

**ORDER 2022-27
IN RE SETTLEMENT AGREEMENT
HARD ROCK CASINO NORTHERN INDIANA
22-HR-01**

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

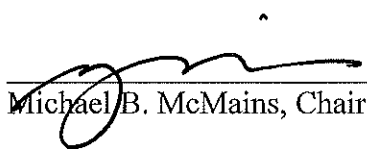
APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.


IT IS SO ORDERED THIS THE 8th DAY OF MARCH, 2022.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Jason Dudich, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
HARD ROCK CASINO)	22-HR-01
NORTHERN INDIANA)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission ("Commission") by and through its Executive Director Greg Small and Hard Rock Casino Northern Indiana ("Hard Rock"), (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 11-9-2(a) provides the casino licensee or trustee shall submit to the executive director internal control procedures concerning the withholding of cash winnings from delinquent obligors in accordance with 68 IAC 11-1.
2. 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.
3. Hard Rock's approved internal control procedures, A-5, describe the procedures for child support delinquency reporting.
4. Gaming Agent's audited the Child Support Arrears Delinquency Registry ("CSADR") for August 2021. The results of this audit found one (1) individual was not searched through the CSADR system at the time a taxable jackpot was won.
5. Gaming Agent's audited the CSADR for September 2021. The results of this audit found one (1) individual was not searched through the CSADR system at the time a taxable jackpot was won.
6. Gaming Agent's audited the CSADR for November 2021. The results of this audit found three (3) individuals were not searched through the CSADR system at the time a taxable jackpot was won.

COUNT II

7. 68 IAC 11-1-3(c)(4) provides that no casino license or casino license applicant may use an internal control procedure unless the internal control procedure has been approved, in writing, by the executive director.
8. 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.
9. Hard Rock Northern Indiana's approved internal controls, J7, provide procedures for the Player Card Enrollment Kiosks.
10. On November 29, 2021, at the request of the Commission's Director of Compliance, Gaming Agents investigated a possible player card enrollment violation. The Commission had been advised that Hard Rock had allowed patrons to obtain a player's card without physically presenting their identification to an employee. A Gaming Agent proceeded to an enrollment kiosk where he inserted his driver's license and proceeded to enter his phone number and email. After completing the information, the enrollment kiosk printed out a player's club card in his name. The Gaming Agent also confirmed that his player's card would be accepted on a slot machine.
11. The Gaming Agent spoke with a Player Club Booth Supervisor who advised it was standard procedure for a patron to come to the player's club counter and make the request in person. The Player Club Booth Supervisor acknowledged that a patron could go directly to the kiosk, obtain a new player's club card, and bypass speaking to an employee to verify identity. If a patron would go directly to the kiosk, employees would not know if they were requesting a replacement card or obtaining a new card. It is unknown how many patrons were able to obtain a player's card without proper verification.

COUNT III

12. IC 4-33-9-12(a) provides 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.
13. 68 IAC 1-11-1(c) provides a person under twenty-one (21) years of age shall not be present in a casino.
14. On August 26, 2021, Security notified Gaming Agents that an underage person was allowed entry onto the casino floor. The underage person approached the security podium and told the Security Officer that he was there for an open hiring event. The Security Officer did not question the underage person's age and directed him where to go on the casino floor for the event.

15. On November 20, 2021, Security notified Gaming Agents that an underage person was allowed entry on the casino floor. The underage person was discovered in the Hard Rock Café with his parents. The Hard Rock Café Manager reported to Security that they believed an underage person was in the restaurant. A review of surveillance coverage found that the underage person entered the casino with his parents and was not questioned by Security at the casino entrance. The family also spoke to a Security Officer on the casino floor who directed them to the Hard Rock Café, and the Security Officer did not question the underage person.

COUNT IV

16. 68 IAC 15-12-3(a) provides the requirements for live gaming device fills including the requirement that surveillance shall be notified that a live gaming device fill is being processed.
17. On September 27, 2021, Surveillance notified Gaming Agents that an error occurred on a table fill. The incorrect fill was accepted by a Dealer and a Table Games Supervisor. After the error on the fill was discovered, the table fill was not corrected.
18. On October 10, 2021, Surveillance notified Gaming Agents that an error occurred on a table fill. The incorrect fill was accepted by a Table Games Supervisor.
19. On November 21, 2021, Surveillance notified Gaming Agents that an error occurred on a table fill. The incorrect fill was accepted by a Dealer and a Table Games Supervisor. The table fill was not corrected.

