would be even more
8 challenging, I think, to work with the private
9 sector to create that kind of secondary database
10 that would give you that power.

11 MS. RESKE: Mr. Chairman, PTS, the purchase
12 tracking systems, the subs are reported in the
13 system, but for purposes of this study, we don't
14 go into an analysis of the utilization of subs.

15 MR. KLACIK: I learn something every day,
16 even at my advanced age.

17 CHAIRMAN THOMPSON: Ms. Reske or Mr. Mullen,
18 what do we do with that data? You mentioned
19 obviously we get the data and there's something
20 that occurs in terms of our analysis of that data
21 which presents the kind of comment that Ms. Reske
22 just mentioned.

23 MS. RESKE: Yeah, so we're not in a position
24 to set goals because the law requires that we
25 determine disparity before establishing goals.

1 What we do on an annual basis is look at the
2 spending of each casino, and then we have a rule;
3 if the casino is spending at below what we've
4 estimated at capacity, then they begin to
5 communicate with us about their good faith
6 efforts and we do an analysis of the information
7 they've submitted and determine whether or not to
8 move forward with any further action.

9 And a good faith effort analysis includes
10 things such as how are you advising minority- and
11 woman-owned businesses of the opportunities that
12 are available, are you dedicating staff time and
13 resources toward identifying and utilizing
14 minority- and women-owned businesses and so
15 forth.

16 We also include information in our annual
17 report. And I think based upon the findings of
18 this study, we might conduct a more thorough
19 analysis of the industry as a whole on an annual
20 basis during this next five-year period to ensure
21 if we are sliding toward disparity, that we have
22 an accurate handle on what's occurring and we
23 have some, perhaps, corrective measures
24 recommended as staff.

25 CHAIRMAN THOMPSON: That's where I was

1 headed. Go ahead.

2 MR. KLACIK: One of the things we heard
3 during our outreach session was that it was the
4 impression of some of the respondents that during
5 the pandemic, as revenue streams became tighter,
6 the casinos had to behave in a slightly different
7 way, and I kind of said early on that's one of
8 the differences is the private sector doesn't
9 have to accept the lowest responsible bid, but
10 when your revenues have dropped precipitously,
11 then that puts additional pressure on you, so
12 that's part of what we'll be really interested to
13 see is if as we come out of the pandemic, the
14 behavior reverts back to prepandemic spending
15 levels.

16 MS. RESKE: Yes, and Drew heard what we've
17 observed anecdotally. We do believe many casinos
18 are working hard to get back to what we would
19 consider normal operations with full-service
20 amenities, with events, with the different kinds
21 of business activities that generated a lot of M-
22 and WBE participation, so I think that that still
23 remains to be seen if we're going to return to
24 the levels we were, but certainly we are seeing
25 an encouraging trend. And I think to the extent

1 some casinos are going to choose to go a
2 different way and not offer those, we're going to
3 have to conduct an analysis of how this is going
4 to change the economic benefit of the industry on
5 the state.

6 CHAIRMAN THOMPSON: I would assume that, as
7 your definitive last word, is that the
8 recommendation would be to continue to monitor
9 and continue the studies as in the past but not
10 with any particular corrective measures right now
11 given the status of capacity.

12 MR. KLACIK: Correct.

13 COMMISSIONER WILLIAMS: Your study -- and
14 I'm looking at your concerns, but your study is
15 over a four-year period. Is that normal or do
16 you recommend a shorter term?

17 MR. KLACIK: Three to five I think is --
18 Dennis, is that right, three to five is what's
19 prescribed?

20 MS. RESKE: Ours is prescribed at least
21 every five years.

22 COMMISSIONER WILLIAMS: Okay.

23 MR. KLACIK: And I do recommend -- the
24 goal -- I think what the casinos have achieved in
25 Indiana is really noble. When I first did the

1 literature search, the Urban Institute had not
2 found a single disparity study where there wasn't
3 disparity, so what the casinos have done is very
4 noble.

5 Monitoring them on an annual basis to make
6 sure we continue to be able to say that what the
7 casinos have achieved over every disparity study
8 is incredibly noble and unique relative to most
9 disparity studies, so I don't know that you need
10 to change the study period time, but having the
11 early warning system that we've built into the
12 studies gives you the power, as Jenny said, to
13 say heads-up, if we don't change our behavior,
14 we're going to achieve disparity, which is
15 something you don't want.

16 MS. RESKE: And, Commissioners, anytime if
17 we find that the casinos, the industry as a whole
18 is falling below the capacity numbers, you can
19 come back and use the study to establish goals.

20 CHAIRMAN THOMPSON: Thank you so much for
21 your service.

22 Any more questions?

23 COMMISSIONER DUDICH: Yeah, I can't let Drew
24 get away without a question.

25 CHAIRMAN THOMPSON: I figured.

1 MR. KLACIK: He always is the first and the
2 last.

3 COMMISSIONER DUDICH: Yeah. Just as a fun
4 comment, we were trying to decide if you were
5 going to show up in a suit today for your final
6 presentation, but there were many that know you
7 well that said no.

8 CHAIRMAN THOMPSON: We did not draw lots,
9 just so you know.

10 MR. KLACIK: This is mostly just for Jason,
11 but I actually made a bet in the early '80s with
12 a friend that I would never need to wear a suit
13 in my professional career. I'm on the verge of
14 collecting that.

15 COMMISSIONER DUDICH: Hopefully that's a
16 good collect.

17 MR. KLACIK: It was not, however, adjustable
18 for inflation, my big mistake.

19 CHAIRMAN THOMPSON: And that was licensed,
20 of course, I know.

21 COMMISSIONER DUDICH: Just a few clarifying
22 questions. For the firms in the study, those are
23 any MBE, WBE firm that casinos use, they could be
24 Indiana firms, they could be across the nation,
25 or are these just Indiana MBE, WBE?

