

ORDER 2008-19

**AN ORDER REGARDING THE APPEAL OF VOLUNTARY EXCLUSION
REMITTANCE OF JOHN DOE #32 (VEP 07-32)**

On November 8, 2007, in Order 2007-103, the Indiana Gaming Commission ("Commission") approved "the remittance of the jackpot in the amount of \$10,000.00... as a fine levied against John Doe #32" for the reason that John Doe #32 was a participant in the Voluntary Exclusion Program at the time he/she won a \$10,000.00 slot machine jackpot while at the Blue Chip Casino in Michigan City, Indiana.

On November 26, 2007, John Doe #32 filed with the Commission an appeal of Order 2007-103. On February 19, 2008, Commission staff held a telephone hearing on the Commission's Motion for Summary Judgment in the appeal. On February 29, 2008, Administrative Law Judge Mary Lee Comer issued her Findings of Fact, Conclusions of Law, and Recommendation in this matter. In granting the Commission's Motion, she stated that the dispositive factor in John Doe #32's appeal is the fact that he/she was "a voluntarily excluded person" on the date of the seizure of his/her winnings. Judge Comer recommends that the Commission deny John Doe #32's appeal.

After reviewing the foregoing, the Commission hereby:

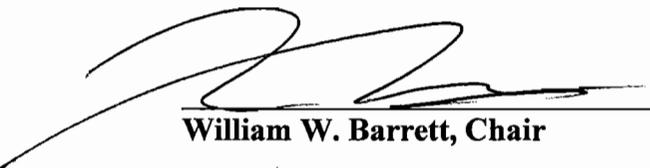
Affirms

AFFIRMS, MODIFIES, DISSOLVES, or REMANDS

the confidential Findings of Fact, Conclusions of Law, and Recommendation of Administrative Law Judge Mary Lee Comer in this matter. Pursuant to IC 4-21.5-3-6, this Order will become effective fifteen (15) days after it is served.

IT IS SO ORDERED THIS THE 31st DAY OF MARCH, 2008.

THE INDIANA GAMING COMMISSION:



William W. Barrett, Chair

ATTEST:



Tom Swihart, Secretary