

**ORDER 2009-190**  
**DENYING THE SETTLEMENT AGREEMENT**  
**RE: MARY SHICK**

In July 2009, Commission staff received an incident report from Gaming Agent Louis Mejia at Argosy Casino concerning the passage of unauthorized visitors through the tax-free gate. Commission staff determined that Ms. Mary Shick, a level 2 occupational licensee, escorted two unauthorized visitors through the tax-free gate without a visitor or vendor badge on May 12, 2009. After reviewing the evidence, on October 1, 2009, Commission staff mailed Ms. Shick a letter regarding possible disciplinary action against her for failure to comply with Commission regulations.

Subsequently, Commission staff and Ms. Shick agreed on a settlement of this matter. The terms of the settlement agreement have been reduced to writing, and in pertinent part, provide the following:

The above described actions of Licensee constitute a violation of Title 68 of the Indiana Administrative Code. The Commission and Licensee agree that a period of voluntary relinquishment of Licensee's occupational license shall be imposed on Licensee in full settlement of this violation. By agreement, Licensee's occupational license shall be voluntarily relinquished for one (1) working day at a time to be determined by the parties in cooperation with the Human Resources Department of Penn National Gaming. Licensee will not work her regularly scheduled day of work related to Indiana gaming activities at Penn National Gaming as Director of Marketing during this period of voluntary relinquishment. Licensee agrees that no vacation or paid leave time shall be used while serving her voluntary relinquishment.

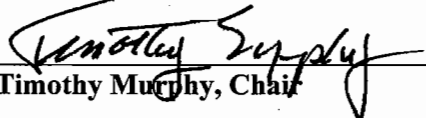
However, before the settlement agreement was fully considered by the Commission, Ms. Shick transferred to an out-of-state position with her employer, and as her new position did not require Indiana licensure, her Indiana occupational license was terminated in the normal course of business. Therefore, as Ms. Shick no longer holds an Indiana license, there is no need for the Commission to approve a settlement agreement related to the May 12, 2009 incident.

**COMMISSION ACTION**


Having considered the foregoing, the Commission hereby **DENIES** the proposed terms of the settlement agreement.

**IT IS SO ORDERED THIS THE 4<sup>TH</sup> DAY OF MARCH, 2010.**

**THE INDIANA GAMING COMMISSION:**

  
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Timothy Murphy, Chair

ATTEST:

  
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Marc Fine, Secretary