1 MR. KLACIK: Correct, we have the ability to
2 talk about -- because of how cool -- how well
3 we've built the database, I can tell you the
4 percent that is spent in Indiana total and then
5 we could do kind of a sub-disparity study, but
6 that's really kind of --

7 COMMISSIONER DUDICH: So if you're free.
8 No. I think it would be interesting maybe for
9 staff to kind of pull out the Indiana data versus
10 all of the data just to kind of see how that
11 looks from the disparity study looking at Indiana
12 alone, just an interesting kind of factor.

13 MR. KLACIK: So it might also be fun to look
14 at the French Lick boat different -- or casino
15 differently than everything else because most of
16 them are kind of proximate to a border, so
17 they're really in a metropolitan market that
18 doesn't lend itself to being as Indiana-centric
19 as, say, French Lick.

20 COMMISSIONER DUDICH: Yeah, exactly. The
21 other thing I wondered is on the number of firms
22 over the five-year period, have you noticed a
23 number of firms decreasing, have you seen
24 consolidation, buyouts, going out of business or
25 maybe even not -- not becoming certified, is

1 there any trend that you're seeing the number of
2 firms that may have impacted the numbers?

3 MR. KLACIK: Until this last study, the
4 number of firms being engaged in the spending had
5 always increased. This wasn't in the
6 presentation, so thanks for this question.

7 COMMISSIONER DUDICH: Sure.

8 MR. KLACIK: During this study, the number
9 of firms, particularly in procurement and
10 nonprofessional services, did go down, and more
11 interestingly at least to me, is that the number
12 of NAICS codes, which are kind of industry
13 classification codes, that were spent
14 particularly in procurement really I think shrunk
15 by about 40 percent, so it's not just that the
16 casinos are using the firms, but they were
17 actively reporting spending in a narrower range
18 of procurement goods and services than they did
19 prior to the pandemic.

20 COMMISSIONER DUDICH: Thank you,
21 Mr. Chairman. Thank you, Drew.

22 MR. KLACIK: Sure.

23 CHAIRMAN THOMPSON: Before -- before you
24 leave, Drew --

25 MR. KLACIK: I thought you said I could

1 leave.

2 CHAIRMAN THOMPSON: We're going to take up
3 the motion to adopt the study. But prior to
4 doing that, please accept from the Commission our
5 heartiest thanks, congratulations for your
6 service, but thank you for your service. And
7 we'll look for your advice and counsel when we're
8 reaching out to others for that service.

9 With that in mind, I'm going to call for
10 approval of the --

11 EXECUTIVE DIRECTOR SMALL: Mr. Chair, if we
12 could, I believe Deputy General Counsel Alex
13 Dudley is going to present to us on the legal
14 piece of this, which is kind of step two.

15 CHAIRMAN THOMPSON: Before it's adopted?

16 EXECUTIVE DIRECTOR SMALL: Yes. He can
17 explain --

18 MR. KLACIK: Can I leave now?

19 CHAIRMAN THOMPSON: I was trying to get him
20 up here on stage while it was all happening, but
21 we'll go with the flow.

22 MR. DUDLEY: Commissioners, you have before
23 you Resolution 2022-244 regarding the IGC's
24 disparity study. In addition to the disparity
25 study itself, the Commission retained outside

1 counsel, Stevenson Legal Group, to conduct a
2 legal review of the study. Stevenson Legal Group
3 is an IDOA certified minority business enterprise
4 firm that has a vast amount of experience in this
5 particular area of law. Counsel Howard Stevenson
6 regrets that he's unable to attend today, this
7 meeting, due to an emergency family obligation.
8 He did provide his legal opinion ahead of time.
9 It was included in your confidential materials,
10 and it's going to be posted on the IGC's website
11 along with the disparity study.

12 And I'm just going to go through the three
13 conclusions that we made from those -- that
14 opinion letter.

15 So the first is the methodology utilized by
16 the Indiana University Public Policy Institute
17 for its statistical analysis comports with the
18 requirements and standards of current Indiana
19 statute, current case law precedent and generally
20 accepted methods used in other disparity studies.

21 The second is that the statistics show that
22 the industry has declined in its overall
23 utilizations of women- and minority-owned
24 business enterprises to previous studies --
25 compared to previous studies. The estimated

1 capacity of women- and minority-owned business
2 enterprises has also declined. At the same time,
3 the study showed that the four categories
4 reviewed expenditures on both MBE and WBE
5 services exceeded the estimated capacity. It is
6 important to note that this study is a snapshot
7 in time and continued monitoring is necessary.

8 And, third, the study also showed that MBE
9 firms were underutilized in the construction and
10 other services categories. An identified
11 statistical disparity between qualified MBEs
12 willing and able to perform construction and
13 other services and the number of such contractors
14 actually engaged in these areas suggests that
15 further examination and analysis is needed on
16 this issue. As Justice O'Connor stated in her
17 analysis in the Croson opinion, in such
18 situations, inference of discriminatory exclusion
19 could arise.

20 So approving Resolution 2022-244 would have
21 the effect of approving the disparity study and
22 its findings.

23 CHAIRMAN THOMPSON: Thank you. Any
24 questions on -- I assume that his firm is
25 included in the study as an MBE.

1 MS. RESKE: I believe the firm will be
2 considered in the estimate of capacity. I don't
3 believe the firm is -- has any purchases
4 conducted with it by the casino industry.

5 CHAIRMAN THOMPSON: Okay. Thank you, in
6 terms of our utilization. Thank you very kindly,
7 both of you. Thank you very much for that.

8 And I'm going to ask for a motion to approve
9 the disparity study in resolution form.

10 COMMISSIONER WILLIAMS: I'll make that
11 motion.

12 CHAIRMAN THOMPSON: There's a motion.
13 Is there a second?

14 COMMISSIONER HILL: I'll second.

15 CHAIRMAN THOMPSON: Any other questions or
16 discussion?

17 Okay, then I'll call for the vote.

18 All those in favor of approving the
19 disparity study, signify by stating aye.

20 (Chorus of ayes.)

21 All those opposed, same sign.

22 Hearing none, the resolution approves.

23 Thank you.

24 Well, we'll close our agenda with two
25 presentations from casino licensees. Executive

1 Director Small will introduce our casino
2 presenters.

3 EXECUTIVE DIRECTOR SMALL: Excellent. Our
4 first is going to be a presentation by Hard Rock
5 Northern Indiana, and they have with them Chief
6 Operating Officer Jon Lucas and General Manager
7 Matt Schuffert.

8 Part of the reason we wanted to do this was
9 because the casino opened operations in May of
10 2021, and this is sort of a follow-up just to get
11 a report to the Commission on exactly how
12 operations have been going over the last year and
13 a half.

14 MR. LUCAS: Chairman Thompson, Commissioners
15 and staff, good morning -- or good afternoon.
16 Thank you for the opportunity to be before you
17 and do this presentation.

18 I just wanted to highlight a few things and
19 then I'll turn it over to Matt Schuffert, our
20 property president.

21 We opened 19 months ago, we've been in
22 operation, we continue to reinvest or invest in
23 the property through capital projects. Matt will
24 talk more specifically about that here shortly.
25 In addition, we continue to purchase parcels of

1 land surrounding the property so that we can add
2 more parking and to help with our future
3 development.

4 Speaking of future development, I'm
5 frequently asked about a hotel, which we've
6 talked about doing in our next phase.
7 Unfortunately, with the economic uncertainty
8 right now, we've paused that. Capital markets
9 are just not very favorable, nor is cost of
10 construction, as well as supply chain challenges,
11 so once we get past those hurdles, we'll be --
12 we'll dust off the dust on the drawing board and
13 get our hotel going. We've done a feasibility
14 study for that already, so we're excited to do
15 that, and I know the property team is really
16 anxious to get that going for future expansion.

17 The other thing I wanted to highlight was
18 something that the Hard Rock International did
19 several months ago. Back in July and August we
20 did a lot of work and speaking of inflation and
21 cost of gasoline, cost of groceries, etc., we
22 made a decision to adjust our starting wage
23 rates, with a minimum starting wage rate of \$18
24 per hour for all non-tipped employees. That was
25 a initiative that we did for all of

1 North America, our cafes, our hotels, our
2 casinos. The expense to the company is
3 approximately \$100 million, but we felt it was
4 the right thing to do to provide living wages for
5 those positions that were affected by that. And
6 Matt, too, will talk about the impact that has
7 had on this particular property in Indiana.

8 Obviously, we hope it'll reduce turnover,
9 it'll improve recruitment and retention, reduce
10 overtime, and obviously -- you know, our goal has
11 always been to be the employer of choice, and we
12 think this is just another way to do that.

13 We've spent an inordinate amount of time in
14 our senior leadership meetings talking about our
15 team members and how we can make it the best
16 place to work. This is just another initiative
17 that shows our commitment to that and our
18 commitment to the employees.

19 So with that, I'll turn it over to Matt to
20 talk more specifically about the property.

21 MR. SCHUFFERT: Thank you, Jon.

22 Executive Director Small, Executive Staff,
23 Chairman Thompson and Commissioners, I'm Matt
24 Schuffert. I'm the property president of Hard
25 Rock Casino Northern Indiana. Thank you for

1 giving us the opportunity to very briefly
2 highlight how the last 18 plus months have gone.

3 A little bit of history on how did we get
4 here today, how did Hard Rock Casino Northern
5 Indiana get in this location and get built and
6 operated.

7 For those of you unfamiliar with some
8 legislation that was passed in 2019, House Bill
9 or House Enrolled Act 1015 did a lot of things.
10 It allowed us to conduct sports wagering, but
11 really as it relates to our situation, it allowed
12 us to move two gaming licenses out of Buffington
13 Harbor in Gary, Majestic Star I and Majestic Star
14 II. One of those licenses went to Vigo County,
15 which is currently the Churchill project in
16 Terre Haute, and the second license was converted
17 into becoming the Hard Rock Casino Northern
18 Indiana, which ground broke in January of 2020.

19 I think Jon mentioned we opened in May of
20 2021, a little north of a \$300 million
21 investment, truly a remarkable property. There's
22 a few pictures of the exterior and the interior.
23 About 200,000 square feet of space. About
24 150,000 of that is really guest-facing space, you
25 have the casino floor and the restaurants.

1 When we opened, we were still in a pretty --
2 a fairly restrictive environment during the
3 pandemic, so we opened with about 1,200 slot
4 machines. Now we're at about north of 1,700 slot
5 machines, which I believe is near the top in the
6 state of Indiana. We opened with 80 tables. We
7 have refined our mix a bit and we still have
8 close to that, we've got 76. And we opened our
9 retail Sportsbook in May of 2022, and our online
10 sports betting app on the September -- shortly
11 before the NFL season kicked off.

12 We have five wonderful restaurants: Our
13 Hard Rock Cafe, Council Oak Steak House is our
14 fine dining restaurant. Hard Rock cafe is very
15 popular. It's where the company started 51 years
16 ago. Fresh Harvest Buffet, it's our
17 all-you-can-eat option, which, quite honestly, I
18 think we're the only buffet in the market now, so
19 it's incredibly popular post-pandemic. People
20 are anxious to get back to serve themselves as
21 many times as they want. Constant Grind is our
22 Starbucks coffee, small sandwich type of
23 restaurant, and then YOUYU is our Asian dining
24 experience.

25 We have an entertainment venue, Hard Rock

1 Live, which fully standing is about 2,700 --
2 seats about 2,000. Our VIP lounge is Plum
3 Lounge, which is a Hard Rock branded amenity you
4 see in most Hard Rock Casinos. And then we
5 obviously have our Rock Shop, Hard Rock apparel
6 and memorabilia is very popular, and then our
7 Unity store which is more the luxury item type of
8 store.

