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4	INDIANA GAMING COMMISSION
5	BUSINESS MEETING
6	SEPTEMBER 29, 2017
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8	The Indiana Gaming Commission Business Meeting was
9	stenographically taken down by me, Tammy R. Lee, Court
10	Reporter, held at Tropicana Evansville, 421 Northwest
11	Riverside Drive, Evansville, Indiana, commencing at
12	11:00 a.m., September 29, 2017. The following
13	transcript is a true and accurate transcript of the
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2	APPEARANCES
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4	ON BEHALF OF THE GAMING COMMISSION:
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6	Cris Johnston, Chairman
7	Marc Fine, Commissioner
8	Susan Williams, Commissioner
9	Joseph Svetanoff, Commissioner
10	Mike Herndon, Commissioner
11	Jane Saxon, Commissioner
12	Sara Tait, Executive Director
13	Jennifer Reske, Deputy Director
14	Greg Small, General Counsel
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CHAIRMAN JOHNSTON: Good morning. Thank you for attending the September 29, 2017, Indiana Gaming Commission meeting. First off, I'd like to thank John Chaszar and his team for hosting and the whole Tropicana team for hosting us today. It's some exciting times here, both for Tropicana and the City of Evansville and the State of Indiana. We look forward to hearing more about that later in the meeting.

Unfortunately, I guess, with all the exciting stuff, we have to take care of a little bit of business today, so that's what we're going to do. We'll jump right into our agenda. I'll call the meeting to order, and we'll have a short roll call. Commissioner Fine.

COMMISSIONER FINE: Present.

CHAIRMAN JOHNSTON: Commissioner Svetanoff.

COMMISSIONER SVETANOFF: Present.

CHAIRMAN JOHNSTON: Commissioner Williams.

COMMISSIONER WILLIAMS: Present.

CHAIRMAN JOHNSTON: Commissioner Herndon.

COMMISSIONER HERNDON: Present.

CHAIRMAN JOHNSTON: And Commissioner Saxon.

COMMISSIONER SAXON: Present.

CHAIRMAN JOHNSTON: And the chairman is

1 present, as well.

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The first order of business is the approval of the minutes from our last meeting. They were previously distributed to the Commission members.

Any comments, corrections?

COMMISSIONER FINE: Move for approval.

COMMISSIONER SVETANOFF: Second.

CHAIRMAN JOHNSTON: There's a motion and a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN JOHNSTON: Opposed.

The meeting minutes are adopted.

The next topic is the report from the executive director, Sara.

EXECUTIVE DIRECTOR TAIT: All right. Thank you, Mr. Chair. Welcome, everyone, to the future site of Tropicana's land based casino. We're just absolutely thrilled to be here. I want to start off with our staff updates. Dustin, you want to stand. Dustin Moloy joins us as our newest staff attorney. He went to Indiana University and then attended IU McKinney School of Law. He worked at a small Indianapolis area law firm prior to joining us, so welcome, Dustin.

Stephanie Gardner. Stephanie has now been

with us for about a month. She is serving as our

Voluntary Exclusion Program coordinator. She came to

us from the State personnel division where she was

for about three years as an HR generalist, and prior

to being with the State, she attended Northern

Michigan University.

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Next we have Omavi Caesar. Omavi, stand up. He has recently joined us as our occupational licensing coordinator. He's a graduate of Fishers High School and worked for Pearson Education, Klipsch Music Center, and most recently in the Amazon Fulfilment Center. He was there for five years as a Tier 1 associate.

We have also just completed our 12th recruit class for our gaming agents. We will have four new gaming agents employed to the Southern Zone in the next week or so.

Our Background and Financial Investigations
Divisions have conducted reinvestigations of casino
licensee Hollywood and suppliers Everi, IGT, and
SuzoHapp, and those reports are in your confidential
materials, and Director Brown is present should you
have any questions.

So to my favorite part of my executive director report, I have decided that you all don't

like to me hear me talk this much, so I'm going to pare down my exclusion and waiver report. The full details of the exclusion and waivers are going to be posted on our website from here on out. And then they have also been provided to the commissioners, and they will be fully incorporated in the meeting minutes.

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So big picture, we have issued 11 waivers since our last meeting, and we have added 17 individuals to the exclusion list. I'm happy to answer any questions about the exclusions or waivers if anybody has them.

And then lastly, I just wanted to thank, as the chairman said, the Tropicana Evansville staff for hosting this meeting. We just took a tour, and it is going to be an absolutely unbelievable facility.

We're so appreciative of the investment that

Tropicana made here in Indiana, and they have been just an absolute pleasure to work with for our staff in doing this endeavor.

I'd also like to recognize the City of

Evansville and the mayor for being great partners and
looking forward to three weeks or so until the grand
opening. Then just on the record also I want to
thank Commissioner Fine and his wife, Cindy, for

hosting us last night with dinner at their home. It is great to be down here in Evansville.

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That concludes my report unless there are any questions.

CHAIRMAN JOHNSTON: Thank you, Sara. Any questions for Sara?

Very good. Is there any old business?

No old business, so let's move into the new business agenda. The first item is Patrons matters on the voluntary exclusion program. Angie, welcome.

MS. BUNTON: Thank you. Good morning, commissioners and executive staff. You have before you 29 orders regarding the Voluntary Exclusion Program. Pursuant to the rules of the program, the identities of Voluntary Exclusion Program participants must remain confidential. Pursuant to 68 IAC 6-3-2(g), a participant in the program agrees that if he or she violates the terms of the program and enters the gaming area of a facility under the jurisdiction of the Commission, they will forfeit any jackpot or thing of value won as a result of a wager.

