

ORDER 2010-35

**APPROVING THE SETTLEMENT AGREEMENT BETWEEN
THE INDIANA GAMING COMMISSION AND WILLIAM M. TROY**

On May 19, 2007, William M. Troy, a Dealer at Horseshoe Hammond, obtained a permanent occupational license. The renewal date for Mr. Troy's license was May 19 of each successive year.

On July 23, 2009, Mr. Troy filed paperwork to renew his Level 2 occupational license for 2008 and 2009. His 2008 renewal was more than a year overdue, and his 2009 renewal was more than two months overdue.

68 IAC 2-3-8(a) requires an occupational license to be renewed annually and requires the renewal application to be completed and filed with the Indiana Gaming Commission ("Commission") no less than thirty (30) days before expiration. Mr. Troy violated this provision by twice failing to renew his license within the prescribed period of time.

On December 7, 2009, Commission staff sent a letter to Mr. Troy. This letter offered to settle the matter in lieu of commission staff filing a complaint and pursuing disciplinary action.

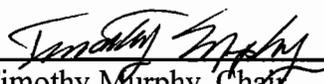
Commission staff and Mr. Troy have agreed to settle this matter. The terms of the settlement agreement have been reduced to writing, and in pertinent part, provide the following:

Licensee's occupational license shall be voluntarily relinquished for two (2) working days at a time to be determined by the parties in cooperation with the Human Resources Department of Horseshoe Hammond Casino. Licensee will not work his regularly scheduled shift ... during this period of voluntary relinquishment. Licensee agrees that no vacation or paid leave time shall be used while serving this voluntary relinquishment.

Having considered the foregoing, the Commission hereby APPROVES the proposed terms of the settlement agreement.

IT IS SO ORDERED THIS THE 4TH DAY OF MARCH, 2010:

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Marc Fine, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE LICENSE OF:

**WILLIAM M. TROY
LICENSE NO. HH10137-L2**

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MATTER NO: 2009-HH-04

SETTLEMENT AGREEMENT

The Indiana Gaming Commission ("Commission"), by and through its Executive Director Ernest E. Yelton, and William M. Troy ("Licensee") desire to settle and compromise this matter in lieu of a disciplinary action. In furtherance of this desire, the parties agree to the following recitations and settlement:

RECITATIONS OF LAW AND FACT

1. Under IC 4-33-8-8(4), the Commission may suspend, revoke, or restrict an occupational licensee for any just cause.
2. 68 IAC 2-3-9 states that "all occupational licensees have a continuing duty to maintain suitability for licensure."
3. 68 IAC 2-3-8(a) requires an occupational license to be renewed annually. The application for renewal must be completed and provided to the Commission no less than thirty (30) days before the expiration of the occupational license.
4. 68 IAC 2-3-10 states, in pertinent part, that: "[i]f the commission determines that an occupational licensee is in violation of this rule or IC 4-33-8, the commission may initiate a disciplinary proceeding to revoke, restrict, or take any other disciplinary action with respect to the occupational license pursuant to 68 IAC 13."
5. 68 IAC 13-1-18 states that settlement offers may be made at any time prior to the final disposition of an action, including prior to the initiation of proceedings.
6. On or about February 15, 2007, Mr. William Troy submitted a level 2 occupational license application to the Commission to work for Horseshoe Hammond as a dealer. Licensee was issued a temporary level 2 occupational license on or about the same date.
7. On or about May 19, 2007, Licensee was issued a permanent occupational license.
8. Licensee failed to timely renew his license for the following years: 2008 and 2009.
9. On December 7, 2009, Commission staff mailed a letter to Licensee offering settlement in lieu of disciplinary action.

10. On January 20, 2010, Licensee agreed, in writing, to the terms set forth in Commission staff's settlement offer.

SETTLEMENT AGREEMENT

The above described actions of Licensee constitute a violation of Title 68 of the Indiana Administrative Code. The Commission and Licensee agree that a period of voluntary relinquishment of Licensee's occupational license shall be imposed on Licensee in full settlement of this violation. By agreement, Licensee's occupational license shall be voluntarily relinquished for two (2) working days at a time to be determined by the parties in cooperation with the Human Resources Department of Horseshoe Hammond. Licensee will not work his regularly scheduled shift as a Dealer at Horseshoe Hammond during this period of voluntary relinquishment. Licensee agrees that no vacation or paid leave time shall be used while serving this voluntary relinquishment.

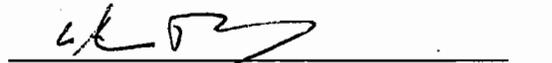
Licensee agrees to surrender his badge to the Human Resources Department at Horseshoe Hammond at or before the time his shift would otherwise begin on the day of his voluntary relinquishment and may retrieve his badge after two (2) working days elapse from the time he turns in his badge, at which time he will be eligible to return to work. Licensee agrees that his failure to comply with this Settlement Agreement will result in further disciplinary action against his occupational license.

Upon execution and approval of this Settlement Agreement, Licensee waives all rights to an administrative hearing under 68 IAC 13 and judicial review. This agreement is subject to the approval of the Commission. Approval by the Commission makes this agreement a final Commission action. This Settlement Agreement shall be binding upon the Commission and Licensee.

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



Ernest E. Yelton, Executive Director
Indiana Gaming Commission



William Troy
Occupational License Number HH10137-L2

Date: 2-24-10

Date: 2-19-10