9 We wanted to compare revenues of Hard Rock
10 versus, you know, where the licenses existed
11 before with Majestic Star. Comparing our last 12
12 months of operation -- and we've compared it to
13 the 12 months prior to closing for the pandemic.
14 We thought that was the best comparison. We're
15 doing north of 400 million in gaming revenue.
16 Those two Majestic Star riverboats did a little
17 less than 150 million in gaming revenue. You can
18 see the growth from a gaming revenue perspective
19 by moving this license inland, as well as the
20 growth in the amount of tax that we -- we're able
21 to provide back to the State of Indiana.

22 Obviously with our Local Development
23 Agreement, too, the City of Gary reaps the
24 benefit of that additional revenue that we are
25 able to produce.

1 Very proud of this team. Very proud to say
2 we've been the leading revenue-producing casino
3 in the state of Indiana for the last 14 months,
4 and we want to continue to build upon that.

5 As it relates to the old Majestic property,
6 we sold the gaming vessels in late 2021, and then
7 fairly recent, this fall, we did sell the land,
8 so we've really divested of all the assets, at
9 least all of the real property back at the old
10 Majestic Star Buffington Harbor site.

11 Jon mentioned some additional capital
12 improvements. It's a new property, but we very
13 quickly identified some things we needed to do.
14 We needed more slot machines, so we took about
15 one-third of our buffet, Fresh Harvest, and
16 quickly converted that into additional gaming
17 space, adding about 65 new machines. We've -- we
18 added a cage cashier to our baccarat area.
19 Baccarat is a big piece of our business in
20 northern Indiana, so we wanted to make it a
21 little bit easier for those folks to conduct cash
22 and chip transactions closer to that room.

23 We very quickly identified some need for --
24 some additional needs within Hard Rock Live to be
25 able to expand on that experience, adding some

1 additional video wall, upgrading some lighting
2 and audio. We've done very well offering a
3 pretty diverse set of entertainment options for
4 guests that live in Indiana. There's a slide on
5 that later.

6 But we've spent a little over 7 million on
7 top of the 300 million since the 18 months we've
8 opened.

9 Jon mentioned we are great neighbors to the
10 folks to the west of us and all around us. We've
11 had some folks who've had a desire to potentially
12 sell their parcel of land to us where we can
13 expand some parking, so we've -- we've worked
14 with some local residents who are looking to do
15 that.

16 Our team members, just pretty close to 1,500
17 now, just shortly under 1,500 team members.
18 About 30 percent, close to 30 percent are Gary
19 residents. About 85 percent of our team are
20 Indiana residents. For us, being very close to
21 the Illinois border, we're very proud of this.
22 When Majestic Star closed and we brought them
23 over, we wanted to make sure that everybody had
24 an opportunity within our team. Over 600 team
25 members were brought over from Majestic. About

1 70 percent of them are still with us, and we
2 think they're doing a great job. So certainly
3 the focus as we opened this property was to build
4 a unique culture of new team members and team
5 members who worked for many years in some cases
6 at the old Majestic Star facilities.

7 Jon mentioned wage adjustments. We greatly
8 increased starting wages for a significant amount
9 of non-tip, but we also took it a step further
10 and also adjusted tipped positions in some
11 fashions. As you can see up there, thus far
12 we've impacted and increased starting wages for
13 north of 600 of our nearly 1,500 team members.
14 We're currently negotiating a collective
15 bargaining agreement that we think we're going
16 to -- we're getting to the finish line on, which
17 is going to -- actually, probably close to
18 another 500 of those team members will get this
19 significant starting wage adjustment. As you can
20 see, there's pretty significant increases there.

21 As an example, a cage cashier average
22 starting wage was 14.16. Now that starting wage
23 is \$19, and could be higher depending on
24 experience. All team members in that
25 classification, as an example, if you were

1 already above 19, we still gave you two dollars
2 an hour raise, and then everybody else was
3 brought up to that minimum.

4 So certainly not only has it been a great
5 retention tool for us to be -- retain our best
6 team members, but, quite honestly, it was the
7 right thing to do in the economic conditions I
8 think we're all facing. And certainly this has
9 been well received by our team members, so
10 hopefully by early next year after the collective
11 bargaining agreement is complete, close to 1,100
12 of our 1,500 team members receive significant
13 starting wage adjustments.

14 Team member engagement really -- as we open
15 this new property, building that culture, we
16 really wanted to kind of do some things that we
17 think our team members really enjoy doing. Hard
18 Rock has a great Rocker Producer of the Quarter
19 where we really recognize and celebrate our best
20 leaders and our best hourly team members. All of
21 the winners are eligible to be part of our Rocker
22 Producer of the Year celebration, which for us
23 will happen in February of 2023, but you can see
24 several examples of some things we do: Golf
25 outings, team member appreciation days, we've had

1 picnics on site. We have a 50 to 60 percent, we
2 call it culture club. It's all volunteer team
3 members who consistently bring ideas to everybody
4 to -- to leadership on new ideas of what we can
5 do within the community, what we can do from a
6 team member engagement perspective, so certainly
7 have an engagement team that is very happy to be
8 part of those kind of celebrations.

9 From a diversity spend perspective, very
10 important to not only my purchasing and finance
11 teams, but all of the operational folks who buy
12 goods, certainly look consistently for those
13 opportunities to buy from those MBE and WBE
14 certified firms.

15 In Gary, Lake County, we take it a little
16 step further, even though there's not an official
17 certification process, we look for veteran-owned
18 local businesses as well. Even though it has
19 nothing to do with this calculation, we feel
20 that's an important part of who we are up there
21 as well.

