

**INDIANA GAMING COMMISSION
BUSINESS MEETING**

September 15, 2011
Indiana State Library History Reference Room
Indianapolis, Indiana

Call to Order and Roll Call:

Chairman Timothy Murphy called the meeting to order at approximately 1:03 p.m. local time. A quorum was present.

Commissioner Updates:

Executive Director Yelton announced the expiration of Tom Swihart's term as Commissioner and welcomed Matt Bell as the newest Commissioner appointed by Governor Mitch Daniels. Due to the expiration of Tom Swihart's term, a vacancy occurred in the Vice Chairman position. As a result, an election was held for the position of Vice Chairman. Upon Motion by Mary Shy, second by Robert Morgan, and unanimous vote of those present, Marc Fine was elected the new Vice Chairman replacing Tom Swihart. Due to this appointment, an election was held for the position of Secretary. Upon Motion by Marc Fine, second by Sue Shields, and unanimous vote of the Commission, Mary Shy was elected as the new Secretary replacing Marc Fine.

Present:

Commission Members: Tim Murphy, Chairman, Marc Fine, Vice Chairman, Mary Shy, Robert Morgan, Sue Shields, and Matt Bell. Commission Staff: Ernest E. Yelton, Adam Packer, Jennifer Reske, Chris Gray, Lea Ellingwood, Larry Rollins, Jeff Neuenschwander, Sara Tait, Derek Young, Angela Bunton, Ken Rowan, Robert Paugh, Tashina Manuel, Garth Brown, Danielle Leek, Dan Roberts, Tom Stuper, Joby Jerrells, Diane Freeman, Larry Delaney, Kristen Kenley, Tami Timberman-Wright, Sherry Green and members of the public.

Approval of the Minutes:

Upon motion by Sue Shields, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed minutes from the June 2, 2011, business meeting.

Report of the Executive Director:

The Executive Director began his report with a staff update which introduced the following new Commission employees: Kristen Kenley as Administrative Assistant, Joby Jerrells as License Control Counselor, Sara Gonso Tait as Staff Attorney, Dan Roberts as Financial Investigator and Tashina Manuel as Assistant Controller.

Executive Director Yelton acknowledged the ribbon cutting ceremony that celebrated the transfer of the Grand Victoria riverboat license from Hyatt Gaming to Full House Gaming,

which was approved at the June 2011 Business Meeting. The ribbon cutting ceremony rechristened the casino as Rising Star Casino. Executive Director Yelton also discussed the conclusion of the reinvestigation of Hollywood Casino and supplier PokerTek. The confidential reports were previously submitted to the Commissioners and Directors Garth Brown and Danielle Leek were present at the meeting to answer questions about the reports.

Executive Director Yelton reported that IGC staff added ten individuals to the Exclusion List since the June Commission meeting, which effectively and permanently barred those patrons from entering any casino in Indiana. Of those ten individuals, three were added to the list because of past-posting or pinching their bets while at the casino. Six of the individuals were barred because they took illegal possession of a TITO, casino chips, or U.S. currency in excess of \$500 or made fraudulent cash withdrawals while at the casino. The final individual added to the Exclusion List, Anthony Forney, was observed physically attacking another patron in a robbery attempt while at Horseshoe Southern Indiana Casino. In addition to being barred, Forney was also charged with multiple felony offenses and a warrant was enacted for his arrest. Executive Director Yelton announced that the updated Exclusion List brought the total to 45 patrons placed on the list this year and 255 individuals total that have been barred from Indiana casinos and racinos.

Waiver of Rules and Regulations:

The members of the Casino Association were granted the following eight waivers:

- They may increase the aggregate amount of checks cashed within seven days from \$1,000 to \$2,500 for in-house cashing and \$5,000 for checks cashed utilizing a check guarantee service.
- They were relieved from the requirement to complete a 100% drop of tournament machines prior to the commencement of each tournament day. In addition, they were relieved from the requirement to contact an IGC Agent at the completion of the tournament requesting the return of the tournament area to “regular play” and for a Commission Agent to seal the tournament EPROM and the regular EPROM into the EGD.
- They were relieved of the requirement to have a visual inspection of playing cards by players conducted prior to the commencement of various table games.
- Allowed to rotate chip denominations of \$25 and below twice weekly.
- One-half of a private Craps table may now be staffed with 1 Boxpersion, 1 Stickperson and 1 Base Dealer. If the private Craps table has more than six players, a second Base Dealer would be added.
- Surveillance Department must only be informed of fills in the amount of \$5,000 or more.
- They were relieved from the requirement that surveillance be notified and record on the surveillance log any time a slot department employee enters an electronic gaming device to conduct a minor repair or maintenance.