Under Orders 2017-113 through 2017-140, a total sum of \$30,833.83 was forfeited by John Doe's 43 through 70. These winnings were collected at Ameristar, Belterra, Blue Chip, Hollywood, Hoosier

Park, Horseshoe Hammond, Horseshoe South, Indiana 1 2 Grand, Majestic Star, Rising Star, and Tropicana. These winnings were withheld as required by 3 Commission regulations. 4 The last order, Order 2017-141, rescinds 5 Order 2017-67 due to information received following 6 the June Commission meeting. Commission staff recommends that you 8 approve these orders. 9 10 CHAIRMAN JOHNSTON: Thank you. questions for Angie? Again Orders 113 through 140 11 are sort of routine standard ones, but then 141 is a 12 rescission of a previous order. 13 MS. BUNTON: Yes. 14 CHAIRMAN JOHNSTON: Any questions? 15 Seeing none, what's the pleasure of the 16 17 Commission? COMMISSIONER SVETANOFF: Motion to approve. 18 COMMISSIONER WILLIAMS: Second. 19 CHAIRMAN JOHNSTON: There's a motion and a 20 second. Any discussion at all? 21 All those in favor say aye. 22 23 (Chorus of ayes.) 24 CHAIRMAN JOHNSTON: Opposed. Orders 113 through 141 are adopted. 25

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Thank you. MS. BUNTON:

CHAIRMAN JOHNSTON: Thank you very much.

Next matter is an exclusion list removal request. Dustin, welcome. It's your time to shine.

MR. MOLOY: All right. Thank you, Commissioners. I think we have two of these this morning. You have before you, for Number 1, Order 2017-142 concerning the petition for removal from the exclusion list of Quantez Martin. On May 8, 2010, Mr. Martin was observed via video surveillance while at the Hollywood Casino in Lawrenceburg, Indiana, taking unlawful possession of another patron's TITO worth approximately \$891.

On August 26, 2010, Executive Director Ernest E. Yelton placed Mr. Martin on the statewide exclusion list. On May 22, 2017, and June 28, 2017, respectively, the Commission received Mr. Martin's two petitions to be removed from the exclusion list.

On August 3, 2017, a hearing was conducted regarding Mr. Martin's removal from the exclusion list. At the hearing Mr. Martin took full responsibility for his actions and he cooperated throughout the entire process. Mr. Martin expressed deep regret for his actions, and he indicated that he was now aware of how to handle a similar situation in the future.

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Since the incident Mr. Martin has also become increasingly involved in his church and has mentored young inner city youth and has learned from this experience. He expressed shame and remorse for his actions and noted that his actions have consequences, and he has continued to learn from his mistake.

Mr. Martin has made no further attempt to enter an Indiana casino or another casino in any other jurisdiction since being placed on the exclusion list.

Based on the totality of the factors above, I concluded that Mr. Martin has met the required standard of clear and convincing evidence, as reflected in my findings of fact and recommendation. Adopting my findings would have the effect of granting Mr. Martin's petition for removal, and I respectfully recommend that the Commission adopt my findings at this time.

CHAIRMAN JOHNSTON: Why don't we go ahead and take the next one, as well.

MR. MOLOY: Sure. Yeah. We can go into Stengel, as well. That would be Order 2017-143 concerning the petition for removal from the

exclusion list of James Stengel. On March 12, 2016, Mr. Stengel was observed via video surveillance while at the Blue Chip Casino in Michigan City, Indiana, taking the unlawful possession of another patron's TITO worth approximately \$516.

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On April 26, 2016, Executive Director Tait placed Mr. Stengel on the statewide exclusion list.

On May 9, 2016, the Commission received Mr. Stengel's appeal of his placement on the exclusion list. In lieu of administrative action, the Commission entered into a settlement agreement with Mr. Stengel, allowing him to petition for removal after one year, and on May 9, 2017, Mr. Stengel timely submitted his petition for removal from the exclusion list.

Staff Attorney Noah Jackson was appointed to review Mr. Stengel's petition, and a hearing was conducted on July 9, 2017. Mr. Stengel showed remorse and took full responsibility for his actions and cooperated throughout the entire removal process. When he took the TITO, Mr. Stengel testified that he did not realize that he was committing an illegal act. Rather, he thought it was just his lucky day.

Since the incident Mr. Stengel has paid restitution and has become fully aware that taking a TITO is a criminal act, and he testified he would

never do it again. Mr. Stengel's wife also testified on his behalf, stating that her husband has been deeply troubled by the fact that he committed a criminal act.

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Mr. Stengel has not visited an Indiana casino since being placed on the Indiana exclusion list. He has visited the Four Winds Casino in Michigan a few times per month. Outside of this incident, Mr. Stengel has never been evicted from any casino in or outside of Indiana.

Based on the totality of the factors above, reviewing attorney Noah Jackson concluded that

Mr. Stengel met the required standard of clear and convincing evidence as reflected in his findings of fact and recommendation. Adopting Mr. Jackson's findings would have the effect of granting

Mr. Stengel's petition for removal, and I respectfully recommend that the Commission adopt

Mr. Jackson's findings at this time.

CHAIRMAN JOHNSTON: Thank you very much.

Any questions for Dustin on these findings of facts and the recommendations to remove these two patrons from the exclusion list?

Seeing none, what is the pleasure of the board or Commission on Orders 142 and 143?

COMMISSIONER FINE: Move for approval. 1 2 MR. SVETANOFF: Second. CHAIRMAN JOHNSTON: There's a motion and a 3 second. All those in favor say aye. 4 (Chorus of ayes.) 5 CHAIRMAN JOHNSTON: Opposed. 6 Orders are adopted. Thank you very much. 7 Moving on to supplier matters, why don't you walk us through that. 9 MR. MOLOY: Okay. Commissioners, you have 10 before you Order 2017-144. Pursuant to Indiana Code 11 Section 4-33-7-8 and 68 IAC Section 2-2-8, a 12 supplier's license must be renewed annually along 13 with payment of a \$7500 renewal fee. Each of the <sub>4</sub>4 following licensees has submitted a timely request 15 for renewal along with the required payment: 16 17 Gaming Partners International USA, Inc.; 18 Everi Games, Inc.; GLP Capital, LP; 19 And Global Surveillance Associates, Inc. 20 At this time Commission staff respectfully 21 recommends approval of Order 2017-144 to renew the 22 23 supplier licenses of those listed. 24 CHAIRMAN JOHNSTON: Thank you. questions on this order for supplier renewals? 25

Seeing none, is there a motion?

