

**ORDER 2013-162
IN RE SETTLEMENT AGREEMENT
INDIANA GAMING COMPANY, L.P.
13-HW-03**

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

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 12th DAY OF SEPTEMBER, 2013.

THE INDIANA GAMING COMMISSION:



Matt Bell, Chair

ATTEST:



Christopher Johnston, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
) **SETTLEMENT**
INDIANA GAMING COMPANY, L.P.) **13-HW-03**
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Indiana Gaming Company, L.P. (“Hollywood”) (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

1. 68 IAC 2-6-16(d)(5) states the bill validator shall be equipped with a bill validator drop box to collect the currency and TITOs inserted into the bill validator. The bill validator drop box shall have a separate lock to access the contents of the bill validator drop box. This key shall not access any other area of the electronic gaming device.
2. On June 23, 2013 a Gaming Agent was notified by the Surveillance Manager that surveillance had received a call from a Count Room Attendant regarding four bill validator (“BV”) boxes without locks on them. The Count Room Attendant had called surveillance from the keying room to report that four boxes were open that did not have locks on them. All four boxes contained currency; however, due to the currency being sent to processing room, the Count Room Attendant could not identify which slot machines the boxes came from. The Agent spoke to employees in the Surveillance, Slots and Count Room Departments and reviewed video coverage. The Agent discovered that on June 20, 2013 forty (40) BVs were removed from storage to be placed in slot machines on the gaming floor. The BVs were removed from storage by four Count Room Attendants, a Security Officer and the Slot Performance Manager. The BVs were transported to the casino floor and placed inside slot machines. On June 23, 2013 the BVs were dropped and taken to the keying room. The Agent sent an email to the Directors who had employees involved in this as well as the Compliance Manager asking for additional information to add to the report. The Agent had spoken to the Count Room Manager who told the Agent she would be looking into her staffs accountability and would send him the names of any licensee’s who would receive disciplinary action. On June 27, 2013 the Compliance Manager responded to the email indicating that all associated departments had been coached and received the procedural information. She

also outlined some changes the casino made to ensure future compliance. The Agent did not receive any further correspondence from any of the Directors and is not aware of any disciplinary action taken.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Hollywood by and through its agents as described herein constitute a breach of IC 4-33, 68 IAC and/or Hollywood's approved internal control procedures. The Commission and Hollywood hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Hollywood. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

Hollywood shall pay to the Commission \$2,500 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, Hollywood agrees to promptly remit payment in the amount of \$2,500 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 Hollywood.

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

9.9.13

Date



Todd George, General Manager
Indiana Gaming Company, L.P.

8/26/13

Date