

**ORDER 2015-104**  
**AN ORDER OF THE INDIANA GAMING COMMISSION**  
**IN RE SETTLEMENT AGREEMENT**  
**AZTAR INDIANA GAMING CO., LLC d/b/a TROPICANA EVANSVILLE**  
**15-AZ-02**

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

APPROVES

the proposed terms of the Settlement Agreement.

**IT IS SO ORDERED THIS 18<sup>th</sup> DAY OF JUNE, 2015.**

**THE INDIANA GAMING COMMISSION:**

  
\_\_\_\_\_  
Cris Johnston, Chair

ATTEST:

  
\_\_\_\_\_  
Joseph Svetanoff, Secretary

**STATE OF INDIANA  
INDIANA GAMING COMMISSION**

|                                      |   |                   |
|--------------------------------------|---|-------------------|
| <b>IN RE THE MATTER OF:</b>          | ) |                   |
|                                      | ) | <b>SETTLEMENT</b> |
| <b>AZTAR INDIANA GAMING CO., LLC</b> | ) | <b>15-AZ-02</b>   |
|                                      | ) |                   |

**SETTLEMENT AGREEMENT**

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Aztar Indiana Gaming Co., LLC (“Tropicana Evansville”), (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 12-1-5(f)(6) states electronic gaming device surveillance must be capable of providing the following: Progressive games, including dedicated coverage of the following:
  - (A) An electronic gaming device or group of electronic gaming devices with a possible jackpot payout in excess of fifty thousand dollars (\$50,000).
2. On January 10<sup>th</sup> and 11<sup>th</sup> 2015, a Gaming Agent was conducting surveillance camera checks and found one camera to have a blue screen. The camera was down from Thursday, January 8<sup>th</sup> until it was fixed on Monday, January 12<sup>th</sup>. Camera checks are performed each shift and this went unnoticed. According to daily surveillance logs, there were 8 camera checks during the time this one camera was down and it was not discovered. Upon the camera being placed back in service on the 12<sup>th</sup>, a Surveillance Tech Manager told the Gaming Agent that a camera wire came unplugged and after it was plugged back in, it worked properly. This particular camera was a dedicated camera to a bank of progressive machines that was over \$50,000.

**COUNT II**

3. 68 IAC 2-6-38(a) states when a progressive jackpot is recorded on an electronic gaming device which is attached to the progressive controller, the progressive controller must allow for the following:
  - (1) The displaying of the winning amount.

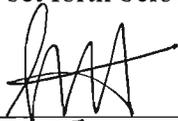
If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described herein, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described herein.

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, Tropicana Evansville agrees to promptly remit payment in the amount of \$4,500 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 Tropicana Evansville.

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

6/9/15  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
Jason Gregorec, General Manager  
Tropicana Evansville

5/28/15  
\_\_\_\_\_  
Date

SARA  
TAH