COMMISSIONER SVETANOFF: Motion to approve.

COMMISSIONER WILLIAMS: Second.

CHAIRMAN JOHNSTON: There's a motion and a

second. All those in favor say aye.

(Chorus of ayes. )

CHAIRMAN JOHNSTON: Opposed.

Order 144 is adopted. Thank you very much.

MR. MOLOY: Thank you.

CHAIRMAN JOHNSTON: An order dealing with a permanent license, Garth Brown. Thank you.

MR. BROWN: Good morning, Commissioners and executive staff. I'm not used to saying morning with that. You have before you Order 2017-145 regarding the permanent licensure of supplier American Gaming & Electronics, Inc. On or about April 25, 2017, American Gaming & Electronics, Inc., submitted a supplier's license application to the Indiana Gaming Commission. AG&E supplies gaming parts, used machines, electronic components, and repair services to casinos across the country. After review of the submitted applications, Commission staff issued a temporary license to AG&E on April 27, 2017. The temporary license allowed AG&E to begin selling its products in Indiana.

1	Commission staff conducted a background and
2	financial investigation on AG&E and its substantial
3	owners and key persons. Commission staff could find
4	no derogatory information that would affect the
5	applicant's suitability. Staff's final report
6	regarding AG&E is available for your review. You'll
7	need to grant or deny AG&E's application for a
8	permanent supplier's license. Staff recommends that
9	you grant the application.
10	CHAIRMAN JOHNSTON: Thank you. Any
11	questions for Garth?
12	What is the pleasure of Commission on
13	Order 145?
<b>.</b> 4	COMMISSIONER FINE: Move for approval.
15	CHAIRMAN JOHNSTON: There's a motion.
16	COMMISSIONER SAXON: Second.
17	CHAIRMAN JOHNSTON: And a second. All
18	those in favor say aye.
19	(Chorus of ayes.)
20	CHAIRMAN JOHNSTON: Opposed.
21	Order 145 is adopted.
22	MR. BROWN: Thank you.
23	CHAIRMAN JOHNSON: Disciplinary actions on
24	suppliers. Angie.
25	MS. BUNTON: All right. Good morning

again. You have before you six settlement agreements

concerning disciplinary actions against licensed

suppliers.

Order 2017-146 is a settlement agreement

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Order 2017-146 is a settlement agreement with Aristocrat Technologies, Incorporated, and includes two counts. In the first count, the supplier violated the rules for shipping electronic

gaming device software.

In the second count, Aristocrat failed to timely notify the Commission of a termination.

Aristocrat Technologies, Incorporated, has agreed to a monetary settlement of \$2,500 in lieu of disciplinary action.

Order 2017-147 is a settlement agreement with Bally Gaming, Incorporated, wherein the supplier violated the rules for shipping electronic gaming devices. Bally Gaming, Incorporated, has agreed to a monetary settlement of \$9,000 in lieu of disciplinary action.

Order 2017-148 is a settlement agreement with Everi Games, Incorporated, and includes three counts. In the first count, the supplier failed to timely notify the Commission of a termination.

In the second count, Everi allowed an unlicensed company to remote in and provide tech

support to Indiana Grand on 21 occasions.

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In the third count, the supplier violated the rules for shipping electronic gaming device software.

Everi Games, Incorporated, has agreed to a monetary settlement of \$12,500.

Order 2017-149 is a settlement agreement with IGT and includes two counts. In the first count, IGT failed to timely notify the Commission of a termination.

In the second count, the supplier violated the rules for shipping electronic gaming devices.

IGT has agreed to a monetary settlement of \$8,500.

Order 2017-150 is a settlement agreement with Konami Gaming, Incorporated, wherein the supplier violated the rules for shipping electronic gaming devices. Konami Gaming, Incorporated, has agreed to a monetary settlement of \$1,500.

Order 2017-151 is a settlement agreement with NRT Technology Corporation wherein the supplier failed to timely notify the Commission of a termination. NRT has agreed to a monetary settlement of \$1,000 in lieu of disciplinary action.

Commission staff recommends that you

approve Order 2017-146 through 2017-151.

CHAIRMAN JOHNSTON: Thank you very much.

Any questions on these orders relating to the settlement agreements?

Seeing none, is there a motion?

COMMISSIONER SVETANOFF: Motion to approve.

COMMISSIONER HERNDON: Second.

CHAIRMAN JOHNSTON: There's a motion and a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN JOHNSTON: Opposed.

Orders 146 through 151 are adopted.

MS. BUNTON: Thank you.

CHAIRMAN JOHNSTON: Thank you very much. Occupational licensing. Dennis Mullen.

MR. MULLEN: Yes. Thank you, Chairman,
Commissioners and executive staff. You have before
you Orders 2017-152 through 154 which concerns
settlement agreements between Commission staff and
occupational licensees. These licensees have failed
to comply with 68 IAC Article 2 Rule 3 for the
reasons set forth in each licensee settlement. In
the disciplinary action, Commission staff offered
each licensee a settlement agreement that would have
them agree to an unpaid voluntary relinquishment of

the occupational license for a period of regularly scheduled working days with no vacation or other paid time off to be used. Each licensee has agreed to the terms of their settlement agreement.

Orders 2017-152 through 154 would approve the settlement agreements entered into by the parties. At this time Commission staff respectfully recommends that you approve these orders. Thank you. I'll be happy to answer any questions.

