

ORDER 2019-54

IN RE SETTLEMENT AGREEMENT

**CENTAUR ACQUISITIONS, LLC d/b/a INDIANA GRAND RACING & CASINO
19-IG-01**

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

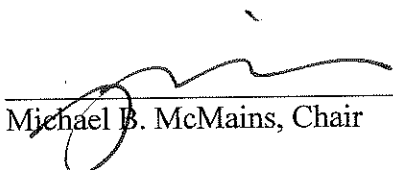
APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

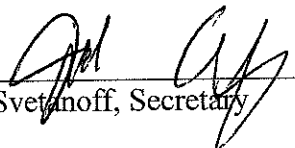
IT IS SO ORDERED THIS THE 8th DAY OF MARCH, 2019.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Joseph Svetinoff, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
CENTAUR ACQUISITION, LLC)	19-IG-01
d/b/a INDIANA GRAND RACING &)	
CASINO)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Sara Gonso Tait and Centaur Acquisition, LLC d/b/a Indiana Grand Racing & Casino (“Indiana Grand”), (collectively, the “Parties”) desire to enter into this settlement agreement (“Agreement”) 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. IC 4-35-7-2 states, “[e]xcept as provided in subsection (c), a person who is less than twenty-one (21) years of age may not be present in the area of a racetrack where gambling games are conducted.”
2. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present in a casino.
3. On January 26, 2019, Security requested Gaming Agents to review an identification card presented by a patron. The picture on the identification did not match the patron. The patron was determined to be underage and nineteen (19) years of age. The underage person also notified Gaming Agents that she had been allowed on the casino floor a few days prior.

A review of surveillance coverage determined that the underage person had entered the casino on January 24, 2019 at 1:15 p.m. using the same identification. The Security Officer looked at the identification and ran it through the scanner. The Security Officer should have known based on the identification presented that it did not match the patron that presented it.

4. On January 24, 2019 at 6:02 p.m., the underage person is allowed entry into the casino for a second time after presenting identification to the Security Officer.

COUNT II

5. 68 IAC 2-6-6(c) states if a casino licensee converts an electronic gaming device, the casino licensee must take the following steps: (5) The casino licensee shall do the

following: (B) Perform a coin test to ensure that the electronic gaming device is communicating with the central computer system. If the electronic gaming device is not communicating with the central computer system, the electronic gaming device must be disabled.

6. On October 20, 2018, Gaming Agents were coin testing electronic gaming devices (EGD) for the SDS conversion. During this time, a Gaming Agent came across an EGD that was in service prior to a coin test. Further investigation discovered that twenty-two (22) EGDs were found to be in service prior to receiving a required coin test. The dates of occurrences range from October 20, 2018 –November 7, 2018. The length of time the EGDs were in service ranged from two (2) hours to 185 hours. Two (2) of the EGDs were discovered to be in service without a coin test due to a hand pay to a patron.
7. On November 22, 2018, Gaming Agents were notified that two (2) EGDs were placed in service prior to a coin test. One of the EGDs resulted in a progressive win prior to a coin test being passed.
8. On December 5, 2018, Gaming Agents were coin testing EGDs when an Electronic Games Tech Supervisor informed the Gaming Agent that an EGD had been placed into service prior to a coin test.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Indiana Grand by and through its agents as described herein constitute a breach of IC 4-35, 68 IAC and/or Indiana Grand's approved internal control procedures. The Commission and Indiana Grand hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Indiana Grand.

Indiana Grand shall pay to the Commission a total of \$18,000 (\$10,500 for Count I and \$7,500 for Count II) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of 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.

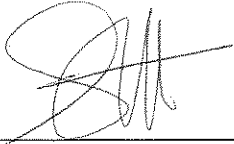
Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, Indiana Grand agrees to promptly remit payment in the amount of \$18,000 and shall waive all rights to further administrative 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 Indiana Grand.

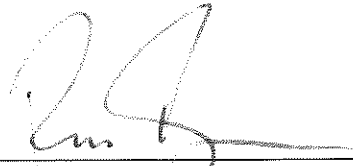
IN WITNESS WHEREOF, the Parties have signed this Settlement Agreement on the date and year as set forth below.



Sara Gonso Tait, Executive Director
Indiana Gaming Commission

3/5/19

Date



Ron Baumann, Sr. Vice President and
General Manager
Indiana Grand

3/1/19

Date