-Allowed to transfer monetary funds between locations for amounts of \$1,000 or less without a security escort. Additionally, the casinos received relief from a security escort for the movement of chips, checks and cash equivalents that are transported between casino cashiering areas.

Rising Star: Granted a waiver to forgo maintaining any secondary chips of the value \$2.50. If it needed to pull the primary \$2.50 chip, the casino would use the primary \$1 and \$.50 chips. The casino would also maintain the \$1 secondary chip at 50% in lieu of utilizing the previously granted waiver allowing 30%.

Hollywood: Granted a waiver allowing a progressive jackpot to be immediately moved from a bank of machines to another progressive on the casino floor without the required 30 days notice.

Horseshoe Hammond: Granted relief on any progressive slot machines with an immediate jackpot of less than \$50,000, that dedicated camera coverage would not be required until the progressive display reads a minimum of \$40,000. This waiver was granted for all slot machines that are not connected to the Paltronics system and was granted on the condition that the incrementation on progressive machines was verified as correct.

Majestic Star: Granted a one time waiver for the pre-installment of approved themes onto a server based gaming system. The verification of the themes would be completed by an IGC Agent and an IGC Agent would be required to be present at the delivery of the server.

Old Business:

No old business was reported.

New Business:

Voluntary Exclusion Program:

**Orders Concerning
The Voluntary Exclusion Program**

2011-141	2011-154
2011-142	2011-155
2011-143	2011-156
2011-144	2011-157
2011-145	2011-158
2011-146	2011-159
2011-147	2011-160
2011-148	2011-161
2011-149	2011-162
2011-150	2011-163
2011-151	2011-164
2011-152	2011-165
2011-153	

Order 2011-141 approved the remittance of winnings by VEP participant John Doe #66 in the amount of \$1,590.44. Ameristar withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-142 approved the remittance of winnings by VEP participant John Doe #67 in the amount of \$1,301.69. Ameristar withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-143 approved the remittance of winnings by VEP participant John Doe #68 in the amount of \$1,350. Belterra Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-144 approved the remittance of winnings by VEP participant John Doe #69 in the amount of \$1,442. French Lick withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-145 approved the remittance of winnings by VEP participant John Doe #70 in the amount of \$886.20. French Lick withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-146 approved the remittance of winnings by VEP participant John Doe #71 in the amount of \$1,766.31. French Lick withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-147 approved the remittance of winnings by VEP participant John Doe #72 in the amount of \$1,094.31. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-148 approved the remittance of winnings by VEP participant John Doe #73 in the amount of \$1,089.45. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-149 approved the remittance of winnings by VEP participant John Doe #74 in the amount of \$40.28. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-150 approved the remittance of winnings by VEP participant John Doe #75 in the amount of \$0.60. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-151 approved the remittance of winnings by VEP participant John Doe #76 in the amount of \$3,150. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-152 approved the remittance of winnings by VEP participant John Doe #77 in the amount of \$3,103.98. Hollywood Casino withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-153 approved the remittance of winnings by VEP participant John Doe #78 in the amount of \$49.17. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-154 approved the remittance of winnings by VEP participant John Doe #79 in the amount of \$15.36. Hoosier Park withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-155 approved the remittance of winnings by VEP participant John Doe #80 in the amount of \$200. Horseshoe withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-156 approved the remittance of winnings by VEP participant John Doe #81 in the amount of \$5,000. Horseshoe South withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-157 approved the remittance of winnings by VEP participant John Doe #82 in the amount of \$670. Horseshoe South withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-158 approved the remittance of winnings by VEP participant John Doe #83 in the amount of \$1,215. Indiana Live withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-159 approved the remittance of winnings by VEP participant John Doe #84 in the amount of \$250. Rising Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-160 approved the remittance of winnings by VEP participant John Doe #85 in the amount of \$115. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-161 approved the remittance of winnings by VEP participant John Doe #86 in the amount of \$1,189.60. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-162 approved the remittance of winnings by VEP participant John Doe #87 in the amount of \$64. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-163 approved the remittance of winnings by VEP participant John Doe #88 in the amount of \$100. Majestic Star withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-164 approved the remittance of winnings by VEP participant John Doe #89 in the amount of \$4,186.95. French Lick withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Order 2011-165 approved the remittance of winnings by VEP participant John Doe #90 in the amount of \$7.50. French Lick withheld the winnings as required by Commission regulations and will remit the winnings on behalf of the patron.