CHAIRMAN JOHNSTON: Thank you, Dennis. Any questions for Dennis?

Hearing none, what is the pleasure of the Commission on Orders 152 through 154 relating to the settlement agreements?

COMMISSIONER FINE: Move for approval.

COMMISSIONER HERNDON: Second.

CHAIRMAN JOHNSTON: There is a motion and a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN JOHNSTON: Opposed.

COMMISSIONER SVETANOFF: Mr. Chairman, I'm going to abstain from this vote at this time.

CHAIRMAN JOHNSTON: Okay. So we have one abstention, but I believe they're all ayes for the remainder of the vote. The orders are adopted.

Thank you very much.

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MR. MULLEN: Thank you.

CHAIRMAN JOHNSTON: Continue on.

MR. MULLEN: Moving along, you now have before you Orders 2017-155 through 157 which deny individual's applications for permanent occupational licenses to work in Indiana casinos. Pursuant to Indiana Code Section 4-33-8-3(4), the Commission may not issue an occupational license to an individual unless he or she has met the standards adopted by the Commission for holding the occupational license. An applicant for a Level 2 or a Level 3 occupational license must include the applicant's criminal history in his or her application. Any misrepresentation or omission made with respect to the application is grounds for denial of the application pursuant to 68 IAC 2-3-4(b)(2).

As part of the routine background investigation of each applicant, Commission staff discovered the applicants represented in Orders 2017-155 through 157 have failed to meet the established standards for licensure.

These three individuals were given the opportunity to withdraw their applications for consideration for permanent licensure and none did.

Detailed information regarding each individual's 1 investigation is contained in the confidential 2 materials provided to you prior to today's meeting. 3 Because the applicants have failed to meet 4 the established standards for licensure, the staff 5 recommends the applications for permanent licensure 6 be denied in Orders 2017-155 through 157. Thank you. CHAIRMAN JOHNSTON: Thank you. Any 8 questions for Dennis? These are orders which, if 9 adopted, are denying the permanent licensure for 10 these applicants. 11 Seeing or hearing no questions, what is the 12 pleasure of the Commission on Orders 155 through 157? 13 COMMISSIONER SVETANOFF: Motion to approve. \_4 COMMISSIONER WILLIAMS: Second. 15 CHAIRMAN JOHNSTON: There's a motion and a 16 17 second. All those in favor say aye. 18 (Chorus of ayes.) CHAIRMAN JOHNSTON: Opposed. 19 Orders are adopted. Thank you very much, 20 Dennis. 21 MR. MULLEN: Thank you very much. 22 23 CHAIRMAN JOHNSTON: Casino matters. on back, Angie. 24 MS. BUNTON: It's me again. All right. 25

You have before you 12 settlement agreements concerning disciplinary actions.

Order 2017-158 is a settlement agreement with Ameristar Casino and includes two counts. In the first count, the casino violated the rules for playing cards.

In the second count, the casino allowed an underage person on the casino floor on two separate occasions. Ameristar has agreed to a monetary settlement of \$6,000 in lieu of disciplinary action.

Orders 2017-159 is a settlement agreement with Blue Chip Casino and includes two counts. In the first count, the casino violated the rules for receiving and storage of software.

In the second count, the casino violated the rules for live gaming device fills, front money, and safekeeping deposits and sensitive keys.

Blue Chip has agreed to a monetary settlement of \$12,000 in lieu of disciplinary action.

Order 2017-160 is a settlement agreement with Belterra Casino and includes two counts. In the first count, the casino allowed an underage person on the casino floor on three separate occasions.

In the second count, the casino failed to timely notify the Commission of a termination.

Belterra has agreed to a monetary settlement of \$10,000 in lieu of disciplinary action.

Order 20147-161 is a settlement agreement with French Lick Resort Casino and includes three counts. In the first count, the casino failed to timely notify the Commission of two terminations.

In the second count, the casino violated the rules on live gaming device fills and the rules for playing cards.

In the third count, the casino violated the rules on sensitive keys, electronic gaming device conversions, and manually paid jackpots.

French Lick has agreed to a monetary settlement of \$12,000 in lieu of disciplinary action.

Order 2017-162 is a settlement agreement with Hollywood Casino and includes three counts. In the first count, the casino violated the rules on acceptance of coupons at a live gaming device.

In the second count, the casino failed to properly perform a coin test and reel strip test prior to placing the electronic gaming device in service. Additionally, the casino violated the rules for manually paid jackpots.

In the third count, the casino violated the rules on variances by failing to maintain appropriate

surveillance coverage.

Hollywood has agreed to a monetary settlement of \$9,000 in lieu of disciplinary action.

Order 2017-163 is a settlement agreement with Hoosier Park and includes three counts.

In the first count, the casino allowed an underage person on the casino floor.

In the second count, the casino failed to timely notify the Commission of two terminations.

In the third count, the casino violated the rules of the visitor and vendor log.

Hoosier Park has agreed to a monetary settlement of \$6,500 in lieu of disciplinary action.

Order 2017-164 is a settlement agreement with Horseshoe Hammond and includes two counts.

In the first count, the casino violated the rules of the Voluntary Exclusion Program.

In the second count, the casino failed to timely notify the Commission of two terminations.

Horseshoe has agreed to a monetary settlement of \$8,500 in lieu of disciplinary action.

Order 2017-165 is a settlement agreement with Horseshoe South and includes two counts. In the first count, the casino violated the rules on live gaming device fills.

In the second count, the casino allowed an employee to work without a gaming badge for 19 days.

Horseshoe South has agreed to a monetary settlement of \$7,000 in lieu of disciplinary action.

Order 2017-166 is a settlement agreement with Indiana Grand and includes two counts. In the first count, the casino failed to timely notify the Commission of a termination.

In the second count, the casino violated the rules on sensitive keys.

