

**ORDER 2019-135**

**IN RE SETTLEMENT AGREEMENT**

**BALLY GAMING, INC.  
19-BALLY-03**

After having reviewed the attached Settlement Agreement, the Indiana Gaming Commission hereby:

**APPROVED**

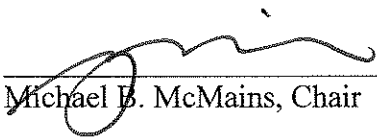
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APPROVES OR DISAPPROVES

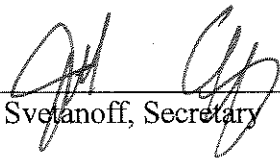
the proposed terms of the Settlement Agreement.

**IT IS SO ORDERED THIS THE 28<sup>th</sup> DAY OF AUGUST, 2019.**

**THE INDIANA GAMING COMMISSION:**

  
\_\_\_\_\_  
Michael B. McMains, Chair

ATTEST:

  
\_\_\_\_\_  
Joseph Svetanoff, Secretary

**STATE OF INDIANA  
INDIANA GAMING COMMISSION**

**IN RE THE MATTER OF:** )  
 ) **SETTLEMENT**  
**BALLY GAMING, INC.** ) **19-BALLY-03**  
 )

**SETTLEMENT AGREEMENT**

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Bally Gaming, Inc. (“Bally”) (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 to the following:

**FINDINGS OF FACT**

**COUNT I**

1. 68 IAC 2-6-2 (a) requires that the following may not be used for gaming by any casino licensee prior to the executive director, or the executive director's designee, authorizing their inclusion in the commission's online database of approved items and technologies: (1) Electronic gaming devices and any component parts material to gaming activity, including, but not limited to, the following: (A) Random number generators. (B) All game media. (C) Progressive controllers. (D) Bill changers.
2. 68 IAC 17-1-3 states a casino licensee, casino license applicant, or supplier licensee shall use the commission's electronic gaming device database as prescribed by the commission.
3. In accordance with 68 IAC 17-1-2(a) and 68 IAC 17-1-3, when shipping an item approved under 68 IAC 2-6-2, the supplier is required to provide the Commission with an accurate inventory of each item to be shipped and delivered, including each item's identification code in the Commission's Electronic Gaming Device System.
4. On June 6, 2019, a Gaming Agent at Blue Chip Casino was requested at shipping and receiving to verify CPU's that were delivered with twelve (12) slot machines. The shipment in question contained twelve (12) CPU's that did not match the information on the approved shipment.

**COUNT II**

5. 68 IAC 15-6-4(b) states vendors and visitors must report to security to complete the vendor and visitor log and to obtain a badge. When the vendor or visitor

leaves the casino, the vendor or visitor must complete the appropriate portion of the log.

6. 68 IAC 15-6-4(e) states the vendor and visitor log shall contain the following information: (5) The date and time that the vendor or visitor exits the casino. The casino licensee is responsible for instituting a policy that ensures that vendor and visitor badges are returned to the security department and accounted for when the vendor or visitor exits the casino.
7. On January 24, 2019, the Commission issued a memorandum to all supplier licensees on occupational licenses which states vendor and visitor badges are not to be utilized by those who hold or should hold an individual license. If employees of supplier licenses above attempt to access the gaming floor using a vendor or visitor badge, casino staff should assist in the matter by refusing entry and directing the individuals to local Gaming Agents for assistance.
8. On June 10, 2019, a Gaming Agent performed an inspection of the vendor log at Blue Chip Casino.
9. On April 2, 2019, a licensed Bally Tech obtained a vendor's badge while on-site at Blue Chip. The log did not note the IGC occupational license number of the Tech and the Tech did not obtain and/or wear his IGC badge while on property.
10. On April 5, 2019, a licensed Bally Tech obtained a vendor's badge while on-site at Blue Chip. The log did not note the IGC occupational license number for the Tech and the Tech did not obtain and/or wear his IGC badge while on property.
11. On April 12, 2019, a licensed Bally Tech obtained a vendor's badge while on-site at Blue Chip. The log did not note the IGC occupational license number for the Tech and the Tech did not obtain and/or wear his IGC badge while on property.

### **TERMS AND CONDITIONS**

Commission staff alleges that the acts or omissions of Bally by and through its agents as described herein constitute a breach of IC 4-33, IC 4-35, and 68 IAC. The Commission and Bally hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Bally.

Bally shall pay to the Commission a total of \$2,500 (\$1,500 for Count I and \$1,000 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate

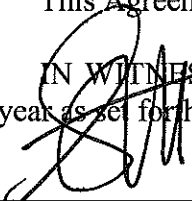
violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Bally agrees to promptly remit payment in the amount of \$2,500 and shall waive all rights to further administrative or judicial review.

This 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 Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.


This Agreement shall be binding upon the Commission and Bally.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.

  
\_\_\_\_\_  
Sara Gonso Tait, Executive Director  
Indiana Gaming Commission

Date

8/26/19

  
\_\_\_\_\_  
Stephen Richardson  
Senior VP/Chief Compliance Officer  
Scientific Games Corporation

Date

8/19/19