Action: Upon Motion by Robert Morgan, second by Sue Shields, and unanimous vote of those present, the Commission approved Orders 2011-141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164 and 165 as recommended by Commission staff.

Order 2011-166

An Order Denying the Appeal of Voluntary Exclusion Remittance of John Doe #17.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Order 2011-166 affirming the Administrative Law Judge's Order which recommended that the Commission deny John Doe #17's petition for review of Order 2011-17 in which John Doe #17 was ordered to remit winnings in the amount of \$5,416.

Order 2011-167

An Order Denying the Appeal of Voluntary Exclusion Remittance of John Doe #52.

Action: Upon Motion by Marc Fine, second by Mary Shy, and unanimous vote of those present, the Commission approved Order 2011-167 affirming the Administrative Law Judge's Order which recommended that the Commission deny John Doe #52's petition for review of Order 2011-91 in which John Doe #52 was ordered to remit winnings in the amount of \$2,310.50.

Order 2011-168

An Order Regarding the Request for Hearing Re: the Voluntary Exclusion Remittance of John Doe #11-65.

Action: Upon Motion by Robert Morgan, second by Sue Shields, and unanimous vote of those present, the Commission affirmed the Settlement Agreement entered into by Commission Staff and John Doe #65, which ended John Doe #65's appeal of Order 2011-104 and allowed the return of \$6,600 worth of funds forfeited at Blue Chip Casino.

Patron Exclusion:

Order 2011-169

An Order Affirming the Civil Penalty against Patricia Strickland for Violation of her Placement on the Statewide Exclusion List.

Action: Upon Motion by Marc Fine, second by Robert Morgan, and unanimous vote of those present, the Commission affirmed the Administrative Law Judge's Default Judgment Order against Patricia Strickland for failure to respond to Commission staff's civil penalty administrative complaint.

Order 2011-170

An Order Regarding the Settlement Agreement Regarding Kyle Sanders' Appeal of his Placement on the Statewide Exclusion List.

Action: Upon Motion by Mary Shy, second by Robert Morgan, and unanimous vote of those present, the Commission affirmed the Settlement Agreement entered into by Commission Staff and Sanders which confirmed the Executive Director's placement of Mr. Sanders on the Commission's Lifetime Exclusion List but allowed Mr. Sanders to petition for removal from the exclusion list after 18 months, or anytime on or after April 26, 2012.

Supplier's License Matters:

Order 2011-171

An Order of the Indiana Gaming Commission Granting a Permanent Supplier's License to Multimedia Games, Inc.

Action: Upon Motion by Matt Bell, second by Sue Shields, and unanimous vote of those present, the Commission approved Order 2011-171, thereby granting an annual Supplier's License to Multimedia for a period of one year from September 15, 2011 through September 14, 2012.

Order 2011-172

An Order of the Indiana Gaming Commission Concerning the Renewal of Supplier's Licenses.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission granted the renewal of licenses for each of the following suppliers for a period one year: Gaming Partners International USA, valid August 19, 2011 through August 18, 2012; GEMACO, Inc., valid August 19, 2011 through August 18, 2012; Global Surveillance Associates, Inc., valid October 1, 2011 through September 30, 2012; and Poker Tek, valid August 26, 2011 through August 25, 2012.

Order 2011-173

An Order Waiving the Application of 68 IAC 5-2-2(a) to the Transfer of Ownership in Atlantic City Coin and Slot Service Company, Inc.

Action: Upon Motion by Sue Shields, second by Robert Morgan, and unanimous vote of those present, the Commission approved the waiver of 68 IAC-5-2-2(a) for purposes of the transfer of ownership in Atlantic City Coin and Slot Service Company, Inc. This Order granted the waiver of the requirements of 68 IAC 5-2-2(a) for the transfer of Max Seelig's ownership in Atlantic City Coin and Slot Service Company to the Max E. Seelig Revocable Trust.

