

**ORDER 2008-70
IN RE SETTLEMENT AGREEMENT**

**RIH ACQUISITIONS IN, LLC
08-RS-01**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

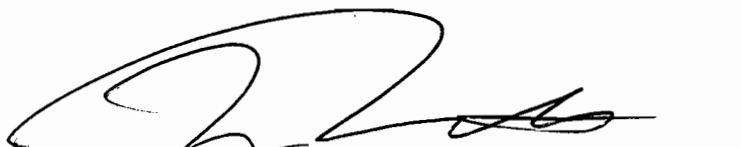
Approves

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 28th DAY OF MAY, 2008.

THE INDIANA GAMING COMMISSION:



William Barrett, Chair

ATTEST:



Thomas Swihart, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
) **SETTLEMENT**
RIH ACQUISITIONS IN, LLC) **08-RS-01**
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and RIH Acquisitions In, LLC (“Resorts”) (collectively, the “Parties”) desire to settle this matter prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

COUNT I

1. 68 IAC 2-3-8 states that an occupational license must be renewed annually.
2. On December 13, 2007, a Gaming Agent was doing an annual license renewal for the Table Games Pit Manager when it was discovered that his license had expired on November 27, 2007. The Table Games Pit Manager indicated that he did not know that his badge was expired until that day.

COUNT II

3. Pursuant to 4-33-9-12, “a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.” Pursuant to 68 IAC 1-11-1(c), “[a] person under twenty-one (21) years of age shall not be present on a riverboat.”
4. On August 15, 2007, an underage person was discovered on the casino floor when she attempted to complete a cash advance. According to the Security Officer at the turnstiles, the woman was asked to show her ID and the ID she gave was valid. At the cage, the ID that was given to the cashier showed the woman to be underage. The cashier called security and the Officer who responded failed to call an IGC agent, simply escorting the woman off of the boat. Because the woman was escorted off the boat before IGC agents could speak with her it is unknown whether she had more than one ID on her.

5. On November 24, 2007, two underage persons were asked for ID at the turnstiles and were turned away. The minors waited for awhile and then entered the casino when the two security officers assigned to the turnstiles were occupied with other patrons.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Resorts by and through its agents as described herein constitute a breach of the Riverboat Gambling Act, Title 68 of the Indiana Administrative Code and Resorts' approved internal control procedures. The Commission and Resorts hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Resorts. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

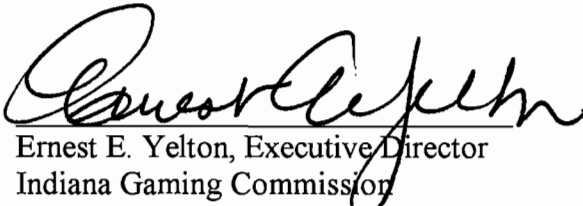
Resorts shall pay to the Commission a total of \$13,500 (\$2,000 for Count I; \$11,500 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. This agreement extends only to those violations and findings of fact, specifically alleged herein. If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described herein, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described herein.

Upon execution and approval of this Settlement Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Settlement Agreement by the Commission, Resorts agrees to promptly remit payment in the amount of \$13,500 and shall waive all rights to further administrative or judicial review.

This Settlement Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Settlement Agreement. This Settlement Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

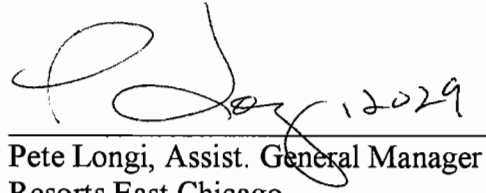
This Settlement Agreement shall be binding upon the Commission and Resorts.

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



Ernest E. Yelton, Executive Director
Indiana Gaming Commission

5.27.08
Date



Pete Longi, Assist. General Manager
Resorts East Chicago

5-20-08
Date