Indiana Grand has agreed to a monetary settlement of \$3,500.

Order 2017-167 is a settlement agreement with Majestic Star Casino and includes three counts. In the first count, the casino failed to timely notify the Commission of a termination.

In the second count, the casino violated the rules on the vendor and visitor log.

On the third count, the casino violated the surveillance rules.

Majestic Star Casino has agreed to a monetary settlement of \$13,500 in lieu of disciplinary action.

Order 2017-168 is a settlement agreement with Rising Star Casino and includes three counts.

In the first count, the casino violated the rules on currency collection and the soft count process.

In the second count, the casino violated the rules on the redemption of non-value roulette chips.

In the third count, the casino violated the surveillance rules.

Rising Star has agreed to a monetary settlement of \$15,500 in lieu of disciplinary action.

Order 2017-169 is a settlement agreement with Tropicana Evansville and includes two counts.

In the first count, the casino violated the rules on live gaming device fills.

In the second count, the casino violated the rules on found cash equivalents and the collection and counting of tokes.

Tropicana has agreed to a monetary settlement of \$10,500 in lieu of disciplinary action.

Commission staff recommends that you approve Order 2017-158 through Order 2017-169.

CHAIRMAN JOHNSTON: Thank you. Any questions for Angie on these proposed settlement agreements?

Hearing none, what is the pleasure of the Commission?

COMMISSIONER FINE: Move for approval.

COMMISSIONER SVETANOFF: Second.

CHAIRMAN JOHNSTON: There's a motion and a second for Orders 158 through 169. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN JOHNSTON: Opposed.

Orders are adopted.

MS. BUNTON: Thank you.

CHAIRMAN JOHNSTON: Casino renewals.

Dustin.

MR. MOLOY: Thank you. You have before you Order 2017-170 and Order 2017-171 regarding the annual renewal of casino owner's licenses for Blue Chip Casino, LLC, and Gaming Entertainment Indiana, LLC, operating as Blue Chip and Rising Star respectively.

Both entities have filed the proper paperwork and have paid the required annual renewal fee. The Blue Chip license was set to expire on August 17, 2017, and the Rising Star license was set to expire on September 15, 2017.

Executive Director Tait issued interim renewals to the licensees to cover the period between the expiration date and the date of this business

1 meeting.

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Additionally, by Orders 2015-148 and 2015-149, the Commission approved the powers of attorney for Blue Chip and Rising Star respectively. Their approvals expire upon the renewal of the casino owner's license. For that reason, all casinos must request renewal of the Commission's approval of the written power of attorney concurrently with the request for renewal or present the Commission with a new written power of attorney maintaining a new trustee-in-waiting.

Both licensees have stated their intent to maintain the existing trustee-in-waiting and have not presented the Commission with any modifications of the power of attorney.

At this time Commission staff respectfully request approval of Orders 2017-170 and 2017-171 renewing the casino owner's license for a period of one year.

CHAIRMAN JOHNSTON: Thank you very much. Any questions for Dustin?

Hearing none, is there a motion on these two orders, 170 and 171 for casino renewals?

COMMISSIONER FINE: Move for approval.

COMMISSIONER SVETANOFF: Second.

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CHAIRMAN JOHNSTON: There's a motion and a second. All those in favor say aye.

(Chorus of ayes.)

CHAIRMAN JOHNSTON: Opposed.

Orders are adopted. Thank you.

MR. MOLOY: Thank you.

CHAIRMAN JOHNSTON: The next matter is a transfer of ownership interest. I'll ask Greg to walk us through this one.

MR. SMALL: Thank you, Mr. Chair.

Commissioners, before you is Order Number 2017-172.

This is a transfer ownership and casino owner's licensee and waiver of certain provisions. In this case, the Indiana casino owner licensee is Aztar Indiana Gaming Company, LLC, right here in Evansville, Indiana. Its parent company is Tropicana Entertainment, Inc.

On June 23, 2017, Tropicana and Icahn

Enterprises, LP, announced the commencement of a cash
tender offer for outstanding shares of Tropicana's
common stock. These shares are currently held by
wholly owned Icahn Enterprise, LP, subsidiary Icahn
Enterprises Holdings, LP.

Icahn Enterprise, LP, is seeking to transfer shares of Tropicana stock from Icahn

Holdings to American Entertainment Properties Corp.

American Entertainment Properties Corp. is a wholly owned subsidiary of Icahn Building, LLC, which in turn is a wholly owned subsidiary of Icahn Holdings.

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Pursuant to 68 IAC 5-1-1, any direct or indirect ownership interest of 5 percent or more in a casino licensee that is a publically traded corporation may only be transferred in accordance with this rule. Under the rule, there are a few requirements for the transfer to be effectuated, including a transfer of ownership form, submission of an application fee, and a finding of suitability.

The proposed Tropicana stock transfer is considered a transfer of ownership in a publically traded company under 68 IAC 5-1. However, Tropicana requested a waiver under 68 IAC 1-2-13 from the application requirements in 68 IAC 5-1-2.

In support of the waiver request, it was submitted that both Icahn Building and American Entertainment Properties Corp. are wholly owned subsidiaries of Icahn Enterprises, LP, which has already been found to be suitable by the Commission to hold a 5 percent or greater interest in a casino owner licensee.

In addition, the key personnel of Icahn

Enterprise, LP, who are also key personnel in the

wholly owned subsidiaries already hold Level 1

licensees in connection with their position from the

IGC. Lastly, this transaction does not require

Commission approval for any financing.

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The transfer of ownership contemplated was reviewed by Commission Financial Investigator Bill Murphy. The staff recommends approval with the waiver of submissions. In this order, the Commission is asked to make two decisions. (1) To approve the transfer of ownership interest in Tropicana from Icahn Enterprises Holdings, LP, to American Entertainment Properties Corp. and (2) also to waive certain transfer application requirements of

Thank you, Mr. Chairman.

