

**ORDER 2021-167
IN RE SETTLEMENT AGREEMENT**

**GAMING ENTERTAINMENT (INDIANA)
LLC d/b/a RISING STAR CASINO RESORT
21-RR-03**

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

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

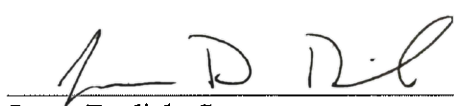
IT IS SO ORDERED THIS THE 29th DAY OF SEPTEMBER, 2021.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Jason Dudich, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
)
) **SETTLEMENT**
GAMING ENTERTAINMENT (INDIANA),) **21-RR-03**
LLC d/b/a RISING STAR CASINO RESORT)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and Gaming Entertainment (Indiana), LLC d/b/a Rising Star Casino Resort (“Rising Star”) (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. 68 IAC 11-1-3(c)(4) provides that no casino licensee or casino license applicant may use an internal control procedure unless the internal control procedure has been approved, in writing, by the executive director.
2. 68 IAC 13-1-1(b)(2) and (3) provides the Commission may initiate an investigation or a disciplinary action, or both, against a licensee if the Commission has reason to believe the licensee is not complying with licensure conditions or is not complying with this Act or this title.
3. Rising Star’s approved internal control procedures, Section 3-14(4), describe the procedures for Child Support Intercept Process.
4. Gaming Agents conducted an audit of the Child Support Arrears Delinquency Registry (“CSADR”) for March 2021. The results of this audit were that one (1) individual was not searched in the CSADR at the time a taxable jackpot was won.
5. Gaming Agents conducted an audit of the CSADR for May 2021. The results of this audit were that four (4) individuals were not searched in the CSADR at the time a taxable jackpot was won.
6. Gaming Agents conducted an audit of the CSADR for June 2021. The results of this audit were that three (3) individuals were not searched in the CSADR at the time a taxable jackpot was won.
7. Gaming Agents conducted an audit of the CSADR for July 2021. The results of this audit were that one (1) individual was not searched in the CSADR at the time a taxable jackpot was won.

COUNT II

8. 68 IAC 15-2-3 provides (a) the casino licensee shall be required to maintain a log for the purpose of recording aggregated cash transactions in excess of three thousand dollars (\$3,000). The casino licensee shall require coordination between the pits, slots, cashiers, cages, redemption centers, and other appropriate areas to ensure all transactions in excess of three thousand dollars (\$3,000) are recorded.
(b) The employee witnessing the transaction is responsible for completing the log.
9. 68 IAC 15-2-4(a) & (c) provides that the casino licensee shall establish policies and procedures for the processing of cash transactions in excess of ten thousand dollars (\$10,000). Prior to the processing of a cash transaction in excess of ten thousand dollars (\$10,000), the casino licensee shall obtain identification information that must be verified by examining the identification presented by the patron.
10. Rising Star's approved internal control procedures, 3-8, describe the procedures for currency transaction reporting ("CTR").
11. On April 19, 2021, a Gaming Agent investigated a multiple transaction log ("MTL") violations.
12. On April 4, 2021, a Main Banker failed to create a MTL for a patron with a transaction greater than \$3,000.
13. On April 8, 2021, a Dual Rate Cashier/Banker failed to create a MTL for a patron with a transaction greater than \$3,000.
14. On April 9, 2021, a Cage Supervisor/Main Banker failed to create a MTL for a patron with a transaction greater than \$3,000.
15. On April 11, 2021, a Dual Rate Cashier/Banker failed to create a MTL for a patron with a transaction greater than \$3,000.
16. On April 16, 2021, a Main Banker failed to create a MTL for a patron with a transaction greater than \$3,000.
17. On May 27, 2021, the Revenue Audit Manager self-reported to Gaming Agents that a CTR was not generated for a patron when he met the threshold at a table game.
18. On June 28, 2021, the Revenue Audit Manager self-reported to Gaming Agents that a Dual Rate Cage Supervisor/Main Banker failed to obtain the required information for a patron cashing out over the CTR threshold. The transaction was processed without a social security number or a W-9 on file.

COUNT III

19. 68 IAC 15-13-2 provides the casino shall submit policies and procedures for manually paid jackpots.
20. Rising Star's approved internal control procedures, 3-14, describe the procedures for manually paid jackpots.
21. On April 24, 2021, a Slot Supervisor notified Gaming Agents that a Slot Supervisor paid out a \$40,000 jackpot. The Slot Supervisor reset the EGD before the patron was paid and before notifying surveillance.
22. On May 26, 2021, Surveillance and a Slot Shift Manager notified Gaming Agents that a Slot Attendant failed to reset an EGD after a hand paid jackpot.
23. On July 4, 2021, a Slot Supervisor notified Gaming Agents that a Slot Supervisor reset an EGD before paying a patron a \$25,000 jackpot.

COUNT IV

24. 68 IAC 15-9-3(a) provides the casino licensee or operating agent must establish policies and procedures in connection with the removal, collection, and counting of the tip box contents for subsequent distribution to gaming occupational licensees. These policies and procedures must include, at a minimum, the following: (1) Tip boxes must be dropped and counted at the end of each day. Surveillance must be notified before the emptying of any tip boxes.
25. On June 1, 2021, Surveillance notified Gaming Agents that two (2) Dealers failed to notify Surveillance prior to beginning the dealer token collection.
26. 68 IAC 11-4-4 provides (a) at any time when a live gaming device is closed, chips remaining at the live gaming device shall be counted by the appropriate level of occupational licensee assigned to the live gaming device and verified by the pit boss or the equivalent.
 - (b) A live gaming device inventory slip shall be prepared.
 - (c) The occupational licensee and the pit boss or the equivalent who observed the count of the contents of the tray shall sign the inventory slip at the time of closing the live gaming device attesting to the accuracy of the information recorded.
 - (d) The occupational licensee shall immediately deposit the closer in the drop box.
 - (e) The pit boss or the equivalent shall place the opener on the live gaming device tray in a manner that the amounts on the opener may be read through the cover, and lock the transparent live gaming device tray lid in place.
27. On April 9, 2021, Surveillance notified Gaming Agents of an incorrect table inventory closer. The paperwork noted that there were \$5,900 in black \$100 chips. The physical inventory was \$7,900 in black \$100 chips.

28. On July 28, 2021, Surveillance notified Gaming Agents of an incorrect table inventory closer. The paperwork noted that there were \$37,500 in purple \$500 chips. The physical inventory was \$27,500 in purple \$500 chips.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Rising Star by and through its Agents as described herein constitute a breach of IC 4-33, IC 4-38, 68 IAC and/or Rising Star's approved internal control procedures. The Commission and Rising Star hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Rising Star.

Rising Star shall pay to the Commission a total of \$21,000 (\$9,000 for Count I, \$7,000 for Count II, \$3,000 for Count III and \$2,000 for Count IV) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the findings 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, Rising Star agrees to promptly remit payment in the amount of \$21,000 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 may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by either of the parties and the receiving party may rely on the receipt of such document so executed and delivered electronically as if the original had been received.

This Agreement shall be binding upon the Commission and Rising Star.

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

Greg Small

Greg Small, Executive Director
Indiana Gaming Commission

9/28/21

Date

Angelika Truebner-Webb

Angelika Truebner-Webb, General Manager
Gaming Entertainment (Indiana), LLC

9/23/2021

Date