22 And as you can see, of our -- 17 percent of
23 our overall qualifying spend in 2022 was -- was
24 spent with MBE, WBE certification groups compared
25 to 10.8, so we've saw some great progress year

1 over year, and it's certainly top of mind and
2 something that's very important to us.

3 Community engagement. I've lived in
4 northwest Indiana my entire life, born and raised
5 there, born in Gary, moved out of Gary to the
6 neighboring town, but my parents are from there.
7 I'm very familiar with a lot of these -- these
8 organizations.

9 Since we've opened, we've donated over
10 \$1.4 million to charities, nonprofits,
11 sponsorships to the local towns and cities, and
12 this does not take into consideration the
13 thousands of hours of volunteer work by the team
14 at Hard Rock Northern Indiana. We're very
15 passionate about a lot of different causes to be
16 able to do great things for these organizations
17 who are doing great things, so we're very proud
18 to be part of all of that.

19 Let me talk a little bit about
20 entertainment. Entertainment I think coming out
21 of the pandemic, you know, people hadn't gone to
22 a concert for close to two years in some cases,
23 so really have hit the ground running, really
24 trying to find our niche in a very competitive
25 entertainment market up in the Chicagoland. So

1 these are just some examples of some of the acts
2 we had in the third quarter, fourth quarter.
3 We'll do over 30 shows this year. Next year
4 we'll do over 40 big shows in our entertainment
5 venue. We're seeing strong demand. We are
6 looking to continue to find the right acts that
7 resonate well with our customers. And as you can
8 see, a lot of diversity from that perspective.

9 And that is our presentation. I would thank
10 you again for allowing us to give you a brief
11 update on how things have been going for the last
12 18 plus months, and certainly would open it up to
13 any questions for myself or for Jon.

14 CHAIRMAN THOMPSON: Any questions of our
15 Commissioners for Mr. Schuffert or Mr. Lucas?

16 COMMISSIONER DUDICH: Thank you,
17 Mr. Chairman. Quick question going back to the
18 gross gaming revenue. How much of the 418
19 million -- and I know there's a very little bit
20 of time, but how much of that was related to
21 bringing the Sportsbook online? Obviously the
22 147 I don't think included Sportsbook, so how
23 much of that, kind of an apples-to-apples
24 comparison of normal operations back during that
25 time period versus now encompasses Sportsbook?

1 MR. SCHUFFERT: Yeah, 99 percent is not
2 Sportsbook related. We launched in May of 2022.
3 That was nearly three years after, you know,
4 everybody else in the state had launched, so
5 we're really a little late to the game there, so
6 a lot of business I think has been and will be
7 hard to move from that, from a sports betting
8 perspective and online, so very little of that
9 418 is sports betting, less -- less than a
10 million dollars.

11 COMMISSIONER DUDICH: Just wanted to make
12 sure I was looking at the right thing. Thank
13 you.

14 Thank you, Mr. Chairman.

15 CHAIRMAN THOMPSON: Any other questions?
16 Mr. Schuffert, Mr. Lucas, thank you so very much
17 for your participation today. Thank you for
18 coming down here.

19 MR. SCHUFFERT: Thank you for having us.

20 MR. LUCAS: Thank you.

21 EXECUTIVE DIRECTOR SMALL: Next up we have
22 the folks from Churchill to give us an update on
23 the Vigo County casino construction project. We
24 have Ryan Jordan, who's the senior VP of real
25 estate development, and Mike Rich, who is the

1 general manager.

2 MR. JORDAN: Thank you very much, Mr. Chair,
3 Commissioners, Executive Staff. As Greg said,
4 I'm Ryan Jordan, senior vice president of real
5 estate development for Churchill Downs.

6 Thank you for having us here today to
7 provide an update where we stand with the
8 development, design and construction activities
9 associated with this project.

10 Just a little bit of background and overview
11 on the project. As a reminder, it's the Queen of
12 Terre Haute Casino Resort named after the Queen
13 City of the Wabash Valley in Terre Haute.

14 The project when opened will have 1,000 slot
15 machines, 34 tables, 9 food and beverage venues
16 and a 122-room luxury hotel.

17 A few updates to the project, things we've
18 added since receiving the license. We've added
19 an additional restaurant concept located off the
20 casino floor, which I'll show you renderings and
21 floor plans of. We have relocated what was the
22 rooftop pool down to be a ground-level pool and
23 that freed up some space for additional -- an
24 outdoor lounge up on the rooftop and also added a
25 seasonal bar and concession opportunity near the

1 ground-level pool, and that was really a function
2 of having more space to deal with with our
3 current site. So a couple updates there.

4 Just a reminder about our site. We have 50
5 acres in east Terre Haute. It's located right
6 off State Road 46 on the map behind you. Right
7 off the interstate expressway there are two roads
8 from State Road 46 to access the site. Currently
9 East Margaret Avenue exists to the south of the
10 project, and then New Margaret Avenue which
11 currently doesn't extend all the way to the
12 casino, but we are funding the road construction
13 to extend that road over to our property which
14 will allow two great access points to the
15 project.

16 The next slide shows the entire project
17 site, so all 50 acres. And this -- this shows
18 how guests, team members and also service
19 deliveries will access the site. Again, we have
20 access from the north and from the south via
21 those two roads. We anticipate a lot of traffic
22 coming from the east heading westbound.

23 The traffic for casino guests, they can
24 access via, again, New Margaret or East Margaret.
25 They have various access points leading to the

1 casino entry that you see on the southwest corner
2 of the building. Hotel guests will have a
3 dedicated entry, although they can use any of the
4 various entrances into the property, but the
5 hotel entrance is located on the southern edge of
6 the property.

7 And then on the eastern side, leading
8 entrances into our back of house or service
9 areas, we have a dedicated team member arrival
10 experience and then also a service delivery
11 pathway to our loading docks, so all those
12 pathways are noted on this site plan.