CHAIRMAN JOHNSTON: Thank you, Greg. Any questions for Greg?

We have dealt with this previously in other matters. I think mostly with suppliers primarily, but part of this is the previous findings of suitability with the related parties. Is that a fair statement?

MR. SMALL: That's correct. Here we're dealing with the transfer of stock between wholly

owned subsidiaries of an entity that has already been 1 found to be a suitable entity; and as I said, the key 3 personnel are currently licensed at the Level 1 level by the Commission. 4 5 CHAIRMAN JOHNSTON: Very good. What is the pleasure of the Commission on Order 172? 6 COMMISSIONER SVETANOFF: Motion to approve. 7 COMMISSIONER WILLIAMS: Second. 8 CHAIRMAN JOHNSTON: There's a motion and a 9 second. Any comments, discussion? 10 11 All those in favor say aye. 12 (Chorus of ayes.) 13 CHAIRMAN JOHNSTON: Opposed. Order 172 is approved. \_4 Athletic Division. Dennis. 15 MR. MULLEN: Thank you again, 16 Commissioners. Two Athletic Division matters for 17 consideration this morning/afternoon. The first is 18 Order 2017-173 concerning a settlement agreement 19 between Commission staff and professional Mixed 20 Martial Artist licensee Mohammad Abdullah. 21 On August 12, 2017, Mr. Abdullah 22 23

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on August 12, 2017, Mr. Abdullah
participated in a Mixed Martial Arts bout in Kokomo,
Indiana. Mr. Abdullah was found to be in violation
of 68 IAC 24-3-37. In lieu of a disciplinary action,

Commission staff offered to settle the matter with 1 Mr. Abdullah for a fine of \$250. Commission staff 3 and Mr. Abdullah agreed to the terms of the 4 settlement, and the agreement was executed on 5 September 6, 2017. Order 173 would approve that settlement entered into by the parties. 6 7 Would you like to vote on this or --CHAIRMAN JOHNSTON: I think we'll go ahead 8 and take these individually. 9 10 MR. MULLEN: Okay. 11 CHAIRMAN JOHNSTON: So what is the -- are 12 there any questions for Dennis on this proposed 13 settlement? Hearing none, is there a motion on  $_{\perp}4$ Order 173? 15 16 COMMISSIONER SVETANOFF: Motion to approve. 17 COMMISSIONER FINE: Second. CHAIRMAN JOHNSTON: There's a motion and a 18 19 second. All those in favor say aye. 20 (Chorus of ayes.) 21 CHAIRMAN JOHNSTON: Opposed. 22 Order 173 is adopted. Order 174. 23 MR. MULLEN: Thank you very much. 24 25 Order 174 is regarding DM Fight Promotions surety

bond. DM Fight Promotions was issued a promotor's license under which it held a professional boxing event on April 8, 2017, at the Hammond Armory in Indiana. As required by the Indiana Code, DM Fight Promotions obtained a surety bond in the amount of \$10,000 guaranteeing payment of all financial and tax obligations under Indiana Code 4-33-22-32.

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To this date, no payments have been received, and the Commission staff has been unable to make contact with the promotor since that event was held. DM Fight Promotions continues to owe unpaid reimbursement fees and ticket tax for that event totaling \$837.50. Pursuant to Resolution 2010-127, the Commission must approve the recovery of any outstanding amount through exercise of a surety bond. At this time Commission staff respectfully request approval of Order 174 to allow recovery of the unpaid fees and ticket tax. Thank you.

CHAIRMAN JOHNSTON: Thank you. Any questions?

COMMISSIONER SVETANOFF: One question for you here. With this fight promotor, will this be noted in their file or in their record to make sure that if they come to do business in Indiana again that they may not be approved to do business?

1	MR. MULLEN: Absolutely. I would assume
2	that our Athletics Division would take that into
3	consideration if that were to come about.
4	COMMISSIONER SVETANOFF: Great.
5	MR. MULLEN: If they were to request
6	another license or renewal.
7	COMMISSIONER FINE: Don't pay a penalty?
8	MR. MULLEN: No.
9	MR. SMALL: That's the requirement of a
10	bond.
11	CHAIRMAN JOHNSTON: So Order 174 is seeking
12	our approval to exercise through the surety bond.
13	Any other questions?
<sub>-</sub> 4	What's the pleasure of the Commission on
15	Order 174?
16	COMMISSIONER FINE: Move for approval.
17	COMMISSIONER SVETANOFF: Second.
18	CHAIRMAN JOHNSTON: There's a motion and a
19	second. All those in favor say aye.
20	(Chorus of ayes.)
21	CHAIRMAN JOHNSTON: Opposed.
22	Order 174 is approved.
23	MR. MULLEN: Thank you.
24	CHAIRMAN JOHNSTON: Garth is going to walk
25	us through is this the third applicant for paid

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MR. BROWN: Fourth.

CHAIRMAN JOHNSTON: Fourth. Okay. Fourth.

MR. BROWN: We've got a couple more on the way. Good morning again. You have before you Order 2017-175 granting a permanent paid fantasy sports game operator's license to SportsHub Technologies, LLC.

On June 27, 2017, SportsHub Technologies, LLC, submitted a paid fantasy sports game operator license application and the required fees.

Commission staff has conducted a background and financial investigation of SportsHub and their operations. Commission staff could find no derogatory information that would affect the applicant's suitability to hold a PFS license. The staff's final report regarding SportsHub

Technologies, LLC, has been made available for your review. You will need to grant or deny this application for a permanent PFS license. The staff recommends that you grant the application.

CHAIRMAN JOHNSTON: Any questions for Garth?

Hearing none, is there a motion on Order 175 approving this Paid Fantasy Sports licensee?

