

RESOLUTION 2001-38

CONDITIONAL APPROVAL OF THE GAME OF BOSTON 5 STUD POKER

The Indiana Gaming Commission ("Commission") adopts the following resolution pursuant to the authority granted to it under IC 4-33 and pursuant to 68 IAC 1-2-6.

The following factors have been considered by the Commission:

1. IC 4-33-2-9 and 68 IAC 10-1-1 set forth those games that are approved for use in Indiana. Both IC 4-33-2-9 and 68 IAC 10-1-1 authorize the game of Poker in Indiana.
2. New Vision Gaming has submitted the game of Boston 5 Stud Poker ("Boston 5") and has asked that the Commission consider approving it for use in Indiana.
3. Majestic Star Casino ("Majestic Star") has advised the Commission, in writing, that it supports the game of Boston 5 for use in Indiana, and has submitted a draft of proposed rules for the game which it purports to utilize if the game of Boston 5 is approved.
4. Gaming Laboratories International, Inc. ("GLI") has reviewed the information and material submitted by New Vision Gaming. GLI has forwarded its report to the Commission and has found that the game of Boston 5 is a variation of the traditional game of Poker.

NOW, THEREFORE, BE IT RESOLVED BY THE INDIANA GAMING COMMISSION, THAT THE FOLLOWING RESOLUTION IS ADOPTED:

SECTION 1. SCOPE.

This resolution applies to all riverboat licensees and New Vision Gaming.

SECTION 2. DEFINITIONS.

The definitions set forth in IC 4-33-2 and 68 IAC apply to this resolution.

SECTION 3. CONDITIONAL APPROVAL OF THE GAME OF BOSTON 5 STUD POKER.

The game of Boston 5 Stud Poker is approved for a trial period of six (6) months for use on Indiana riverboats. During the trial period, all riverboats who offer the game of Boston 5 must have pre-approved rules of the game and must report those matters as directed by the Executive Director or the Executive Director's designee, which matters

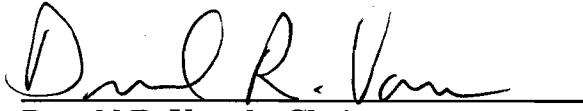
shall include, but are not limited to, the following information: the amount of play, the revenue generated by the game of Boston 5, and whether the riverboat licensee wishes to continue offering the game of Boston 5. The riverboat licensee must also document any customer complaints or incidents that are generated by the game of Boston 5 and forward those reports to the Commission. At the end of the trial period, the Commission will consider approving the game of Boston 5 to be offered on Indiana riverboats on a permanent basis.

SECTION 4. EFFECTIVE DATE.

This RESOLUTION is effective immediately.

ADOPTED, THIS THE 7th DAY OF NOVEMBER, 2001:

THE INDIANA GAMING COMMISSION:



Donald R. Vowels, Chair

ATTEST:



Thomas Milcarek, Secretary