

ORDER 2017-35
ORDER RATIFYING PREVIOUSLY ISSUED EMERGENCY ORDER 2016-256

Resolution 2012-151 allows the Executive Director, upon obtaining consent from one Commissioner, to exercise the powers and duties of the Indiana Gaming Commission (“Commission”) under Ind. Code § 4-33-4-1 and Ind. Code § 4-35-4-1.

The Commission has considered the following factors:

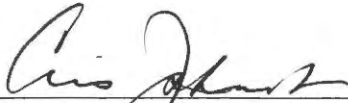
1. Under 68 IAC 5-1, supplier licensees that are publicly traded companies must comply with certain requirements before transferring an ownership interest in order to protect the Commission’s interest in suitability of its licensees.
2. Happ Controls, Inc. (“HCI”) is licensed in numerous jurisdictions, all of which require filing of license renewals and annual updates. These filing requirements impose a substantial monetary and time cost on HCI.
3. Without approval of the transfer request, HCI would be required to pay these costs twice, across numerous jurisdictions, in the form of an initial renewal fee and then a transfer of ownership fee.
4. Additionally, failure to approve the transfer request will result in waste of Commission resources as investigations occurring prior to the reorganization and transfer of ownership will be moot.
5. Approval of the transfer request would pose no additional risk to the Commission as HCI and Matthew R. Brown have been investigated previously and have had no issues with failing to comply with any Commission rules or regulations.
6. The transfer of ownership had to be approved by December 31, 2016, or the transaction would not have been able to proceed and HCI would have been forced to relinquish its Indiana supplier license and reapply at a later date.
7. In accordance with and subject to Ind. Code chs. 4-33-7 and 4-35-6 and Title 68 of the Indiana Administrative Code, the Commission has completed the background investigation and financial investigation of Matthew R. Brown and SUZOHAPP Gaming Solutions, Inc. The Commission determined that Matthew R. Brown and SUZOHAPP Gaming Solutions, Inc. are substantially compliant with Indiana statutes and regulations and have satisfied the requirements for transfer of ownership under 68 IAC 5-1.
8. Emergency Order 2016-256 approved the transfer of ownership, effective December 28, 2016.
9. Resolution 2012-151 requires that the Executive Director report any action taken under Resolution 2012-151 to the Commission for ratification or other action by the Commission.

10. Per the requirements laid out in Resolution 2012-151, the Executive Director consulted with and received approval from Commission Chairman Cris Johnston to exercise the authority granted in the Resolution.

Based on the foregoing, the Commission hereby **RATIFIES** the Executive Director's December 28, 2016 Emergency Order 2016-256.

IT IS SO ORDERED THIS 23rd DAY OF MARCH, 2017.

THE INDIANA GAMING COMMISSION



Cris Johnston, Chair

ATTEST:



Joseph Svetanoff, Secretary