COMMISSIONER SVETANOFF: Motion to approve. 1 COMMISSIONER HERNDON: Second. 2 CHAIRMAN JOHNSTON: There's a motion and a 3 4 second. All those in favor say aye. 5 (Chorus of ayes.) CHAIRMAN JOHNSTON: Opposed. 6 Order 175 is approved. 7 MR. BROWN: Thank you. 8 CHAIRMAN JOHNSTON: My favorite: Rules. 9 10 Dennis. MR. MULLEN: Thank you. 11 Resolution 2017-176 concerns readopting 12 administrative regulations that are set to expire. 13 As some background, administrative rules adopted \_4 under Indiana Code 4-22 Chapter 2 expire on January 1 15 of the seventh year after the year in which the rules 16 take effect. The sections addressed in this 17 resolution are due to expire on January 1, 18 2017 [sic], unless they are readopted. The statute 19 provides an abbreviated readoption process for rules 20 that are not to be edited. 21 The Indiana Register published the notice 22 of intent to readopt these rules on September 14, 23 2016 -- or '17 -- excuse me. The 30-day statutory 24

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period for filing an objection to the abbreviated

process or request separation of any of the rules passed without any person filing objection or requesting to separate.

The abbreviated readoption process also requires the Commission to consider the effect of the readopted rules on small businesses. Thus, a small impact statement has been included in your documents for this meeting for consideration.

This resolution, if passed, will adopt the section identified in the notice of intent without any changes or edits. Commission staff ask that you readopt the approved sections.

CHAIRMAN JOHNSTON: And then this rolls for another seven years then?

MR. MULLEN: That is correct.

CHAIRMAN JOHNSTON: Okay. Any questions for Dennis?

Is there a motion regarding this resolution, 176?

COMMISSIONER WILLIAMS: Second.

CHAIRMAN JOHNSTON: There's a motion and a second. All those in favor say aye.

(Chorus of ayes.)

1 CHAIRMAN JOHNSTON: Opposed.

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The resolution is adopted.

MR. MULLEN: Thank you.

CHAIRMAN JOHNSTON: Thank you very much.

Now we're going to turn to the Tropicana team, John and whoever else might be coming up with you. Again, as Sara mentioned, this has been really a great visit for us. We did walk through the facility, and, boy, it's exciting to see that and what the potential is and the opportunities not only for Tropicana and the City of Evansville and then also I'll reiterate the reinvestment, if you will, in the State of Indiana.

It seems somewhat fitting that being the first operator when we did this back in the 1990s, now Tropicana is the first operator transitioning to a land based casino, so we're really excited. We know that you are and that there's a lot to do yet in the next three weeks. We'd like to hear from you and give us a little more detail.

MR. CHASZAR: Sure. We are tremendously excited. Thank you again for joining us here in Evansville. A lot of hours, a lot of hard work has gone into planning and implementing in this facility and it's come to fruition here in less than three

weeks. As you saw, we have our work cut out for us in the next three weeks, but we're confident that it will be fine.

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I'd also like to thank Executive Director

Tait and her staff. They have been tremendous

throughout the process, not only from a compliance

standpoint but also for adding valuable suggestions

throughout the process to make our lives easier down

the road with the planning.

I'd also like to thank Supervisor Wickware and Assistant Supervisor Freeze. They have their work cut out for them in the next couple weeks with moving all the machines off the boat.

With that I'd like to introduce Stacey

McNeill. She is our executive director of marketing.

She's going to take you through a very short

presentation.

MS. McNEILL: Good morning. Some of this will be redundant for some of you since our tour this morning, but, again, it should be short and sweet. So talking about the facility, it's a \$50 million entertainment complex investment for the City of Evansville and the State of Indiana. It includes a casino, two restaurants, and an entertainment lounge that we'll hear more about in just a minute.

The casino, itself, is 45,000 square feet of gaming space. The entire complex is 75,000 square feet. We plan to open with the 1176 slot machines, so just over the 1175 noted. We have 41 table games in poker and a fantastic high limit room that some of you got to peek into today, even though it still has some development left.

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The Tap House is going to be the anchor restaurant in the facility. It will be open for lunch and dinner. As John mentioned to you earlier, we'll have 36 variations of beer on tap plus about 50 other beers available for the connoisseurs, plus a variety of wines and liquors.

The food menu will be featuring popular dishes that a lot of people see in a lot of places, but we'll have some very interesting new items that our culinary team has worked hard on here, so we're excited to announce those in the coming days.

The Deli. Most of you saw that. It's probably 90 percent complete today. It will feature Boar's Head meats and cheeses, all of the things you would expect from a deli and more. We think this will be a very popular outlet. It's just off the casino floor but inside the new complex.

The Lounge and Nightclub. We've spent a

lot of time programing this space to make sure that we have something for everyone. We know we can't please everybody all the time, but we're going to try in this venue. So during the day we'll feature a variety of sports and music videos. Every night there will be live entertainment, and then on Friday and Saturday evenings, we'll convert to a nightclub for a younger demographic and hopefully draw a new attendance to our facility.

All right. Where we are now. If you can remember when we met with you in Indianapolis not too long ago, we talked about what you could expect when you came for your visit a few weeks ago, and this is where we are now. This is just a quick time lapse video of us from where we started until today.

(Video is shown.)

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MR. CHASZAR: Take note of how much snow we got. Almost none.

MS. McNEILL: We were lucky. That's what you'll see today if you're on the street. As John mentioned, the favorable weather and other things has helped us really get ahead of schedule. You know, we planned to open in December, similar to what we did 22 years ago, and now we're announcing our opening for later this month, so we're pretty excited about

that.

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On the casino floor now, we're under 24-hour security. Our surveillance is up and running with 300 plus cameras. As you saw today on the tour, all of our new slot bases and the new gaming product is being installed. All of our new table game equipment is in. The cage and count rooms are 90 percent complete and really only missing a piece of glass in the window before it comes secure.