13 Moving into a little more detail, this is
14 the first floor plan of the casino. I'll orient
15 you with our two main entrances first. The hotel
16 entrance is located at the bottom of the page, or
17 the southern side. As guests enter the hotel,
18 they'd be greeted with typical amenities, a hotel
19 check-in, we have a lobby bar, a breakfast and a
20 coffee area, as well as access to the elevators
21 that will take guests up to the upper floors of
22 the hotel. And then there's also to the right
23 side of the hotel lobby an access pathway out to
24 the ground level pool.

25 The casino entrance again located off of the

1 southwest corner of the building highlighted in
2 yellow. One main entrance into the casino.
3 Guests will enter that corner of the building and
4 then have a direct path onto the gaming floor.

5 A few areas -- few amenities that you will
6 note around the casino floor. Right when you
7 enter we've created a sports betting area for
8 guests that might just want to come in, place a
9 bet and then leave. That's complimented by our
10 Center Crossroads Sports Bar right in the middle
11 of the gaming floor, which will have sports
12 betting kiosks as well for folks that want to
13 stay, watch games and bet while they're on site.

14 Moving around, we have the outdoor gaming
15 area which will have slot machines in an outdoor
16 environment. It's covered, it's secure, but it
17 will have louvers on the perimeter of the
18 building so that it allows fresh air to come in
19 and out of the area so the guests will have the
20 feeling of being outside and they may smoke and
21 game in that particular area.

22 We have a poker room which will initially
23 open with four tables in the northwest corner of
24 the building. Wrapping around, we have a high
25 limit gaming area with high limit slots, high

1 limit tables, as well as a VIP lounge which will
2 be accessed off of that area.

3 And then moving around to the right side of
4 the gaming floor, we have our main three food and
5 beverage concepts. We have a steak house, a
6 casual dining area, and then a grab-and-go
7 restaurant concept, all serviced with a kitchen
8 immediately behind it, and then surrounded by the
9 back of house or service areas inside of that
10 gray box on the right-hand side.

11 Wrapping around, we have an events center
12 located really accessible off of the hotel lobby,
13 but through a series of doors that we worked with
14 executive staff on, we can also allow access out
15 from the gaming floor to the event center. We
16 can close and keep certain doors secure. So
17 that's an update on the first floor.

18 We'll now move through a series of
19 renderings which kind of show you what these
20 various amenities look like.

21 The Crossroads Sports Bar at the top image
22 here is an area and amenity that we're very
23 excited about. As we've developed this area,
24 we've increased the size of the video screen that
25 you'll see above the sports bar, so it really

1 provides viewing for two areas. We have a video
2 screen that wraps around the outside, so anybody
3 that's on the gaming floor, whether they're at
4 tables or slots, will be able to see sports
5 content or other great content on the video
6 screen. But if you are in the sports bar itself,
7 if you walk up the aisle and take a few steps up
8 to an elevated sports bar platform and you're
9 inside that circle, there's also a video screen
10 on the inside so you can watch multiple games,
11 multiple content, and really have a great
12 immersive experience.

13 Again, sports betting kiosks that you see in
14 the rendering here, so guests who want to stay
15 and bet will have the opportunity to do so. The
16 rendering in the bottom left is an updated
17 rendering of the Four Cornered Steakhouse, the
18 fine dining option in the casino. The casual
19 dining image in the bottom right shows at least
20 just the bar portion of it. There are also
21 tables and chairs around that, but kind of a more
22 casual environment, again, right next to the --
23 to the steak house.

24 The third food concept is a -- is called The
25 Soda Shoppe, takes its inspiration from the

1 birthplace of the Coca-Cola bottle in
2 Terre Haute, so we've really pulled a lot of
3 inspiration from that in the design and the
4 colors that you see there. But this is a -- more
5 of a workhorse option, really open more hours of
6 the day. People can come in and grab their food
7 items, sit and eat or take it if they wanted to.

8 I mentioned the VIP lounge within the high
9 limit area, that's in the top right, and then a
10 rendering of the event center located in the
11 bottom right.

12 Shifting over to the hotel entrance, guests
13 that would enter the entrance from the parking
14 lot on the south side, the top left rendering
15 shows a view that you would see for the hotel
16 check-in or reception area. Within that area of
17 the property we have a lobby bar, which is shown
18 in the top right, and that shares space with a
19 breakfast and coffee area, which is why the
20 seating and the colors are very complimentary.

21 And then the bottom right image is not an
22 updated rendering, more of a conceptual image as
23 we develop this, but we have a pool building
24 which will have an outdoor bar, opened
25 seasonally, food options, outdoor dining, outdoor

1 restrooms to service the pool area. And the
2 building that you see here is largely what is --
3 the building will look like maybe with some
4 colors that are a little more complimentary to
5 our property.

6 Looking at the hotel itself, levels three
7 through eight have very consistent floor plans.
8 You can see the elevator core in the middle. As
9 guests rise up to these floors, we have standard
10 rooms in the middle and then on the four corners
11 of each floor we have suites.

12 Looking at the renderings first, this is a
13 standard hotel room, so you can see it's got
14 floor-to-ceiling glass, which is a great feature
15 of the property. When guests walk in and
16 they're -- looking at the image on the left,
17 that's the view they would see as they enter the
18 room. We have a good mix of double queens or
19 king-size rooms. This one in particular is a
20 king bed.

21 Looking at the top right image, you can see
22 some of the other amenities in the room. There's
23 a desk, a work area, flat screen TV mounted to
24 the wall, a wardrobe area built in, really just a
25 smart, sophisticated layout for the room.

1 You can see a bathroom rendering here which
2 shows what the bathroom would look like in the
3 standard room. Very similar bathroom in the
4 suites as well, although with a double vanity.

5 Moving to the corner suites, a little
6 different look, a little elevated feel. The
7 rendering on the left is the king bed bedroom
8 portion of the suite. That would be the second
9 area of the room that you would enter after you
10 come into the room.