Occupational License Matters:

Order 2011-174

An Order Affirming the Revocation of Keith A. Jordan's Occupational License.

Action: Upon Motion by Sue Shields, second by Robert Morgan, and unanimous vote of those present, the Commission affirmed, in accordance with IC 4-21.5-3-29, the Administrative Law Judge's Order for Summary Judgment affirming the revocation of Keith Jordan's occupational license.

Financing:

Order 2011-175

An Order Ratifying the Previously Awarded Interim Waiver and Approval for the Debt Activity Proposed by Boyd Gaming Corporation.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, Order 2011-175 was granted, which ratified Executive Director Yelton's September 7, 2011, interim approval and waiver authorizing Boyd Gaming to close on proposed debt activity.

Order 2011-176

An Order Ratifying the Previously Awarded Interim Waiver and Approval of the Debt Activity Proposed by Penn National Gaming, Inc.

Action: Upon Motion by Marc Fine, second by Sue Shields, and unanimous vote of those present, Order 2011-176 was granted, which ratified Executive Director Yelton's July 13, 2011, interim approval and waiver authorizing Penn National Gaming to undertake debt activity.

Order 2011-177

An Order Ratifying the Previously Awarded Interim Waiver and Approval of the Debt Activity Proposed by Pinnacle Entertainment, Inc.

Action: Upon Motion by Robert Morgan, second by Sue Shields, and unanimous vote of those present, Order 2011-177 was granted, which ratified Executive Director Yelton's August 1, 2011, interim approval and waiver authorizing Pinnacle Entertainment to undertake debt activity.

Disciplinary Actions:

**Settlement Agreement of
Casino Aztar
11-AZ-03
Order 2011-178**

A settlement agreement was reached regarding an incident wherein the casino allowed two underage persons on the casino floor. Casino Aztar agreed to a monetary settlement of \$4,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Belterra Casino and Resort
11-BT-02
Order 2011-179**

A settlement agreement was reached regarding two disciplinary counts against Belterra. In the first count, the casino failed to follow the proper procedures for redeeming TITO tickets and chips. In the second count, the casino violated the rule requiring slot machines to be capable of detecting and displaying when a door is open. Belterra agreed to a monetary settlement of \$10,000 in lieu of disciplinary actions.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
French Lick Resort Casino
11-FL-03
Order 2011-180**

A settlement agreement was reached regarding an incident wherein French Lick allowed numerous employees access to information at a level for which the employees were not

licensed to access. French Lick agreed to a monetary settlement of \$2,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Indiana Gaming Company, L.P.
11-HW-04
Order 2011-181**

A settlement agreement was reached regarding six disciplinary counts against Indiana Gaming Company (Hollywood Casino). In the first count, the casino failed to realize an incorrect fill was sent to a table game until the Cage Cashier ended her shift with a variance. In the second count, the casino violated the rule regarding the timely notification of a terminated employee to the IGC Agents. The third count was a result of the casino's failure to follow proper procedures for a poker room exchange. In the fourth count, an underage person was allowed on the casino floor on three separate occasions. In the fifth count, the casino violated the Internal Control's procedure for payment of a table jackpot over \$600. The sixth count was a result of the casino violating the proper procedures for a fill that was incorrect. Hollywood Casino agreed to a monetary settlement of \$31,000 in lieu of disciplinary actions.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Hoosier Park L.P.: Centaur, Inc.
11-HP-02
Order 2011-182**

A settlement agreement was reached regarding two disciplinary counts against Hoosier Park. In the first count, the casino's soft count room door was not secured properly. In the second count, a locked cart containing a NRT cassette with money in it was not properly secured for approximately 15 hours. Hoosier Park agreed to a monetary settlement of \$5,000 in lieu of disciplinary actions.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Horseshoe Hammond, LLC
11-HH-02
Order 2011-183**

A settlement agreement was reached with Horseshoe Hammond wherein the casino violated the rule ensuring that VEP members do not receive direct marketing. Horseshoe Hammond agreed to a monetary settlement of \$1,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Caesars Riverboat Casino, LLC
11-CS-03
Order 2011-184**