These are just some quick photos of what things look like today and what they'll look like when they're complete.

This is the entrance where we took you in originally during the tour looking across the facility. Obviously, with the wager and tax change that occurred in the 2016 legislative session, those turnstile won't be there, but otherwise it's a pretty accurate rendering of the floor with no gaming product.

This is The Deli and how it will look in its completed stage. The Entertainment Lounge looking from the casino floor back across into it, which in this photo is dark but absolutely gorgeous.

This is our Tap House, and even since yesterday when we took these photos, it's transformed

almost 50 percent further than that. That's how fast things are moving. This is just a look back across the casino floor into the high limit area, cashier cage, and Players Club areas.

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And now, most importantly, what's going to happen over the next 21 days. As John alluded to, we have a lot of work to do in a very short amount of time. On October the 1st, this weekend, we will close Level 1 of the riverboat and relocate those 200 machines to the new facility. On October the 16th, the casino, itself, the riverboat casino, will completely close at 6 a.m., and we will continue to relocate the remaining slot product from that location to the new casino.

On the 18th, which you know is not very many days away, we'll do our first introductory event at the casino. It will be for our Day 1 employees, and we are proud to say that we have approximately 50 people that are still with us from Day 1 here in Evansville. We're pretty proud of that statistic. We'll allow them to come in and see the space and enjoy some food and beverage in our Tap House restaurant.

We will follow that with an all team member event. We would like to thank you for allowing us to

have our gaming and nongaming employees on the floor just to get to see and experience the product to help sell to our customers. During the day, there will be a quick 1 to 3 tour. It's a self-guided tour. It will allow them to understand and get to know all of our outlets in more detail.

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That evening we will have our VIP opening event, so a selected group of invited people.

Players, elected officials, both locally and at the state level, you, and a number of other people will be invited that evening, so it will be a controlled opening essentially. And we'll be able to try some of the things on the floor there, as well.

We will follow that event with our official grand opening and ribbon cutting at 10 a.m. on October the 20th. And then ultimately, the bottom point -- a lot of people aren't aware yet, but on October the 30th, we are likely closing on the sale of the riverboat, and it will actually depart the same day.

There are a lot of things to do in a short amount of time. All right. Questions?

MR. CHASZAR: The original scheduled opening date was December 15, and the commitment of our ownership group and the engineering firm that we

hired out of Louisville to oversee this project brought us several opportunities to accelerate the process.

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The commitment of our ownership group, they have been tremendous support with this \$47.5 million commitment from their standpoint and the overall \$50 million commitment of the project. It's been a wonderful experience, and we're ahead of schedule. We're on budget. Every time we came in under budget, my boss said, "Make it nicer. Add something to it." It's been a great ride.

went on the tour this morning, our staff was talking -- the IGC staff, and they were very commendable of the due diligence, staying on your timeline. Obviously, there's been some great luck with the weather and all of that, but they were very complimentary of not only the cooperation with them but also just the way your team has stayed just weekly on your timeline and making adjustments as needed and continuing to push forward. We know there's a heavy lift in the last three weeks, so keep going and looking forward to the opening.

Do any other members of the Commission have comments?

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COMMISSIONER SVETANOFF: Yes. I'd like to make a comment. Congratulations to Tropicana on a significant investment within Evansville. You are the first ones to accomplish this feat as to open a land based casino, or going to open a land based casino, and I applaud you.

I also encourage and challenge my casinos up north in northwest Indiana to follow the Tropicana's lead, and hopefully we can get on board with the land based casinos, as well. Back in 2015 the legislature took on the enormous task to get this legislation passed. You have followed a great path, and hopefully we can follow your lead, so thank you.

MR. CHASZAR: Thank you.

COMMISSIONER SVETANOFF: Congratulations.

CHAIRMAN JOHNSTON: Very good. Well, thank you and good luck.

MR. CHASZAR: Thank you very much.

chairman Johnston: And we appreciate everything you've done. The next meeting is scheduled for Thursday, November 16. The time and exact location is pending, but we're kind of liking this road trip stuff. I'm not sure we're going to do it again at the very next meeting, but November 16.

Is there any other business to come before

the Commission? Seeing none, is there a motion to adjourn? COMMISSIONER SVETANOFF: Motion to adjourn. CHAIRMAN JOHNSTON: Motion and a second? COMMISSIONER HERNDON: Second. CHAIRMAN JOHNSTON: Very good. All those in favor say aye. (Chorus of ayes.) CHAIRMAN JOHNSTON: Meeting is adjourned. Thank you very much. (At 11:56 a.m., September 29, 2017, this meeting of the Indiana Gaming Commission was adjourned.) \_4 

1 STATE OF ILLINOIS SS: 2 COUNTY OF WAYNE 3 REPORTER'S CERTIFICATE 4 I, Tammy R. Lee, a Notary, State of Illinois, 5 County of Wayne, and stenographic reporter do hereby certify 6 that the Indiana Gaming Commission Business Meeting held on 7 September 29, 2017, commencing at 11:00 a.m. at Tropicana 8 Evansville, 421 Northwest Riverside Drive, Evansville, 9 Indiana, was taken by me by stenographic notes and afterwards 10 reduced to the above and foregoing transcript. 11 I further certify that I am not party to or 12 otherwise interested in the outcome of this proceeding. 13 IN WITNESS WHEREOF, I have hereunto subscribed my  $\perp 4$ hand and affixed my official seal this the 11th day of 15 16 October, 2017. 17 18 19 Lee, Tammy R. FARRIS REPORTING 20 2514 Waterbridge Way Evansville, Indiana 47710 21 Telephone: 22 www.farrisreporting.com 23

TAMMY R. LEE OFFICIAL SEAL Notary Public, State of Illinois My Commission Expires July 26, 2020

Court Reporter

(812) 425-6283

My Commission Expires: July 26, 2020

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