

**ORDER 2024-42
IN RE SETTLEMENT AGREEMENT**

**HOOSIER PARK, LLC
d/b/a CAESARS RACE AND SPORTBOOK,
INDIANAPOLIS**

24-OTB-IN-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 21ST DAY OF MARCH, 2024.

THE INDIANA GAMING COMMISSION:


Milton Q. Thompson, Chair

ATTEST:


Jason Dudich, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
HOOSIER PARK, LLC)	24-OTB-IN-01
d/b/a CAESARS RACE AND SPORTBOOK,)	
INDIANAPOLIS)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and Hoosier Park, LLC d/b/a Caesars Race and Sportsbook, Indianapolis (“OTB Indianapolis”), (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 27-4-2(1) & (9) provides a sports wagering operator shall provide a written notice to the executive director or the executive director's designee as soon as the sports wagering operator licensee becomes aware of the following: (1) A violation or apparent violation of a rule of the commission by any of the following: (A) The sports wagering operator. An action, event, or nonevent, with respect to which the executive director has instructed the sports wagering operator to provide notice so that the executive director can ensure that the sports wagering operator continues to maintain suitability for licensure.
2. IC 4-38-9-6 provides a certificate holder or vendor shall promptly report to the commission any information relating to: (2) bets or wagers that violate state or federal law; (6) suspicious or illegal wagering activities, including use of funds derived from illegal activity, wagers to conceal or launder funds derived from illegal activity, using agents to place wagers, and using false identification.
3. 68 IAC 27-2-11(b)(1) provides that sports wagering operators, sports wagering service providers, and registrant applicants are responsible for ensuring that all aspects of the sports wagering operation are conducted in accordance with IC 4-33, IC 4-35, IC 4-38, 68 IAC, directives of the commission, applicable internal controls of the sports wagering operator, and all other state, federal, and local laws.
4. On October 31, 2023, Gaming Agents were notified by Harrah’s Hoosier Park Surveillance of an illegal dice gaming being played at the Indianapolis OTB. A review of surveillance coverage determined that two (2) patrons initially enter the Oak Room at the OTB and begin shooting dice and wagering money. Additional review determined that multiple games occurred over the next five (5) hours by multiple participants. The

surveillance review showed that a Supervisor stopped the first dice game, however, while the dice game was ongoing, the Supervisor failed to stop the game and had knowledge that it continued. The Sportsbook Supervisor was aware of the ongoing criminal activity occurring at the property and failed to act and make the proper notification to upper management, Hoosier Park surveillance and the Indiana Gaming Commission. The Sportsbook Supervisor should have made notification immediately.

COUNT II

5. IC 4-38-5-3(a) provides that a person who is less than twenty-one (21) years of age may not be present in an area where sports wagering is being conducted.
6. On November 16, 2023, Harrah's Hoosier Park's Regulatory Compliance Manager notified Gaming Agents that an underage person was allowed to enter the OTB Indianapolis. The Security Officer at the door failed to check the date of birth on the underage person's identification. The violation was identified by Surveillance at Harrah's Hoosier Park when an alert was received from veridocs, the identification scanner at OTB Indianapolis.

TERMS AND CONDITIONS

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

OTB Indianapolis shall pay to the Commission a total of \$6,500 (\$5,000 for Count I and \$1,500 for Count II) 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.

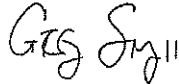
Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, OTB Indianapolis agrees to promptly remit payment in the amount of \$6,500 and waive all rights to further administrative 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 OTB Indianapolis.

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

2/26/24

Date



Colin Skidmore, General Manager
Hoosier Park, LLC d/b/a Caesars Race
and Sportsbook, Indianapolis

2/23/24

Date