A settlement agreement was reached with Horseshoe Southern Indiana regarding a violation wherein the casino failed to ensure that a bill validator box contained a separate lock to access the contents of the box. Horseshoe Southern Indiana agreed to a monetary settlement of \$1,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Indianapolis Downs, LLC
11-IL-02
Order 2011-185**

A settlement agreement was reached with Indianapolis Downs (Indy Live Casino) regarding a violation wherein the casino allowed a person under the age of 21 onto the casino floor on two separate occasions. Indiana Live agreed to pay a monetary settlement of \$4,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
The Majestic Star Casino, LLC
11-MS-03
Order 2011-186**

A settlement agreement was reached with Majestic Star regarding a violation wherein the casino allowed a VEP to participate in a blackjack tournament. Majestic Star agreed to pay a monetary settlement of \$1,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

**Settlement Agreement of
Gaming Entertainment, LLC
11-RR-01
Order 2011-187**

A settlement agreement was reached with Gaming Entertainment, LLC (Rising Star Casino) regarding a violation wherein the casino allowed a patron in the bill validator drop area. Rising Star agreed to a monetary settlement of \$2,500 in lieu of disciplinary action.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved the proposed terms of the settlement agreement.

Transfer of Ownership:

Order 2011-188

An Order of the Indiana Gaming Commission Concerning the following: 1) the Application for Transfer of the Gambling Game License from Hoosier Park, L.P. to Hoosier Park, LLC; 2) the Application of Centaur Holdings, LLC; and 3) the Debt Transaction Proposed by Centaur Holdings, LLC.

Representatives from Centaur were in attendance at the meeting to provide the Commission with a presentation about their restructuring plan for Hoosier Park and other holdings. Rod Ratcliff, Centaur CEO, Michael Wagman, Clairvest Managing Director, Phil Bayt, counsel from Ice Miller and Jim Brown, Hoosier Park Casino COO, each presented aspects of the restructuring plan and shared Centaur's vision for emerging from bankruptcy.

In addition to the three components of Order 2011-188 listed above, Phil Bayt, counsel from Ice Miller, offered the following language to be added as a fourth component to the Order: "under the law as currently constituted, that a transfer of the license by the new Hoosier Park entity would not be subject to the transfer fee because it would be a subsequent licensee and not the initial licensee."

Action: After questions and discussion were raised to the Centaur/Hoosier Park representatives from each Commissioner, Commissioner Matt Bell requested that a study be conducted by the Commissioners in regards to the fourth component of the Order as offered by Centaur/Hoosier Park and to vote on the Order as originally presented. The Commissioners agreed to vote on the Order as originally presented. Upon Motion by Mary Shy, second by Robert Morgan, and unanimous vote of those present, the Commission approved the application of Hoosier Park, LLC to transfer the gambling game license of the initial licensee, Hoosier Park, LP with Holdings indirectly holding 100% of Hoosier Park, LLC's outstanding membership interests and therefore action as Hoosier Park's sole substantial owner. In addition, the Commission approved the \$273.7 million exit financing proposed by Holdings to help fund continuing operations following

emergence from bankruptcy. In granting approval to this financing package, the Commission also waived the so-called “two meeting requirement” of 68 IAC 5-3-2(b) (2) and (3).

Local Development Agreements:

At the June 2, 2011, Commission meeting, the Commission adopted 2011-138, which adopted an emergency rule regarding local development agreements. Section 7 of this emergency rule, which was posted in the Indiana Register as LSA #11-471 (E), stated that, “a development provider shall submit a modification request that adds that statement found in IC 4-33-23-8 to the development agreement for consideration at the September 2011 Commission business meeting.” The following orders were presented in response to the modification requests filed by the casinos after the establishment of the emergency rule.

Order 2011-189

An Order Modifying the Evansville Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Casino Aztar’s September 1, 2011, request to modify its local development agreement.

Order 2011-190

An Order Modifying Belterra’s Local Development Agreements.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Casino Belterra’s September 1, 2011, request to modify its local development agreement.

Order 2011-191

An Order Modifying the Michigan City Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Blue Chip’s June 21, 2011, request to modify its local development agreement.

Order 2011-192

An Order Modifying the Orange County Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Blue Sky's (French Lick's) September 1, 2011, request to modify its local development agreement.