11 The top right image shows what you would see
12 right when you walk in the door, so a small
13 dining area, a bar area, a living room area with
14 a separate TV; really just a larger, more upscale
15 room than the standard room.

16 Moving up to the ninth floor of the
17 property, we have suites and standard rooms on
18 most of the floor, but on the far western side we
19 have one presidential suite, which is a
20 two-bedroom suite. We're very excited about this
21 for both some of our better guests, but also to
22 be used for maybe special events.

23 The image on the bottom left is the arrival
24 view that you see once you open the door at the
25 end of the hallway, so you're greeted by a foyer.

1 After you pass through the foyer, you see the
2 dining room and the bar/kitchen area in the
3 bottom right. And the next slide shows you some
4 additional views of the room. It's got a living
5 room area. Again, this is the master bedroom,
6 it's one of the two bedrooms in the suite, and
7 then a master bathroom as well. A little
8 different finishes, a little different feel, just
9 something to separate it from the rest of the
10 hotel rooms.

11 Finally, on the top floor of the hotel we
12 have Altitude Bar and Lounge, which is a
13 combination indoor/outdoor space. The two
14 renderings that you see are inside, so guests
15 that take the elevators up to the top floor, they
16 would walk out of the elevators and they'd be
17 inside. Really a sophisticated, elegant, upscale
18 bar and lounge. We imagine serving small plate
19 tapas-style food, but also providing great
20 cocktails for some of the guests. This will
21 really be a wonderful spot with great views of
22 Terre Haute looking -- looking south, north and
23 west. So, excited about this. There's an
24 outdoor patio on the west side, so with great
25 weather we can see people sitting outside, we'll

1 have some fire pits and some heaters to kind of
2 expand the season a little bit, but really
3 excited about this top floor amenity for the
4 property. So that's what it looks like.

5 As we have moved through development and
6 construction, we have received final approval
7 from the FAA. That was an effort where we
8 received approval initially before we purchased
9 the land, and then we learned about a human error
10 that was made during that process, so we had to
11 go back and basically appeal the final decision
12 to receive that approval, but we did receive it
13 from the FAA and we are able to build the full
14 project as planned.

15 One of the conditions from our local zoning
16 approval was approval of our plan with INDOT and
17 the new road that I talked about, New Margaret
18 Avenue, that would be extended to the project.
19 That was a condition or an option of approval.
20 So we received full approval from INDOT and the
21 FAA.

22 On October 11th our contractor, Wilhelm
23 Construction, held an economic inclusion event,
24 an outreach effort in Terre Haute in conjunction
25 with Indiana State, very well attended as far as

1 our recruitment effort for minority and
2 women-owned businesses. We have not fully
3 contracted the job. We've awarded a great deal
4 of contracts, but we anticipate in early January
5 having a better idea on what our percentages will
6 be and the amount of subcontracts awarded to
7 build the project.

8 The construction effort today has largely
9 focused on site work. We've built stormwater
10 retention ponds so that we can have a dry site
11 through the winter. A lot of gravel was spread
12 out on the site. We've poured foundations and
13 footings and pile caps to be able to start the
14 steel construction here any day now. We are
15 waiting on our final approval from the Indiana
16 Department of Homeland Security that has a fire
17 and safety review of the building. I spoke with
18 them yesterday. We anticipate final approval any
19 day now. And once we receive that, that will
20 release our building permit and you will see
21 steel construction for the casino low rise and
22 concrete construction for the hotel tower rising
23 very rapidly.

24 This is a view -- the weather's been a
25 little rainy lately, but our last great view

1 November 3rd showed what the site looks like
2 today. You can see a lot of gravel spread out.
3 That's really allowed us to work, as rainy as it
4 has been. It was farmland, it was agricultural.
5 The ground held a lot of water, so one of the
6 first things we did is went in and spread a lot
7 of gravel on the site so that our workers could
8 continue to work through the wet season and, you
9 know, this winter if it's wet, they'll be able to
10 continue working as well, so great progress. You
11 can see the crane erected, ready to build --
12 ready to erect steel again any day now.

13 The completion date of our project, you guys
14 are aware, have heard, even here today,
15 challenges in the construction industry both with
16 costs and the lead time of certain materials. We
17 are now projecting that the completion date for
18 this project will be into the first quarter of
19 2024. We are well on our way and we feel good
20 about that date, but we're anticipating an
21 opening, again, in March of 2024. That will be
22 refined as we finalize those subcontracts that I
23 mentioned happening in early January, but we feel
24 good about that date.

25 In addition to the timeline, the project

1 costs have increased. Right now we're projecting
2 a \$290 million project. The last estimate I
3 think that we talked about before that, we were
4 around \$260 million. We have not made any
5 changes to the program, reduced the amenities.
6 In fact, as you saw, we've added some amenities
7 during the project, really feel like it's the
8 right program for this property, so anticipating
9 expending that extra \$30 million and fully
10 investing in the project.

11 So we're excited about it. We continue to
12 move forward, and can't wait to get to March of
13 2024 and open the property.

14 With that, that's our development update.
15 Again, I'm joined by Mike Rich, general manager
16 of the property, be happy to answer any questions
17 that you might have.

18 CHAIRMAN THOMPSON: Thank you.

19 Any questions, Commissioners, of Mr. Rich,
20 Mr. Jordan? Yes.

21 COMMISSIONER DUDICH: Thank you,
22 Mr. Chairman.

23 With regard to the INDOT, can we just talk a
24 little about that. So they're good with the New
25 Margaret Avenue piece. We were talking a little

1 bit in terms of traffic flow. Is INDOT concerned
2 that without that New Margaret piece, there would
3 be a major congestion kind of right off the
4 highway of those exit ramps going into the -- the
5 East Margaret Avenue?

