

**ORDER 2009-54
IN RE SETTLEMENT AGREEMENT
HOOSIER PARK L.P.: CENTAUR, INC.
09-HP-01**

After reviewing the attached Settlement Agreement, the Indiana Gaming Commission hereby:

Approves

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 19th DAY OF MARCH, 2009.

THE INDIANA GAMING COMMISSION:



Timothy Murphy, Chair

ATTEST:



Thomas Swihart, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
)
HOOSIER PARK L.P.: CENTAUR, INC.) **SETTLEMENT**
) **09-HP-01**
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Hoosier Park L.P.: Centaur, Inc. (“Hoosier Park”), (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 11-7-1(b) states for the purposes of this rule, “sensitive keys” means keys that either management or the commission considers sensitive to the riverboat licensee’s operation and therefore require strict control over custody and issuance.
2. On October 20, 2008, a Gaming Agent was notified that an Electronic Games Attendant had left the facility the previous evening with sensitive keys. The keys included door-entry keys for slot machines. The keys were found missing at 0320 hours by an Electronic Games Supervisor, who then called the Electronic Games Attendant at home at 0330 hours to request the Electronic Games Attendant to return to the keys to the casino. The Electronic Games Manager indicated that the key alarm system malfunctioned and the alarm failed to sound when the sensitive keys left the building. On September 9, 2008, a Security Supervisor was notified by a Gaming Agent that the key alarm system was not functioning properly.

COUNT II

3. Pursuant to 4-33-9-12, a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
4. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present on a riverboat.
5. On November 29, 2008, while in surveillance, a Gaming Agent observed a male who had not been admitted to the casino due to being underage. The male was accompanied by a female who was allowed to enter the casino. Later in the

evening while viewing the surveillance monitors, the Agent saw the underage male patron on the casino floor with the female who was admitted earlier. The Agent radioed another Agent requesting the male patron be detained and his ID checked. The Agent requested ID from the male and confirmed that he was underage. The male had gained entry by walking in with two other patrons not in his party and his ID was not checked.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Hoosier Park by and through its agents as described herein constitute a breach of the Riverboat Gambling Act, Title 68 of the Indiana Administrative Code and/or Hoosier Park's approved internal control procedures. The Commission and Hoosier Park hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Hoosier Park. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

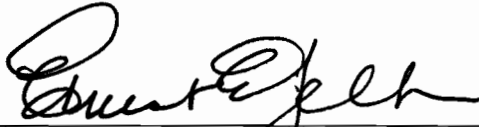
Hoosier Park shall pay to the Commission a total of \$5,500 (\$2,500 for Count I and \$3,000 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. Neither this agreement nor any action performed pursuant to it will constitute an admission of any violation by Hoosier Park. This agreement extends only to known incidents specifically alleged in this agreement and wholly based on the facts described herein. If the Commission subsequently discovers additional facts, which are not described in this agreement, that may support an independent determination that a violation has occurred, the Commission may pursue disciplinary action for such violations even if the facts are 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, Hoosier Park agrees to promptly remit payment in the amount of \$5,500 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 Hoosier Park.

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

3.19.09
Date



Jim Brown, General Manager
Hoosier Park

3/11/09
Date