Order 2011-193

An Order Modifying the Lawrenceburg Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Hollywood's September 9, 2011, request to modify its local development agreement.

Order 2011-193B

An Order Approving the Lawrenceburg Hotel and Event Center Project Agreement under which Hollywood Casino and Lawrenceburg plan to finance and construct a 180-room hotel and event center.

John Fennimore from Penn National Gaming and Jack Thar from Hollywood Casino spoke to the Commissioners about the details of the development project, including the location of the hotel and event center and its projected interaction with existing businesses and entertainment options in Lawrenceburg.

Action: Upon Motion by Robert Morgan, second by Sue Shields, and unanimous vote of those present, the Commission approved the Lawrenceburg Hotel and Event Center Project Agreement.

Order 2011-194

An Order Modifying the Hammond Local Development Agreements.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Horseshoe Hammond's August 29, 2011, request to modify its local development agreement.

Order 2011-195

An Order Modifying the Harrison County Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Horseshoe Southern Indiana's August 31, 2011, request to modify its local development agreement.

Order 2011-196

An Order Modifying the Majestic Star-Gary Local Development Agreements.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Majestic Star I and Majestic Star II's September 1, 2011, request to modify its local development agreement.

Order 2011-197

An Order Modifying the Rising Sun Local Development Agreement.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission approved Rising Star's August 30, 2011, request to modify its local development agreement.

Resolution Reconsideration:

Resolution 2011-198

A Resolution Modifying Prior Commission Resolutions Concerning East Chicago Local Development Agreement and Authorizing Distribution of Funds from Segregated Accounts.

Tom Funk, representing the Indiana Gaming Commission, addressed the Commission on the reconsideration of Resolution 2011-139, which involved the litigation surrounding Ameristar and the East Chicago local development agreement. Mr. Funk submitted a copy of the Final Settlement Agreement reached between some of the parties involved in the litigation as a document to be acknowledged as a part of the record of the Commission meeting. In addition, Mr. Funk submitted Resolution 2011-198 which would approve the disposition of accounts in accordance with the Final Settlement Agreement and would approve Ameristar to distribute and pay the account in compliance with the agreement. Mr. Funk also presented the Commission with two amendments to Resolution 2011-198. Both amendments add the language, "of the distribution and payment" after the two instances of the word "approval" in Resolution 1 of Resolution 2011-198.

Action: Upon Motion by Sue Shields, second by Robert Morgan, and unanimous vote of those present, the Commission approved Order 2011-198 as amended by Tom Funk.

Renewals:

Order 2011-199

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Blue Chip Casino, LLC.

Action: Upon Motion by Mary Shy, second by Matt Bell, and unanimous vote of those present, the Commission granted renewal of Blue Chip's license for a period of one year, from August 18, 2011 through August 17, 2012. In addition, this Order granted the

renewal of the Commission's approval of the written power of attorney identifying Judith Campbell as trustee-in-waiting for Blue Chip.

Order 2011-200

An Order of the Indiana Gaming Commission Renewing the Riverboat Owner's License of Gaming Entertainment (Indiana), LLC.

Action: Upon Motion by Marc Fine, second by Robert Morgan, and unanimous vote of those present, the Commission granted renewal of Rising Star's Riverboat Owner's License for a period of one year, from September 16, 2011 through September 15, 2012. In addition, this Order granted the Commission's approval of the written power of attorney identifying Ron Gifford as trustee-in-waiting for Rising Star.

Permanently Moored Vessel Conversion Plan:

Order 2011-201

An Order Regarding Ameristar Casino East Chicago LLC's Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Ameristar Casino East Chicago, LLC to convert its self-propelled riverboat into a permanently moored craft.

Order 2011-202

An Order Regarding Belterra Resort Indiana LLC's Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Belterra Resort Indiana to convert its self-propelled riverboat into a permanently moored craft.

Order 2011-203

An Order Regarding Blue Chip Casino LLC's Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Blue Chip Casino to convert its self-propelled riverboat into a permanently moored craft.

Order 2011-204

An Order Regarding Indiana Gaming Company, LP's (Hollywood's) Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Hollywood Casino to convert its self-propelled riverboat into a permanently moored craft.

Order 2011-205

An Order Regarding Horseshoe Hammond, LLC's Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Horseshoe Hammond to convert its self-propelled riverboat into a permanently moored craft.

