

ORDER 2019-97

**AN ORDER OF THE INDIANA GAMING COMMISSION PROSPECTIVELY RENEWING
THE CASINO OWNER'S LICENSES AND WRITTEN POWERS OF ATTORNEY FOR THE
MAJESTIC STAR CASINO, LLC AND THE MAJESTIC STAR CASINO II, LLC**

In accordance with and subject to Ind. Code art. 4-33 and Title 68 of the Indiana Administrative Code, the Indiana Gaming Commission ("Commission") issued a casino owner's license to the Majestic Star Casino, LLC ("Majestic Star I") and Trump Indiana, Inc. ("Trump") on June 3, 1996, effective June 11, 1996. On November 17, 2005, the Commission approved a transfer of ownership of the Trump license to Majestic Star I as well as a name change on the Trump license to Majestic Star Casino II, Inc.

By Order 2012-58, the Commission approved the Majestic Star II Casino, Inc. converting its legal entity to a limited liability company, e.g., the Majestic Star II Casino, LLC ("Majestic Star II") (collectively with Majestic Star I, "Majestic Star I and II"). Pursuant to Ind. Code § 4-33-6-12, the two licenses have been renewed annually since inception. The most recent renewal, granted on June 28, 2018 in Order 2018-118, renewed the licenses through June 2, 2019.

On April 15, 2019, Majestic Star I and II requested license renewals and submitted the payment of their annual renewal fees.

On February 15, 2019, pursuant to Order 2019-58, the Executive Director approved the appointment of Mr. John J. Thar as trustee-in-waiting for Majestic Star I and II. The appointment of Mr. Thar as trustee-in-waiting expires "upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of the license; or (2) modifies or withdraws the renewal of its approval" of Mr. Thar. On April 15, 2019, Majestic Star I and II indicated in writing its desire to maintain Mr. Thar as trustee-in-waiting.

COMMISSION ACTION

Pursuant to Ind. Code § 4-33-6-12, the Commission has found that Majestic Star I and II have substantially complied with the directives of Ind. Code art. 4-33 and Title 68 of the Indiana Administrative Code; therefore, Majestic Star I and II are suitable to hold casino owner's licenses. The Commission **GRANTS** renewal of Majestic Star I and II's casino owner's licenses for a period of one year subject to Majestic Star I and II maintaining their casino gambling operations, riverboats, hotels, and pavilions in substantial compliance with all properly applicable state and local laws, including but not limited to, Commission regulations, resolutions, orders and/or other directives relating to owner's licenses, or to the lawful operation and conduct of gaming in Indiana. The renewal of the owner's license is valid for a period of one year from June 3, 2019 through June 2, 2020.

Furthermore, the Commission **GRANTS** the renewal of its approval of the written power of attorney identifying Mr. Thar as trustee-in-waiting for Majestic Star I and II. The renewal of the Commission's approval expires upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Majestic Star I and II's casino owner's license, or (2) modifies or withdraws the renewal of its approval granted herein.

According to Ind. Code ch. 4-21.5-3, this order is effective fifteen days after the order is served.

IT IS SO ORDERED THIS 30th DAY OF MAY, 2019.

THE INDIANA GAMING COMMISSION:

ATTEST:


Michael McMains, Chair


Joseph Svetanoff, Secretary