6 MR. JORDAN: Yeah, so the INDOT review and
7 approval process actually was -- the City of
8 Terre Haute asked that be a condition of approval
9 on the zoning, so that's what triggered INDOT to
10 review it. They were concerned initially about
11 the -- the amount of westbound turners from State
12 Road 46 onto East Margaret, so their goal was to
13 help direct traffic to not use that turn and
14 direct them up to New Margaret.

15 So in addition to constructing New Margaret
16 all the way to the casino, we will install INDOT
17 approved signage along State Road 46 really
18 directing people to use New Margaret as the main
19 path of travel, but their main concern was,
20 again, that -- not the amount, but really the
21 stacking of cars trying to make that westbound
22 turn and not having enough stacking capacity
23 within that westbound turning lane onto East
24 Margaret.

25 COMMISSIONER DUDICH: So more signage, but

1 not changing anything by putting up concrete
2 barriers or forcing traffic to New Margaret, just
3 signage for now. And will you and INDOT monitor
4 that? Because I can imagine maybe the first
5 couple months excitement, there's a very small
6 amount of roadway, so I can -- you know, people
7 take the path of least resistance and they're
8 probably going to want to turn left there on East
9 Margaret, so I'm assuming you and INDOT and the
10 City will kind of review that over time?

11 MR. JORDAN: That's right. And we've met
12 with INDOT as we agreed to do this part, and East
13 Margaret has been a -- I guess a concern for them
14 before we came along and they've agreed to work
15 with us. They're looking at other options for
16 how East Margaret might work.

17 Again, there was another option for us not
18 to construct New Margaret. We could have
19 constructed a U-turn north of East Margaret, so
20 anyone taking State Road 46 would have bypassed
21 East Margaret and gone north of it, U-turned and
22 then turned right onto East Margaret, so that
23 would have eliminated that stacking concern they
24 had, but we felt New Margaret was a much better
25 option. It just flowed better and overall for

1 the area was a better solution.

2 COMMISSIONER DUDICH: Thank you. Thank you,
3 Mr. Chairman.

4 CHAIRMAN THOMPSON: Any other questions for
5 Mr. Jordan or Mr. Rich?

6 COMMISSIONER HILL: I have a quick question,
7 Mr. Chairman. Thank you for the presentation.
8 You'll have to excuse me, I wasn't involved when
9 you guys first presented, but I noticed just from
10 the pool standpoint, I think during your first
11 presentation the pool was on the roof and it was
12 a really cool feature, it was a rooftop patio
13 pool.

14 What was the motivation to change that to
15 the middle of the parking lot?

16 MR. JORDAN: Sure. So the initial site that
17 we had was 20 acres versus 50 that we have now,
18 so the initial idea, we were more space
19 constrained on the amount of parking, so that
20 added the amenity on the rooftop.

21 Then as we got into it, you know, a tenth
22 floor rooftop pool was going to be more
23 seasonally limited, you know, with wind and cold
24 weather, you know, not being able to allow guests
25 to go up there as much. We felt that if we moved

1 it and had an in-ground pool, where we could heat
2 it and surround it with landscaping, make it
3 larger, because we have more space to work with,
4 we felt we could improve the amenity of the pool
5 itself. And then at the same time, it was a
6 smaller pool on the rooftop, and as you saw the
7 renderings for Altitude Bar and Lounge, we really
8 feel like that -- more of the space being outside
9 up there for seating and fire pits and more
10 complimentary to the indoor lounge, we really
11 felt like we could create two great experiences
12 versus one smaller one on the rooftop.

13 COMMISSIONER HILL: Okay.

14 CHAIRMAN THOMPSON: Any other questions,
15 Commissioners?

16 Thank you so much for your presentation.
17 Appreciate you coming down --

18 MR. JORDAN: Thank you very much.

19 CHAIRMAN THOMPSON: -- to explain that to
20 us. As you can probably tell already by the
21 questions of even our new Commissioners, that
22 we've really extended and expanded our expertise
23 with respect to financial and legal and advisory
24 and budgets and what have you, so I'm delighted
25 to have that.

1 I am going to implore, though, that the
2 governor take a look at another woman on our
3 Commission staff for our diversity purposes, but
4 also for an added perspective that I always seem
5 to receive from a gender-based expansion.

6 All that said, if there are no other
7 comments or public comments or otherwise from our
8 senior staff or other Commissioners, I'm going to
9 call for adjournment.

10 COMMISSIONER WILLIAMS: Move for
11 adjournment.

12 CHAIRMAN THOMPSON: We have a motion to
13 adjourn, requires no second.

14 All those in favor of adjournment, say aye.

15 (Chorus of ayes.)

16 We are out of here. Thank you so much.

17 (At 3:18 p.m., December 15, 2022, this
18 meeting of the Indiana Gaming Commission was
19 adjourned.)
20
21
22
23
24
25

1 STATE OF INDIANA)
) SS:
 2 COUNTY OF MARION)

3
 4 I, Dianne Lockhart, a Notary Public and
 5 Stenographic Reporter within and for the County of
 6 Marion, State of Indiana at large, do hereby certify
 7 that the Indiana Gaming Commission Business Meeting
 8 held on December 15, 2022, commencing at 1:33 p.m. at
 9 the Indiana Government Center South Auditorium,
 10 302 West Washington Street, Indianapolis, Indiana,
 11 was taken down in stenograph notes and afterwards
 12 reduced to typewriting under my direction, and that
 13 the typewritten transcript is a true record of the
 14 proceedings had.

15 IN WITNESS WHEREOF, I have hereunto set my hand
 16 and affixed my notarial seal this _____ day of
 17 December, 2022.

18
 19 _____
 20 N O T A R Y P U B L I C

21 My Commission Expires:
 22 June 4, 2023

23 County of Residence:
 24 Marion County

25

| \$ | A | | | |
|----------------------|------------------------|---------------------------|-----------------------|----------------------------|
| | | actively (1) | 35:16 | agricultural (1) |
| | | 65:17 | advanced (1) | 96:4 |
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