Order 2011-206

An Order Regarding Gaming Entertainment LLC's (Rising Star's) Proposal for Conversion to a Permanently Moored Vessel.

Action: Upon Motion by Mary Shy, second by Marc Fine, and unanimous vote of those present, the Commission approved the plan submitted by Rising Star Casino to convert its self-propelled riverboat into a permanently moored craft.

Requests:

Order 2011-207

An Order Regarding Indiana Live! Casino's Request under Indiana Code 4-35-7-11. Indiana Code 4-35-7-11 states that a gambling game licensee may not install more than 2,000 slot machines on its premises without the approval of the Commission.

On June 1, 2011, Indiana Live requested Commission approval to install an additional 211 slot machines in addition to the 2,000 allowed under IC 4-35-7-11.

Action: Upon Motion by Sue Shields, second by Marc Fine, and unanimous vote of the Commission, Order 2011-207 was tabled and representatives from Indiana Live were deferred from speaking at the meeting.

Order 2011-208

An Order Modifying Prior Commission Order 2010-1 Concerning Icahn Enterprises, GP, Inc.'s Substantial Ownership of Tropicana Entertainment, Inc.

Action: Upon Motion by Sue Shields, second by Robert Morgan, and unanimous vote of those present, the Commission modified Commission Order 2010-1 to delete continuing conditions (1) through (4) of Section 1 of the Commission Action, and to strike all references to the Icahn Funds.

Rules:

Resolution 2011-210

A Resolution Adopting an Emergency Rule Barring Immediate Family of Level 1 Occupational Licensees and Certain Level 2 Occupational Licensees from Participating in Certain Promotional Events.

Action: Upon Motion by Matt Bell, second by Marc Fine, and unanimous vote of those present, the Commission adopted the emergency rule for an initial 90-day period as well as for an optional 90-day extension period.

Resolution 2011-211

A Resolution Adopting an Emergency Rule Regarding Regulation of Professional Boxing, Sparring, and Unarmed Combat.

Action: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the Commission adopted the emergency rule for an initial 90-day period as well as for the optional 90-day extension period. The emergency rule adopted in Resolution 2011-211 will become effective upon filing with Legislative Services.

Resolution 2011-212

A Resolution Adopting an Emergency Rule Regarding Amateur Mixed Marital Arts.

Action: Upon Motion by Marc Fine, second by Mary Shy and unanimous vote of those present, the Commission adopted the emergency rule for an initial 90-day period as well as for the optional 90-day extension period.

Order 2011-213

An Order Regarding the Modification of Order 2011-188.

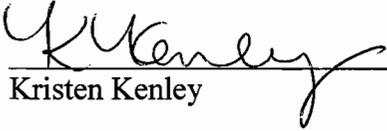
Phil Bayt, counsel representing Centaur, asked to speak to the Commission a second time in reference to Order 2011-188. Because the Commission only adopted the original language presented in Order 2011-188, Centaur asked for an additional chance to propose new language for the Order. Rather than inserting language that stated, “under the law as currently constituted, that a transfer of the license by the new Hoosier Park entity would not be subject to the transfer fee because it would be a subsequent licensee and not the

initial licensee,” Bayt proposed language that stated, “as the law is currently constituted, after the transfer, Hoosier Park, LLC is not an initial licensee under IC 4-35-5-7(f).”

Action: Upon Motion by Matt Bell, second by Robert Morgan, the Commission voted on Order 2011-213, which would amend Order 2011-188 to include additional language as presented by Centaur. With Commissioners Matt Bell and Robert Morgan voting in favor, and Commissioners Timothy Murphy, Sue Shields, Marc Fine and Mary Shy opposed, the Motion was defeated.

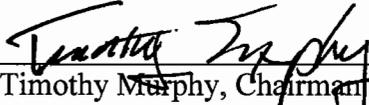
Meeting Adjournment: Upon Motion by Robert Morgan, second by Mary Shy, and unanimous vote of those present, the meeting adjourned at 3:45 p.m.

Respectfully Submitted,

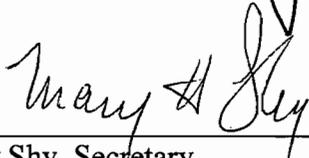


Kristen Kenley

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chairman



Mary Shy, Secretary

11/10/2011

Date