COUNT V

20. 68 IAC 2-3-9.2(b) provides riverboat licensees must advise the enforcement agent, on a form prescribed or approved by the commission, when one (1) of the following events occurs with an occupational licensee: (1) The occupational licensee's employment with the riverboat licensee is terminated for any reason. The form must be submitted to the enforcement agent within fifteen (15) days of the occurrence of the change or action.
21. On September 2, 2021, Human Resources provided two (2) separation of service forms to Gaming Agents for two (2) Servers. Both Servers were termed on May 7, 2021.

COUNT VI

22. 68 IAC 15-6-4(b) provides 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.
23. 68 IAC 15-6-4(e) provides the vendor and visitor log shall contain the following information:
 - (1) The name of the vendor or visitor.

- (2) The company or organization the vendor or visitor represents.
 - (3) The date and time the vendor or visitor entered the casino.
 - (4) The purpose that necessitates the vendor or visitor entering the casino.
 - (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.
 - (6) If the person is a visitor, the individual who authorized the visitor's presence in the casino.
 - (7) Any other information deemed necessary by the executive director or the commission to ensure compliance with IC 4-33, IC 4-35, and this title.
24. On January 24, 2019, the Commission issued a memorandum to all casino and supplier licensees on occupational licenses. The memorandum provided that vendor and visitor badges are not to be utilized by those who hold or should hold an individual occupational license. If individuals referenced 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.
 25. Hard Rock Northern Indiana's approved internal controls, N8, provide the procedures for armored car.
 26. On August 26, 2021, Gaming Agents performed an audit of the vendor log for June 2021.
 28. On June 5, 2021, a Field Service Tech from AGS signed into service electronic gaming devices (EGD). The vendor was marked as no license required. The vendors held an occupational license with the Commission and was allowed to work on a vendor's badge.
 30. On June 15, 2021, two (2) Service Technicians from TCS John Huxley signed in to provide table game maintenance on the casino floor. Both vendors did not have any licensing information listed. Both vendors hold an occupational license with the Commission and were allowed to work on a vendor's badge.
 31. On June 17, 2021, a Field Tech II from IGT signed in to provide service to EGD's on the casino floor. The vendor did not have any licensing information listed. The vendor holds an occupational license with the Commission and was allowed to work on a vendor's badge.
 35. On October 8, 2021, Gaming Agents performed an audit of the vendor log for July 2021.
 36. On July 1st, 7th, 8th and 15th, a Security Officer signed in multiple vendors without documenting their supplier license status. All vendors were licensed but allowed to work on a vendor's badge. These vendors worked for the following companies Scientific Games, IGT, Everi, Interblock, AGS and Novomatic.
 38. On July 12, 2021, a Keyperson from Patriot Gaming signed in to provide service to EGD's on the casino floor. The vendor did not have any licensing information listed. The vendor

holds an occupational license with the Commission and was allowed to work on a vendor's badge.

TERMS AND CONDITIONS

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

Hard Rock shall pay to the Commission a total of \$41,500 (\$5,000 for Count I, \$3,000 for Count II, \$15,000 for Count III, \$7,500 for Count IV, \$2,000 for Count V and \$9,000 for VI) in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the Findings of Fact contained 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, Hard Rock agrees to promptly remit payment in the amount of \$41,500 and waive all rights to further administrative or judicial review.

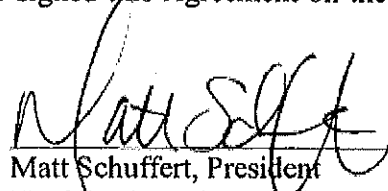
This Agreement constitutes the entire agreement between the Parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Agreement. This Agreement may not be modified, supplemented, or 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 Hard Rock.

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

Greg Small, Executive Director
Indiana Gaming Commission

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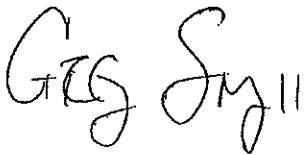
Matt Schuffert, President
Hard Rock Casino Northern Indiana

Date

3/2/22

Date

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



Greg Small, Executive Director
Indiana Gaming Commission

Matt Schuffert, President
Hard Rock Casino Northern Indiana

3/8/22

Date

Date