

ORDER 2009-44

**AN ORDER GRANTING LEAVE TO RESORTS INDIANA, LLC, A WHOLLY OWNED
SUBSIDIARY OF ELDORADO RESORTS, LLC TO WITHDRAW ITS RIVERBOAT
OWNER'S LICENSE APPLICATION**

The Indiana Gaming Commission ("Commission") adopts the following order pursuant to the authority granted to it under IC 4-33 and in accordance with 68 IAC 2-1-4(f).

The Commission has considered the following factors:

1. On or about June 20, 2008, Resorts Indiana, LLC, a wholly owned subsidiary of Eldorado Resorts, LLC (collectively, "Eldorado") submitted its application for a Riverboat Owner's License.
2. On November 13, 2008, the Commission approved Eldorado's pending acquisition of 100% of the outstanding membership shares of Aztar Indiana Gaming Company LLC ("Aztar"). The approval was contingent upon the occurrence of additional factors, one or more of which did not occur.
3. On or about March 17, 2009, representatives of Eldorado requested leave of the Commission to withdraw Eldorado's application for a Riverboat Owner's License.
4. Under 68 IAC 2-1-4(f), an application for a Riverboat Owner's License may not be withdrawn without leave of the Commission.
5. Eldorado no longer requires licensure, as its March 31, 2008 Securities Purchase Agreement to purchase 100% of the outstanding membership interests of Aztar is no longer pending.

COMMISSION ACTION

Having considered the foregoing, the Commission hereby GRANTS leave to Resorts Indiana, LLC, a wholly owned subsidiary of Eldorado Resorts, LLC to withdraw its Riverboat Owner's License application.

IT IS SO ORDERED THIS THE 19TH DAY OF MARCH, 2009.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary