

INDIANA GAMING COMMISSION
BUSINESS MEETING
NOVEMBER 23, 2020

The Indiana Gaming Commission Business Meeting was stenographically taken down by me, Dianne Lockhart, RMR, CRR, a Notary Public in and for the County of Marion, State of Indiana, virtually via Microsoft Teams in Indianapolis, Indiana, commencing at the hour of 2:24 p.m., November 23, 2020. The following transcript is a true and accurate transcript of the proceedings held.

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A P P E A R A N C E S

ON BEHALF OF THE GAMING COMMISSION:

Michael McMains, Chairman

Marc D. Fine, Commissioner

Susan Williams, Commissioner

Jason Dudich, Commissioner

Chuck Cohen, Commissioner

Sara Gonso Tait, Executive Director

Greg Small, General Counsel

	I N D E X	PAGE
1		
2	Call to Order and Roll Call	4
	Approval of Minutes	5
3	Report of the Executive Director	5
	Staff Update	7
4	Administering Oath to Presenters	10
	Old Business	11
5	New Business	11
	Election of a Secretary	11
6	Staff Update Regarding Spectacle Investigation ..	12
	Patrons	27
7	Felony Waiver	27
	Petition for Removal from Exclusion List	29
8	License Renewals	31
	Suppliers	31
9	Casinos	31
	Paid Fantasy Sports	31
10	Sports Wagering Vendors	32
	Sports Wagering Certificate of Authority	32
11	Permanent Licenses	33
	Suppliers	33
12	Sports Wagering Vendors	34
	Sports Wagering Service Providers	34
13	Disciplinary Actions	36
	Suppliers	36
14	Casinos	38
	Casinos - Corporate	39
15	Sports Wagering	39
	Occupational Licenses	39
16	Disciplinary Actions - Settlements	41
	Resolutions	43
17	Supplier Matters	46
	Transfer of Ownership	46
18	Casino Matters	49
	Financing - Caesars Entertainment	49
19	Tropicana LDA Modification	52
	Horseshoe Hammond Divestiture	54
20		
21		
22		
23		
24		
25		

1 CHAIRMAN McMains: Welcome, everybody. It's
2 November 23, 2020, at about 2:24 p.m. I
3 apologize -- we apologize for being a little bit
4 late. We had a technical difficulty.

5 This is the meeting of the Indiana Gaming
6 Commission, and I'd like to start by calling the
7 meeting to order.

8 Roll call of the -- of the Commissioners,
9 please.

10 EXECUTIVE DIRECTOR TAIT: Sure.

11 Chairman McMains.

12 CHAIRMAN McMains: Yes, here.

13 EXECUTIVE DIRECTOR TAIT: Vice Chair Fine.

14 Vice Chair Fine.

15 CHAIRMAN McMains: He's waving his hand.

16 EXECUTIVE DIRECTOR TAIT: Okay.

17 Commissioner Williams.

18 COMMISSIONER WILLIAMS: Here.

19 EXECUTIVE DIRECTOR TAIT: Commissioner

20 Dudich.

21 COMMISSIONER DUDICH: Here.

22 EXECUTIVE DIRECTOR TAIT: And Commissioner

23 Cohen.

24 COMMISSIONER COHEN: Here.

25 EXECUTIVE DIRECTOR TAIT: Great.

1 CHAIRMAN McMAINS: Thank you. Let the
2 record reflect that there's a quorum of the
3 Indiana Gaming Commission present.

4 Have all the Commissioners had an
5 opportunity to review the minutes from the
6 previous meeting?

7 If so, what's your pleasure, Commissioners?

8 COMMISSIONER DUDICH: Mr. Chairman, I would
9 make a motion that we approve the minutes from
10 our July 10, 2020, meeting.

11 COMMISSIONER WILLIAMS: Second.

12 CHAIRMAN McMAINS: Thank you. It's been
13 properly moved and seconded to approve the
14 minutes for the previous meeting of the Indiana
15 Gaming Commission.

16 Any further discussion on the motion?

17 Hearing none, all in favor of the motion,
18 please signify by saying aye.

19 (Chorus of ayes.)

20 Opposed?

21 Hearing none, the motion carries
22 unanimately.

23 Mrs. Tait, report of the Executive Director.

24 EXECUTIVE DIRECTOR TAIT: Great. Thank you,
25 Mr. Chair. Welcome, everyone.

1 First, I'd like to take a moment to welcome
2 our newest commissioner, Commissioner Chuck
3 Cohen. Commissioner Cohen resides in Bloomington
4 and is a vice president at the National White
5 Collar Crime Center. He is a Professor of
6 Practice in the Indiana University, Bloomington,
7 Department of Criminal Justice, and an Indiana
8 University Police Department Auxiliary Detective.

9 Chuck is retired from the Indiana State
10 Police where he was a captain and served for over
11 25 years. He received his undergraduate degree
12 from IU Bloomington and earned his MBA from
13 Indiana Wesleyan University. He is a Certified
14 Fraud Examiner and a Certified Economic Crime
15 Forensic Examiner.

16 He brings invaluable skills to the
17 Commission, and we are so thrilled that he is
18 willing to serve.

19 We wish former Commissioner Herndon the best
20 and thank him for his service to the
21 Commissioner -- or to the Commission, excuse me.

22 I also wanted to mention that Secretary
23 Svetanoff and also Commissioner Saxon have
24 recently resigned from the Commission, but their
25 replacements have not been identified yet.

1 Since our last meeting, we've welcomed one
2 new staff member. Ashley Black just started last
3 week as our assistant controller. She was most
4 recently a financial analyst with IMPD for three
5 years. She also previously served as the
6 business manager for the Marion County Community
7 Corrections Department for 12 years. She holds a
8 BS in criminal justice and consumer finance from
9 Ball State, as well as a BS in human resources
10 with WGU.

11 So welcome to Ashley.

12 In addition, I'd like to announce a few
13 promotions. Brock Pilgrim was promoted to the
14 role of Central Zone Assistant Director in late
15 July, after serving for many years as the
16 supervisor at Indiana Grand.

17 Greg Lee was then promoted to supervisor at
18 that property, and Marecia Dewar was promoted to
19 assistant supervisor.

20 So congratulations to Brock, Greg and
21 Marecia.

22 IGC staff has granted five waivers to casino
23 properties since the last business meeting.

24 In addition, we have added 21 individuals to
25 the state exclusion list. Additional information

1 has been provided to you Commissioners and will
2 be posted on our website.

3 Our investigations team has conducted three
4 year reinvestigations of the following entities:
5 Patriot Gaming, Genesis Gaming, DraftKings Paid
6 Fantasy Sports, and FanDuel Paid Fantasy Sports.
7 These final reports are included in your
8 confidential materials, and Director Brown is
9 present if there are any questions.

10 So that concludes my official report.
11 However -- and I'm happy to answer questions --
12 but before moving on to new business, I would
13 like to introduce two new general managers to our
14 Indiana properties to quickly address the
15 Commission and introduce themselves.

16 So Ryan Coppola, you're not new to the
17 Indiana Gaming Commission, but you're new to your
18 promotion as general manager at Ameristar East
19 Chicago, so if you would like to say hi to the
20 Commission and introduce yourself.

21 MR. COPPOLA: Yeah. Thank you, Executive
22 Director Tait, and thanks for the opportunity to
23 say hello to the Commission today and introduce
24 myself.

25 My name is Ryan Coppola. I'm the newly

1 appointed general manager at Ameristar East
2 Chicago. And as Sara mentioned, not new to the
3 state. I started my career with Penn in 2017 at
4 our Hollywood Lawrenceburg property and, you
5 know, originally started my career in Atlantic
6 City with Caesars back in 2007, but had worked at
7 Horseshoe Southern Indiana from 2014 to 2016, so
8 very familiar with the state, happy to be
9 continuing to work in Indiana, and thank you for
10 the chance to say hello today.

11 EXECUTIVE DIRECTOR TAIT: Thank you, Ryan.

12 And next we have Kathryn Jenkins. She is
13 the -- she is new to Indiana, and she is the
14 newest general manager at Horseshoe Hammond.

15 So, Kathryn, I'll turn it over to you to
16 introduce yourself to the Commission.

17 MS. JENKINS: Thank you so much. So I'm
18 Kathryn Jenkins. I have been with Caesars for 19
19 years now. I started in Harrah's New Orleans
20 for -- I was there about three years and then
21 went to Las Vegas in various roles, both at
22 corporate and property, for eleven years, and
23 then back to Louisiana for another four.

24 So I got up here in August, so I am just
25 really excited to be here, so thank you, it's a

1 pleasure.

2 EXECUTIVE DIRECTOR TAIT: Thank you, Kathryn
3 and Ryan. We are excited to work with you both
4 in your new roles, and welcome to Indiana and
5 congratulations once again. So thank you for
6 taking the time.

7 And, Mr. Chair, that concludes my Executive
8 Director's Report.

9 CHAIRMAN McMANS: Thank you, Sara.

10 Next, administration of the oath of
11 presenters for today's meeting. And I understand
12 that everybody who is going to speak has signed
13 an affidavit; is that correct, Sara?

14 EXECUTIVE DIRECTOR TAIT: Yeah, IGC staff
15 members that will be presenting today have signed
16 an oath and they are on file with us.

17 In addition, we have, you know, on standby
18 in the event that Commissioners have questions,
19 we have signed oaths from Marco DeLucio from the
20 City of Evansville. We also have Tom Reeg from
21 Caesars Entertainment, and Jeff Hendricks also
22 from Caesars Entertainment. They've all signed
23 and attested to the oath for purposes of this
24 meeting.

25 CHAIRMAN McMANS: Thank you. Thank you,

1 everyone.

2 Moving on, is there any old business to come
3 before the Commission today?

4 Hearing none, new business. I believe we
5 need to elect a new secretary for the Commission;
6 is that right, Sara?

7 EXECUTIVE DIRECTOR TAIT: We -- we do. So
8 if anybody would like to nominate a lucky
9 commissioner, that would be wonderful.

10 COMMISSIONER FINE: I hope my microphone is
11 working. Yep, that was a nod.

12 I would nominate Jason Dudich to be the
13 secretary.

14 COMMISSIONER WILLIAMS: Second.

15 CHAIRMAN McMAINS: Thank you.

16 It's been properly moved and seconded to
17 elect Jason Dudich as our secretary for the
18 Indiana Gaming Commission.

19 Is there any discussion on the motion?

20 Jason's been muted; correct? Right.

21 Hearing none, all in favor of the motion,
22 please signify by saying aye.

23 (Chorus of ayes.)

24 Opposed?

25 Motion carries unanimously.

1 Thank you. Thank you for your motions and,
2 Jason, thank you.

3 Next, Sara, you have a staff update
4 regarding the Spectacle investigation.

5 EXECUTIVE DIRECTOR TAIT: Sure. Yeah, I can
6 do that.

7 So at the request of you, Chairman McMains,
8 I would like to offer the Commissioners an update
9 regarding the IGC's ongoing investigation of
10 Spectacle Entertainment.

11 The IGC's investigation is nearly complete.
12 Our regulatory investigation involves matters in
13 addition to the criminal matters previously
14 disclosed by the United States Department of
15 Justice specifically pertaining to John Keeler
16 and an unnamed former executive of Centaur
17 Gaming.

18 The findings are significant and include
19 actions involving Spectacle Entertainment Group,
20 Spectacle Gary, and certain key persons.

21 Before providing a high level overview of
22 our findings to date, I'd like to briefly walk
23 through the timeline.

24 On January 23, 2020, IGC became aware of
25 court filings out of the Eastern District of

1 Virginia which appeared to implicate John Keeler
2 and Centaur Gaming.

3 On January 24th, I postponed the IGC's
4 business meeting scheduled for February which was
5 set to consider the Vigo County casino owner's
6 license given Mr. Keeler and other key executives
7 of Centaur Gaming's involvement in the project.

8 Throughout March and April, IGC staff became
9 aware of certain ownership changes being made
10 regarding the Vigo County applicant, and
11 ultimately the IGC received an amended
12 application which reflected that Mr. Ratcliff and
13 Mr. Keeler are no longer involved in proposed
14 Vigo County operations.

15 The Vigo County owner's license was issued
16 on May 15, 2020. During that meeting, your
17 directive was clear for a separation with only
18 Mr. Gibson having dual roles in both the Gary and
19 Vigo County operations.

20 On May 29th, the IGC received new
21 information regarding alleged violations of the
22 Indiana Riverboat Gambling Act, marking the first
23 time in -- marking the first time the IGC
24 received direct notice of matters directly under
25 our agency's purview.

1 On June 19th, Mr. Ratcliff resigned as
2 chairman, chief executive officer and member of
3 the Board of Managers of Spectacle Entertainment
4 Group and also Spectacle Gary, LLC.

5 On September 24th, an indictment was issued
6 charging that Mr. Keeler engaged in a conspiracy
7 to make and receive corporate campaign
8 contributions in violation of federal election
9 laws on behalf of Centaur, made false statements
10 and obstructed justice.

11 Mr. Keeler was arrested on September 28th,
12 and the indictment and its allegations were made
13 public on September 29th.

14 On that same day, I, in consultation with
15 Chairman McMains, issued an emergency suspension
16 of Mr. Keeler's Level 1 casino license. The
17 indictment also references an unnamed executive
18 of Centaur who allegedly acted in furtherance of
19 the conspiracy detailed in the indictment.

20 The IGC's investigation has been primarily
21 conducted by four core individuals from both the
22 investigations and audit divisions, and supported
23 by other individuals, including executive staff
24 and our outside consultant, former FBI agent and
25 gaming attorney, Walt Stowe.

1 We have conducted 29 separate interviews of
2 both licensees and former licensees, spanning
3 nearly 33 hours of actual interview time. Three
4 individuals declined requested interviews by the
5 IGC. This includes individuals that have
6 previously been or are currently licensed by the
7 IGC.

8 We have reviewed approximately one thousand
9 separate electronic documents containing tens of
10 thousands of individual pages and hundreds of
11 hard copy files and documentation at gaming
12 properties.

13 There are over ten subjects of our
14 investigation, all of which are either current or
15 past licensees of Centaur or Spectacle and/or
16 Spectacle unit holders. Their suitability and
17 ability to continue to hold gaming licenses is in
18 serious doubt, as will be presented to the
19 Commission upon the investigation's termination.

20 A portion of these documents we have
21 obtained were discovered following the suspension
22 of Mr. Keeler's license through the cooperation
23 of Greg Gibson and Jahnae Erpenbach, the
24 remaining executives in good standing with
25 Spectacle Entertainment Group, and their counsel,

1 Kay Fleming.

2 The IGC has also requested and obtained
3 banking documents, previously undisclosed
4 agreements and other information considered
5 materially relevant to suitability that was
6 previously undisclosed.

7 The scope of our review covers financial
8 transactions, ownership transfers, contracts,
9 failures to disclose, improper utilization of
10 funds, improper accounting practices, failure to
11 act within the occupational licensure parameters,
12 ex parte communication and other actions and
13 situations falling outside of the good moral
14 character and integrity standards detailed
15 throughout Indiana statutes and regulations.

16 Witnesses have come forward with information
17 pertaining to the activities now involved in our
18 review.

19 To be clear, IGC staff is fully committed to
20 fulfilling the statutory responsibility to
21 regulate gaming with the highest level of
22 integrity without fear of reprisal or favor
23 toward any individual or entity. We take
24 seriously the charge to maintain the public's
25 confidence, and our comments here today are

1 offered to ensure that confidence is maintained.

2 And we stand ready to proceed at the will of
3 the Commission.

4 CHAIRMAN McMAINS: Thank you, Sara.

5 Commissioners, any questions for Mrs. Tait?

6 COMMISSIONER DUDICH: Mr. Chairman -- go
7 ahead, Susan.

8 CHAIRMAN McMAINS: Commissioner Williams,
9 did you have something?

10 Commissioner Dudich, I'm sorry, our
11 connections aren't good today and we're having
12 some trouble. Go ahead, sir.

13 COMMISSIONER DUDICH: Sorry. I was going to
14 defer to Susan, but I'll go ahead and ask.

15 Sara, in terms of communication to kind of
16 figure out and move forward, how has your
17 communication been in terms of receiving any
18 additional information or any proposals or plans
19 regarding your statements?

20 EXECUTIVE DIRECTOR TAIT: Sure. So IGC
21 staff upon, you know, becoming aware of all of
22 the issues (technical audio glitch) with all
23 relevant parties. You know, as I indicated, the
24 remaining board members of Spectacle
25 Entertainment Group remain in good standing

1 with -- with the Commission. And, you know,
2 certainly implored them to (technical audio
3 glitch) provide a proposal that could be
4 submitted to the Commission here today.

5 We're disappointed that we -- we did not
6 have that to present here today, but, you know,
7 we have (technical audio glitch) in constant
8 communication with the serious nature of all of
9 our allegations and findings to date.

10 COMMISSIONER DUDICH: And one follow-up,
11 Sara. That communication has been over several
12 weeks, a month, just to understand for the
13 Commission, that constant communication with
14 Spectacle, that hasn't been something in the last
15 day or two, that's been over several weeks, 30
16 days, a month, what's been that time frame?

17 EXECUTIVE DIRECTOR TAIT: Right. So, you
18 know, yes, executive staff has engaged in
19 discussions with the parties, you know, since
20 January, but in reference to what I indicated as
21 far as, you know, seeing remaining parties
22 (technical audio glitch) the Commission, you
23 know, those discussions have really been ongoing
24 significantly I'd say since Mr. Keeler's
25 indictment, so, you know, that was obviously a

1 couple months ago.

2 COMMISSIONER DUDICH: Thank you, Sara.

3 Thank you, Mr. Chairman.

4 EXECUTIVE DIRECTOR TAIT: Uh-huh.

5 COMMISSIONER FINE: Sara, so ten subjects in
6 addition to Mr. Keeler; is that correct?

7 EXECUTIVE DIRECTOR TAIT: Yes, yeah, our --
8 our (technical audio glitch) review to date, I do
9 want to note that there are stakeholders involved
10 here who are not subjects of our investigation
11 who have not been implicated in any misconduct,
12 but, yeah, that number is correct.

13 COMMISSIONER FINE: And so I'm curious to
14 note, have stakeholders who have not been
15 implicated, have they come forward with any plan
16 to see the end of the saga?

17 EXECUTIVE DIRECTOR TAIT: So I received an
18 email at 1:50 today which I haven't had an
19 opportunity to even look at yet, so, you know,
20 obviously we were in executive session at that
21 time, but, you know, I'm not -- I'm not in a
22 position to talk about that since I haven't
23 reviewed it, but, yeah, no -- no concrete
24 proposal for -- for the Commission today.

25 COMMISSIONER WILLIAMS: Mr. Chairman.

1 CHAIRMAN McMAINS: Yes, ma'am.

2 COMMISSIONER WILLIAMS: This -- this matter
3 is very serious and I think unprecedented for
4 this Commission. And as we have delays and we
5 don't have any plan moving forward, we've got one
6 project marching along up in Gary and one to be
7 started in Terre Haute, and so it seems to me
8 that we need to seriously consider a time certain
9 when we've got to have a plan in order to
10 convince us that we don't need to suspend this
11 license, and I would say that time certain ought
12 to be, at a minimum, 60 days, maybe sooner, I
13 don't know, but it just -- it seems like we need
14 to be decisive.

15 CHAIRMAN McMAINS: Thank you, Commissioner
16 Williams.

17 Any other questions or comments of Sara
18 regarding her report?

19 COMMISSIONER COHEN: Mr. Chairman, if I may,
20 just for my own clarity, when you say subject to
21 the investigation, ten additional, these are
22 people whose conduct falls in the scope of your
23 investigation about violations of statute or IGC
24 rules?

25 EXECUTIVE DIRECTOR TAIT: Well, I -- I

1 hesitate to answer a cop who knows -- who know
2 these -- knows these terms better than I, but,
3 yes, Commissioner Cohen, we have received
4 information that upwards of ten individuals, you
5 know, who have either past ties to Centaur Gaming
6 or, you know, current ties, you know, have
7 potentially violated the IGC's regulations or the
8 Riverboat Gambling Act, correct.

9 COMMISSIONER COHEN: Thank you.

10 COMMISSIONER FINE: Sara, have there been
11 communications with the trustee-in-waiting? And
12 I guess they obviously have one, yes?

13 EXECUTIVE DIRECTOR TAIT: We have -- staff
14 has not engaged in any discussions to date with
15 the trustee-in-waiting.

16 CHAIRMAN McMANS: Perhaps it's time to do
17 that.

18 COMMISSIONER DUDICH: Yeah, Mr. Chairman, I
19 would echo Commission Member Williams. As I said
20 with the Eldorado and Caesars transaction, these
21 licenses are to the benefit of the State of
22 Indiana, and I think the license holders need to
23 understand that potential violations or direct
24 violations of IGC regulations or state law are
25 very serious to the Commission, and so I would

1 echo the comments that Commission Member Williams
2 stated, that we have some type of action
3 relatively soon, whether that's talking to
4 trustees or having some plan submitted, but to
5 continue to wait after your discussion with
6 Spectacle Entertainment, Sara, I just -- I'm
7 feeling less comfortable at this point, so like I
8 said before, these are licenses that are granted
9 by the State of Indiana for the benefit of the
10 State of Indiana and asking license operators to
11 act accordingly, and so I have some concerns that
12 if this isn't resolved soon, then we need to take
13 some additional action.

14 CHAIRMAN McMAINS: Sara, do you have enough
15 information to believe that Spectacle
16 Entertainment Group has violated our statute or
17 rules?

18 EXECUTIVE DIRECTOR TAIT: Yes.

19 CHAIRMAN McMAINS: Would you say these
20 violations are serious?

21 EXECUTIVE DIRECTOR TAIT: Yeah, they're very
22 serious.

23 CHAIRMAN McMAINS: And there are licensees
24 in that group of over ten that you said that have
25 violated our laws; correct?

1 EXECUTIVE DIRECTOR TAIT: Correct, yes. I
2 think our investigation would show, you know,
3 that current licensees of the Indiana Gaming
4 Commission have engaged in activities that are
5 contrary to our -- our regulations, as well as
6 the Riverboat Gambling Act.

7 CHAIRMAN McMAINS: And some of these people
8 in this group of a number of over ten are
9 non-licensees? Are they shareholders of
10 Spectacle or stakeholders somehow?

11 EXECUTIVE DIRECTOR TAIT: Yeah, there are
12 individuals who are, you know, stakeholders of
13 Spectacle or stakeholders of former Centaur
14 Gaming.

15 CHAIRMAN McMAINS: Well, it seems to me that
16 as regulators of the gaming industry, that we
17 have a solemn duty to the citizens of the state,
18 similar to what Commissioner Dudich mentioned, to
19 maintain a zero tolerance policy against illegal
20 gaming activities.

21 And, accordingly, I believe it's important
22 that we act as soon as possible to prosecute all
23 of the licensees and other persons who have
24 violated our Indiana gaming laws.

25 EXECUTIVE DIRECTOR TAIT: So staff hears you

1 loud and clear, Chairman McMains and the other
2 Commission members, and we -- we hear your
3 directive today and we'll act accordingly.

4 So I, you know, understood Chairman -- or
5 Commissioner Fine to indicate, you know,
6 preliminary discussions with the trustees. It
7 sounded like Commissioners Williams and Dudich,
8 you know, would like to hear from the remaining
9 parties in good standing about plans, you know,
10 to try to cure and remedy this unprecedented set
11 of circumstances, and I also heard from the
12 Chairman that to the extent that IGC staff has
13 findings as a result of our investigation, to --
14 to begin the disciplinary process, so I thank you
15 for -- for the direction, and happy to answer any
16 additional questions.

17 COMMISSIONER FINE: So let me --
18 Commissioner Williams said 60 days, and that's --
19 that's more than generous. And I'm wondering --
20 I mean notwithstanding the holiday season, it
21 seems as though we -- if we don't have a report
22 by a particular -- a plan that we can -- that
23 staff can live with, I would expect we will need
24 to meet more promptly, and by that point in time
25 you will have spoken to the trustee-in-waiting

1 and we are able to proceed.

2 I would hate to see us come back in 60 days
3 and then find out we have no plan and end up
4 having to push this further down the road. I
5 mean, I think every -- literally every week or --
6 you know, week or day that passes, we're just --
7 we're not helping this situation at all.

8 So I don't know if that's a -- we need a
9 firm timeline, something we can promise a date
10 (technical audio glitch) to take more affirmative
11 action.

12 COMMISSIONER WILLIAMS: Mr. Chairman, I, in
13 reflection, think I was overly generous as well,
14 as I'm listening to the concern and getting more
15 and more concerned myself, so I would say maybe
16 within the next 30 days, two weeks to 30 days, we
17 need to have something in our hands that give us
18 some level of comfort that this operator is
19 either going to be with us or going to be gone.

20 CHAIRMAN McMains: Thank you.

21 COMMISSIONER DUDICH: I would concur with
22 Commissioner Williams. You know, I would say,
23 Sara, if you and your team have not received
24 anything within 30 days, that we probably need to
25 take some action as a Commission, if we need to

1 have an emergency meeting to discuss and have
2 follow-up and take action, but I think -- I
3 appreciate, Commissioner Williams, 30 days is
4 probably more than enough time to come up with
5 something to provide to the staff.

6 So I don't know if it's a motion or just a
7 recommendation that, Sara, if you and your team
8 don't hear anything within 30 days, I welcome my
9 other Commission members' thoughts, that we be
10 notified and discuss a potential meeting to take
11 whatever action's needed to remedy the situation.

12 CHAIRMAN McMAINS: I agree with Commissioner
13 Williams. And maybe it's two weeks. My guess is
14 we're going to have a reading, Sara, within a
15 couple weeks or three weeks or maybe it's four
16 weeks, but I agree with the sentiment expressed
17 by Commissioner Dudich, Commissioner Williams and
18 Commissioner Fine that we need to push this on.

19 Do you feel like you need something more
20 definitive than that, Sara?

21 EXECUTIVE DIRECTOR TAIT: No, no, Chairman.
22 You know, I think that's -- that's great
23 direction for staff, so, you know, I will make a
24 mental note for 30 days from now.

25 You know, I anticipate we'll hear something

1 sooner, I'm hopeful for that, but in the event
2 that we're not, we don't have something before
3 staff, you know, before the Christmas season, you
4 know, we will, as Commissioner Dudich said, you
5 know, look to scheduling an additional public
6 meeting, so I will keep you guys all updated and
7 proceed from there.

8 CHAIRMAN McMAINS: Thank you. Any other
9 comments or questions on this matter?

10 Hearing none, Sara, do you want to take us
11 down through Dustin's report next?

12 EXECUTIVE DIRECTOR TAIT: Sure. So, yeah,
13 moving on to matters involving patrons, Dustin, I
14 will go ahead and invite you to present the
15 orders.

16 MR. MOLOY: Good afternoon, Commissioners.
17 Can everyone hear me?

18 CHAIRMAN McMAINS: Yes.

19 MR. MOLOY: Okay. Great. I apologize for
20 the technical difficulties this afternoon. It's
21 been a bit of a hassle, but hopefully we can get
22 through this relatively smoothly.

23 So you have before you Order 2020-88
24 concerning a felony waiver application submitted
25 by Mark Franco.

1 After the application was received, a
2 hearing was conducted and then a Commission
3 attorney prepared findings of fact and a
4 recommendation.

5 Additionally, through the delegation of
6 authority found in Resolution 2020-83, Executive
7 Director Tait issued Mr. Franco an interim felony
8 waiver, allowing him to serve as a Level 2
9 occupational licensee to work as a customer
10 service agent.

11 Approving Order 2020-88 would have the
12 effect of adopting the review officer's findings
13 of fact and recommendation and approve
14 Mr. Franco's felony waiver request.

15 Thank you.

16 CHAIRMAN McMANS: Thank you, Dustin.

17 Any questions or comments for Dustin?

18 Hearing none, Commissioners, what is your
19 pleasure regarding Order 2020-88?

20 COMMISSIONER DUDICH: Mr. Chairman, I would
21 make a motion that we approve Order 2020-88.

22 CHAIRMAN McMANS: Thank you.

23 COMMISSIONER FINE: Second.

24 CHAIRMAN McMANS: Thank you.

25 It's been properly moved and seconded to

1 approve Order 2020-88.

2 Any further discussion on the motion?

3 Hearing none, all Commissioners in favor of
4 the motion, please signify by saying aye.

5 (Chorus of ayes.)

6 Opposed?

7 Motion carries unanimously.

8 MR. MOLOY: Thank you, Mr. Chairman. Moving
9 right along --

10 EXECUTIVE DIRECTOR TAIT: Dustin, if you
11 want -- oh, go ahead.

12 MR. MOLOY: Do you want me to continue?

13 EXECUTIVE DIRECTOR TAIT: Yeah. Yes, sorry.
14 Go ahead, Dustin. Thank you.

15 MR. MOLOY: Sure thing. Moving along here,
16 we have Orders 2020-89 through 2020-93 concerning
17 the petitions for removal from the statewide
18 exclusion list of Herbert McElroy, William
19 Robinson, Lachelle Jones, Frank Cowan and Laveda
20 Dickerson, respectively.

21 Each of these individuals was present for a
22 telephonic hearing with the Commission attorney,
23 where the burden was placed on each petitioner to
24 prove by clear and convincing evidence that he or
25 she should be removed from the statewide

1 exclusion list.

2 A Commission attorney then prepared findings
3 of fact and recommendations for each petition,
4 where he concluded that each of the petitioners
5 had met their burden and should be removed from
6 the exclusion list.

7 Adopting these findings and conclusions
8 would have the effect of granting each of the
9 aforementioned petitions to removal from the
10 statewide exclusion list.

11 Thank you.

12 CHAIRMAN McMAINS: Thank you, Dustin.

13 Any questions for Dustin?

14 Hearing none, what is your pleasure,
15 Commissioners?

16 COMMISSIONER FINE: I'll move to approve.

17 CHAIRMAN McMAINS: Thank you, Commissioner
18 Fine.

19 It's been properly moved to approve
20 Orders 2020-89 through 2020-93.

21 Is there a second?

22 COMMISSIONER COHEN: I'll second.

23 CHAIRMAN McMAINS: Thank you. It's been
24 seconded.

25 Any discussion on the motion?

1 Hearing none, all in favor of the motion,
2 please signify by saying aye.

3 (Chorus of ayes.)

4 Opposed?

5 Motion carries unanimously.

6 MR. MOLOY: Thank you, Mr. Chairman.

7 EXECUTIVE DIRECTOR TAIT: So, Dustin, if you
8 want to go on to license renewals. So go ahead.
9 Sorry.

10 MR. MOLOY: Thank you, Sara.

11 Commissioners, you have before you
12 Orders 2020-94 through 2020-104 concerning the
13 renewals of suppliers NYX Digital, Gaming
14 Partners International USA, Inc., SportRadar
15 Solutions, Everi Games, Inc., GLP Capital, LP,
16 Surveillance Systems Integration, Inc., GAN (UK)
17 Limited, SBTech Malta Limited, United Tote
18 Company, Aristocrat Technologies, Inc., and
19 American Gaming Systems, LLC.

20 As well as casinos Blue Chip, Rising Star,
21 Belterra, Caesars Southern, Tropicana, and
22 Hollywood.

23 As well as Paid Fantasy Sports Operators
24 SportsHub Technologies, LLC, and Yahoo Fantasy
25 Sports, LLC.

1 As well as Sports Wagering Vendors BetFair
2 Interactive US d/b/a FanDuel with the Blue Chip
3 affiliate, and then BetFair Interactive US d/b/a
4 FanDuel with the Belterra affiliate, American
5 Wagering d/b/a William Hill Sports Book, and
6 Crown Indiana Gaming d/b/a DraftKings.

7 As well as the Sports Wagering Certificate
8 of Authorities for Ameristar, Belterra, Blue
9 Chip, French Lick, Hollywood, Hoosier Park,
10 Horseshoe Hammond, Caesars Southern Indiana,
11 Indiana Grand, Tropicana, Winner's Circle -
12 Clarksville, Winner's Circle - Indianapolis, and
13 Winner's Circle - New Haven.

14 Each of the aforementioned licensees has
15 submitted a timely request for renewal, along
16 with the required payment.

17 Approving Orders 2020-94 through 2020-104
18 would have the effect of renewing the license of
19 each of the respective licensees for a period of
20 one year.

21 Thank you.

22 CHAIRMAN McMANS: Thank you, Dustin.

23 Commissioners, any questions for Dustin
24 regarding Orders 94 through 104?

25 Hearing none, what is your pleasure?

1 COMMISSIONER DUDICH: Mr. Chairman, I'll
2 make a motion to approve the Orders 2020-94
3 through 2020-104 as presented.

4 COMMISSIONER FINE: I'll second.

5 CHAIRMAN McMANS: Thank you, Commissioners.
6 It's been properly moved and seconded to
7 approve Orders 2020-94 through 2020-104.

8 Any discussion on the motion?

9 Hearing none, all in favor of the motion,
10 please signify by saying aye.

11 (Chorus of ayes.)

12 Opposed?

13 Motion carries unanimously. Thank you.

14 MR. MOLOY: Thank you, Mr. Chairman.

15 EXECUTIVE DIRECTOR TAIT: So before we move
16 on, I do want to remind everybody if you are not
17 speaking, to please hit the mute button, so a
18 little technical announcement.

19 So moving on will be Garth Brown. I'd like
20 to ask you to present issues related to permanent
21 licenses.

22 MR. BROWN: Sure. Thank you, Executive
23 Director Tait.

24 Good afternoon, Commissioners and executive
25 staff. You have before you Orders 2020-105

1 through 2020-106 which would approve permanent
2 supplier licenses for SBTech and United Tote
3 respectively.

4 You also have before you Orders 2020-107
5 through 110 which would approve the permanent
6 Sports Wagering Vendor's License for Churchill
7 Downs Interactive, Order 107; DraftKings, Order
8 108; and FanDuel, Orders 109 and 110. FanDuel
9 has two due to the number of contracts they have
10 with certificate holders at Blue Chip and
11 Belterra.

12 Last, but not least, you have
13 Orders 2020-111 through 113. Those are approving
14 the Sports Wagering Service Provider's licenses
15 for Aristotle, SWIMA and Swish Analytics,
16 respectively.

17 All of the applicants have submitted the
18 required applications and received a temporary
19 license issued by the IGC. Commission staff
20 conducted background and financial investigations
21 on each of the applicants, along with their
22 substantial owners and key persons. Commission
23 staff found no derogatory information that would
24 affect the suitability of any of the applicants.
25 Staff's final reports are included in the

1 confidential Commission meeting documents that
2 have been provided to you.

3 Approving Orders 2020-105 through 113 will
4 grant a permanent license for each of the
5 previously mentioned applicants, each subject to
6 yearly renewals.

7 I'm happy to answer any questions you may
8 have.

9 CHAIRMAN McMANS: Thank you, Mr. Brown.
10 Any questions or comments for Mr. Brown?
11 Hearing none, what is your pleasure,
12 Commissioners?

13 COMMISSIONER COHEN: Mr. Chairman, I'll move
14 to accept Orders 2020-107 through 2020-113.

15 CHAIRMAN McMANS: Thank you.
16 Is there a second?

17 COMMISSIONER FINE: I'll second.

18 CHAIRMAN McMANS: It's been properly moved
19 and seconded to approve Orders 2020-105 through
20 2020-113; is that correct? Did I recite that
21 properly?

22 Any discussion on the motion?

23 Hearing none, all in favor of the motion,
24 please signify by saying aye.

25 (Chorus of ayes.)

1 Opposed?

2 Motion carries unanimously. Thank you.

3 EXECUTIVE DIRECTOR TAIT: Thank you. So
4 next up we will be discussing disciplinary
5 actions, so Angie Bunton, if you could present to
6 the Commission.

7 MS. BUNTON: Good afternoon, Commissioners
8 and executive staff. You have before you
9 fourteen settlement agreements concerning
10 disciplinary actions against licensed suppliers,
11 twelve settlement agreements concerning
12 disciplinary actions against casinos, one
13 disciplinary action against -- against corporate,
14 and nine settlement agreements concerning
15 disciplinary actions against sports wagering
16 operators.

17 Order 2020-114 is a settlement agreement
18 with American Gaming Systems totaling \$1,000.

19 Order 2020-115 is a settlement agreement
20 with Aristocrat Technologies totaling \$1,500.

21 Order 2020-116 is a settlement agreement
22 with Cummins-Allison totaling \$7,500.

23 Order 2020-117 is a settlement agreement
24 with Everi Payments, including two counts,
25 totaling \$4,500.

1 Order 2020-118 is a settlement agreement
2 with GAN totaling \$6,000.

3 Order 2020-119 is a settlement agreement
4 with Global Surveillance Associates totaling
5 \$1,000.

6 Order 2020-120 is a settlement agreement
7 with IGT, including three counts, totaling
8 \$11,000.

9 Order 2020-121 is a settlement agreement
10 with Kambi, including two counts, totaling
11 \$5,500.

12 Order 2020-122 is a settlement agreement
13 with NYX Digital, including three counts,
14 totaling \$8,000.

15 Order 2020-123 is a settlement agreement
16 with SBTech totaling \$7,500.

17 Order 2020-124 is a settlement agreement
18 with Scientific Games totaling \$1,500.

19 Order 2020-125 is a settlement agreement
20 with SportRadar Solutions totaling \$2,000.

21 Order 2020-126 is a settlement agreement
22 with Surveillance Systems Integration totaling
23 \$4,500.

24 Order 2020-127 is a settlement agreement
25 with U.S. Playing Card totaling \$3,000.

1 Order 2020-128 is a settlement agreement
2 with Ameristar, including three counts, totaling
3 \$4,000.

4 Order 2020-129 is a settlement agreement
5 with Belterra, including six counts, totaling
6 \$6,000.

7 Order 2020-130 is a settlement agreement
8 with Blue Chip, including ten counts, totaling
9 \$45,000.

10 Order 2020-131 is a settlement agreement
11 with French Lick, including six counts, totaling
12 \$15,500.

13 Order 2020-132 is a settlement agreement
14 with Hollywood Casino, including six counts,
15 totaling \$22,000.

16 Order 2020-133 is a settlement agreement
17 with Harrah's Hoosier Park, including eight
18 counts, totaling \$29,000.

19 Order 2020-134 is a settlement agreement
20 with Horseshoe Hammond, including eight counts,
21 totaling \$25,450.

22 Order 2020-135 is a settlement agreement
23 with Caesars Southern Indiana, including nine
24 counts, totaling \$48,000.

25 Order 2020-136 is a settlement agreement

1 with Indiana Grand, including nine counts,
2 totaling \$60,000.

3 Order 2020-137 is a settlement agreement
4 with Majestic Star, including four counts,
5 totaling \$15,500.

6 Order 2020-138 is a settlement agreement
7 with Rising Star, including four counts, totaling
8 \$10,500.

9 Order 2020-139 is a settlement agreement
10 with Tropicana, including six counts, totaling
11 \$18,000.

12 Order 2020-140 is a settlement agreement
13 with Caesars Corporate totaling \$5,000.

14 Order 2020-141 is a settlement agreement
15 with Churchill Downs Interactive Gaming totaling
16 \$500.

17 Order 2020-142 is a settlement agreement
18 with DraftKings, including three counts, totaling
19 \$11,500.

20 Order 2020-143 is a settlement agreement
21 with FanDuel, including two counts, totaling
22 \$4,000.

23 Order 2020-144 is a settlement agreement
24 with Roar Digital, including two counts, totaling
25 \$13,000.

1 Order 2020-145 is a settlement agreement
2 with Rush Street, including two counts, totaling
3 \$6,500.

4 Order 2020-146 is a settlement agreement
5 with William Hill, including three counts,
6 totaling \$12,000.

7 Order 2020-147 is a settlement agreement
8 with the off-track betting facility Winner's
9 Circle - Clarksville, including two counts,
10 totaling \$3,500.

11 Order 2020-148 is a settlement agreement
12 with the off-track betting facility Winner's
13 Circle - Indianapolis, including two counts,
14 totaling \$1,500.

15 Order 2020-149 is a settlement agreement
16 with off-track betting facility Winner's Circle -
17 New Haven totaling \$500.

18 Relevant details for each settlement
19 agreement have been provided in your meeting
20 materials. Details on the settlement agreements
21 will also be available on the Commission's
22 website following the meeting.

23 Mr. Chair, this concludes my presentation.

24 CHAIRMAN McMANS: Thank you, Ms. Bunton.

25 Any questions for Ms. Bunton?

1 Hearing none, what is your pleasure,
2 Commissioners?

3 COMMISSIONER DUDICH: Mr. Chairman, I make a
4 motion that we approve Orders 2020-114 through
5 2020-149 as presented.

6 COMMISSIONER FINE: I'll second the motion.

7 CHAIRMAN McMANS: Thank you, Commissioner
8 Fine.

9 It's been properly moved and seconded to
10 approve Orders 114 through 2020-149.

11 Any further discussion on those motions?

12 Hearing none, all in favor please signify by
13 saying aye.

14 (Chorus of ayes.)

15 Opposed?

16 Motion carries unanimously.

17 EXECUTIVE DIRECTOR TAIT: Okay. Moving on
18 to matters related to occupational licensees.
19 Dustin, if you'd like to address the Commission
20 again, please.

21 MR. MOLOY: Yes. Thank you. Just to
22 confirm that you can hear me again?

23 CHAIRMAN McMANS: Yes.

24 EXECUTIVE DIRECTOR TAIT: Yes, we can.

25 MR. MOLOY: Wonderful. Thank you.

1 Commissioners, you have before you
2 Orders 2020-150 through 2020-159. These concern
3 settlement agreements reached between Commission
4 staff and occupational licensees where the
5 licensee agreed to an unpaid voluntary
6 relinquishment of his or her license in lieu of
7 further disciplinary action.

8 Approving these orders would have the effect
9 of ratifying the settlement agreements entered
10 into by the parties.

11 Detailed information regarding
12 Orders 2020-150 through 2020-159 are contained in
13 the confidential materials provided to the
14 Commission.

15 I'd be happy to answer any questions.

16 Thank you.

17 CHAIRMAN McMANS: Thank you, Mr. Moloy.

18 Commissioners, any questions for Dustin?

19 Hearing none, Commissioners, what's your
20 pleasure?

21 COMMISSIONER COHEN: Mr. Chairman, I move
22 that we approve Orders 2020-150 through 2020-159
23 as presented.

24 CHAIRMAN McMANS: Thank you.

25 The Chair seconds the motion.

1 Any discussion on the motion?

2 COMMISSIONER DUDICH: Sorry, sorry,

3 Mr. Chair.

4 CHAIRMAN McMAINS: That's okay.

5 Any discussion on the motion?

6 Hearing none, all in favor of the motion,
7 please signify by saying aye.

8 (Chorus of ayes.)

9 Opposed?

10 Motion carries unanimously.

11 MR. MOLOY: Thank you.

12 EXECUTIVE DIRECTOR TAIT: Great. And,
13 Dustin, you can go ahead and continue on to
14 resolutions concerning rules.

15 MR. MOLOY: Thank you.

16 Commissioners, you have before you
17 Resolutions 2020-160 through 2020-162.

18 Resolution 2020-160 concerns the readoption
19 of the Commission's charity gaming emergency rule
20 which will expire on December 22, 2020. Thus, in
21 order to avoid a gap in rule coverage, readoption
22 of the emergency rule is necessary, along with a
23 90-day extension which would allow the readopted
24 rule to run until mid June 2021.

25 No substantive changes have been made to the

1 emergency rule that was previously approved at
2 the May 2020 meeting. And the formal rulemaking
3 process is in progress.

4 Resolution 2020-161 concerns the readoption
5 of the Commission's sports wagering emergency
6 rule which will expire on February 14, 2021.
7 Similarly, in order to avoid a gap in rule
8 coverage, readoption of the emergency rule is
9 necessary, again with a 90-day extension, which
10 would allow the readopted rule to run until
11 August 13, 2021.

12 No changes have been made from the rules
13 that were approved at the last Commission meeting
14 that they were considered. And like the charity
15 gaming rule, the formal rulemaking process is in
16 progress.

17 And, finally, Resolution 2020-162 concerns
18 the readoption of administrative rules that are
19 set to expire. Commission staff began the
20 readoption process by filing a notice of intent
21 to readopt with the Legislative Services Agency.
22 No objection to the abbreviated rule adoption
23 process was filed. Accordingly, Resolution
24 2020-162, if approved, will adopt the sections
25 identified in the notice of intent without any

1 changes or edits. The readopted final rule will
2 then be filed with the Indiana Register and it
3 will be effective 30 days after it is filed.

4 If there's any questions regarding these
5 resolutions, I'd be happy to answer them.

6 Thank you.

7 CHAIRMAN McMANS: Thank you.

8 Any questions for Mr. Moloy regarding these
9 proposed resolutions?

10 Hearing none, Commissioners, what is your
11 pleasure?

12 COMMISSIONER DUDICH: Mr. Chairman, I would
13 make a motion that we approve Orders 2020-160 --
14 sorry, 160 through 162 as presented.

15 CHAIRMAN McMANS: Thank you.

16 Is there a second?

17 COMMISSIONER COHEN: I'll second.

18 CHAIRMAN McMANS: It's been properly moved
19 and seconded to approve Resolutions 2020-160
20 through 2020-162.

21 Any further discussion on the motion?

22 Hearing none, all in favor of the motion,
23 please signify by saying aye.

24 (Chorus of ayes.)

25 Opposed?

1 Motion carries unanimously.

2 MR. MOLOY: Thank you.

3 EXECUTIVE DIRECTOR TAIT: Dustin, go ahead,
4 you are up again with supplier transfers.

5 MR. MOLOY: Commissioners, you have before
6 you Orders 2020-163 through 2020-164 concerning
7 supplier transfer of ownership requests.

8 Order 2020-163 involves an ownership
9 transfer between Indiana licensee GeoComply
10 Solutions, Inc., and its sister company GeoComply
11 Global, Inc. The transfer was approved through
12 Emergency Order 2020-SL-05 by the Executive
13 Director in accordance with Resolution 2012-151.
14 This interim approval and emergency order must be
15 presented to the full Commission for final
16 action.

17 Approval of Order 2020-163 would have the
18 effect of ratifying the interim approval and
19 emergency order.

20 Additional details regarding this transfer
21 were included in your confidential materials.

22 I'd be happy to answer any questions
23 regarding this order.

24 CHAIRMAN McMANS: Thank you.

25 Any questions for Dustin?

1 Hearing none, what is your pleasure?

2 COMMISSIONER COHEN: Mr. Chairman, I'd move
3 that we approve Orders 2020-163 and 2020-164.

4 CHAIRMAN McMAINS: Thank you, sir.

5 Is there a second?

6 COMMISSIONER DUDICH: I'll second,
7 Mr. Chairman.

8 CHAIRMAN McMAINS: Thank you, sir.

9 It's been properly moved and seconded to
10 approve Orders 2020-163 and 2020-164.

11 Any discussion on the motion?

12 Hearing none, all those in favor of the
13 motion, please signify by saying aye.

14 (Chorus of ayes.)

15 Opposed?

16 Motion carries unanimously.

17 MR. MOLOY: Mr. Chairman, if I may, I
18 presented the orders in turn there, so if you
19 would like, I can go ahead and present
20 Order 2020-164.

21 EXECUTIVE DIRECTOR TAIT: Yeah, please do,
22 Dustin. Sorry.

23 CHAIRMAN McMAINS: We've already approved
24 it, so. My bad. Sorry about that.

25 EXECUTIVE DIRECTOR TAIT: Okay, go ahead,

1 Dustin.

2 MR. MOLOY: I apologize for that. Typically
3 I do present them in order, but I'll go ahead and
4 present 2020-164.

5 Mr. Chairman, Order 2020-164 involves an
6 ownership transfer request between Indiana
7 licensee Gaming Partners International and Angel
8 Holdings. After receiving the transfer
9 application, the Commission completed a
10 background and financial investigation of Angel
11 Holdings, finding that Angel Holdings was
12 substantially compliant with Indiana statutes and
13 regulations and also found no derogatory
14 information that would affect Angel Holdings'
15 suitability for holding the interest in Gaming
16 Partners International.

17 Approving Order 2020-164 would have the
18 effect of approving the ownership transfer of
19 Gaming Partners International to Angel Holdings.

20 Thank you.

21 CHAIRMAN McMANS: Thank you.

22 For purposes of clarifying the record, I
23 would entertain a motion to approve Orders
24 2020-163 and 2020-164.

25 COMMISSIONER COHEN: Mr. Chairman, I'll make

1 such motion to approve Orders 2020-163 and
2 2020-164.

3 CHAIRMAN McMAINS: Thank you.

4 COMMISSIONER DUDICH: Second, Mr. Chairman.

5 CHAIRMAN McMAINS: It's been properly moved
6 and seconded to approve Orders 2020-163 and
7 2020-164.

8 Any discussion on the motion?

9 Hearing none, all in favor of the motion,
10 please signify by saying aye.

11 (Chorus of ayes.)

12 Opposed?

13 Motion carries unanimously.

14 MR. MOLOY: Thank you.

15 EXECUTIVE DIRECTOR TAIT: Okay. Your last
16 one, Caesars financing order.

17 MR. MOLOY: Yes, thank you.

18 Commissioners, you have before you
19 Order 2020-165 which concerns a request from
20 Caesars Entertainment, Inc., for approval of a
21 proposed financing transaction which was received
22 on September 28, 2020.

23 In addition to seeking permission to act on
24 the proposed financial transaction, Caesars
25 requested a waiver of 68 IAC's so-called two

1 meeting requirement in accordance with the
2 Commission's authority pursuant to Resolution
3 2017-109.

4 The confidential details of the proposed
5 financial transaction, as well as Commission
6 staff's analysis, were provided to the
7 Commissioners in their confidential materials.

8 In accordance with the procedures identified
9 in Resolution 2017-109, Caesars received interim
10 approval on October 2, 2020. The interim
11 approval issued to Caesars continued -- contained
12 the following conditions which are also contained
13 in the draft order before you.

14 First, the terms articulated in the final
15 financing documentation do not materially differ
16 from the terms that Caesars has presented in
17 writing for approval.

18 Second, the terms in the final documentation
19 do not violate IC 4-33 or IC 4-35.

20 Third, Caesars must provide the Commission
21 with a legal opinion demonstrating compliance
22 with IC 4-33 and 4-35.

23 And, finally, Caesars must close on the
24 proposed financing before April 30, 2022.

25 Resolution 2017-109 requires the interim

1 approval be reported to the Commission for
2 consideration and final ratification or other
3 direction.

4 This concludes my presentation. Thank you.

5 CHAIRMAN McMAINS: Thank you.

6 Commissioners, any questions for Dustin
7 regarding proposed Order 2020-165?

8 Hearing none, what is your pleasure?

9 COMMISSIONER DUDICH: Mr. Chairman, I make a
10 motion that we approve Order 2020-165 as written.

11 CHAIRMAN McMAINS: Thank you.

12 COMMISSIONER WILLIAMS: Second.

13 CHAIRMAN McMAINS: Thank you.

14 It's been properly moved and seconded to
15 approve Order 2020-165.

16 Is there any discussion on the motion?

17 Hearing none, all in favor of the motion,
18 please signify by saying aye.

19 (Chorus of ayes.)

20 Opposed?

21 The motion carries unanimously.

22 MR. MOLOY: Thank you.

23 EXECUTIVE DIRECTOR TAIT: Thank you, Dustin.

24 So next up we will move to Greg Small, who
25 will be presenting the order concerning the

1 Tropicana Local Development Agreement.

2 MR. SMALL: Thank you. Thank you,
3 Commissioners. Good afternoon.

4 Commissioners, before you for approval is
5 Resolution 2020-166 concerning the Local
6 Development Agreement, in the form of a lease,
7 between casino owner's licensee Aztar Indiana
8 Gaming Company, LLC, d/b/a Tropicana Evansville,
9 the City of Evansville, acting through its
10 Redevelopment Commission, GLP Capital, L.P., and
11 Gaming and Leisure Properties, Inc.

12 The Commission has continuing jurisdiction
13 over local development agreements executed by
14 casino owner's licensees pursuant to Indiana Code
15 4-33-23-7, and the Commission has authority to
16 act concerning modifications to those agreements.

17 On November 16, 2020, the parties submitted
18 a request pursuant to Indiana Code 4-33-23-14 to
19 modify and amend the lease, along with a proposed
20 draft of the amended lease. The reason for the
21 modification is to prepare for Caesars'
22 divestiture of the Tropicana Evansville Casino
23 property pursuant to Commission Order 2020-87.

24 The request to modify the lease has been
25 consented to by all parties. And the parties are

1 available should the Commissioners have
2 additional questions.

3 The proposed amended lease is conditioned
4 upon the Commission's approval and must be
5 executed by all parties within 30 days of
6 approval.

7 Thank you, Commissioners. And I'm happy to
8 answer any questions you may have.

9 CHAIRMAN McMAINS: Thank you, Counselor.
10 Any questions for Mr. Small?

11 Hearing none, Commissioners, what is your
12 pleasure concerning proposed Order 2020-166?

13 COMMISSIONER WILLIAMS: Mr. Chairman, I move
14 to approve 2020-166.

15 CHAIRMAN McMAINS: Thank you, Commissioner
16 Williams.

17 Is there a second?

18 COMMISSIONER DUDICH: I'll second,
19 Mr. Chairman.

20 CHAIRMAN McMAINS: Thank you, sir.

21 It's been properly moved and seconded to
22 approve Order 2020-166.

23 Any discussion on the motion?

24 Hearing none, what is your pleasure?

25 All in favor of the motion, please signify

1 by saying aye.

2 (Chorus of ayes.)

3 Opposed?

4 The motion carries unanimously. Thank you.

5 EXECUTIVE DIRECTOR TAIT: Okay.

6 Mr. Chairman, so for our last order before the
7 Commission, it revolves around Caesars'
8 divestiture of owner's license.

9 So at the July meeting, the Commission
10 required the divestiture of three properties.
11 IGC staff has received frequent detailed updates
12 regarding the divestiture process utilized by
13 Caesars to comply with your order. Caesars
14 announced the sale of Tropicana Evansville on
15 October 27th and is in exclusive negotiations to
16 sell Caesars Southern Indiana, which is expected
17 to be sold by December 31st. All material
18 economic terms are agreed and documentation is in
19 a very advanced stage at this time.

20 The Hammond property, however, presents
21 unique challenges; most significantly,
22 uncertainty regarding the Chicago market, and, in
23 addition, the industry is impacted by general
24 uncertainties associated with the ongoing
25 COVID-19 pandemic.

1 IGC staff therefore recommends that the
2 Commissioners extend the divestiture deadline for
3 the Hammond property only to December 31st of
4 2021, so one additional year. We believe
5 granting this relief is in the best interests of
6 the state and local community and will not be
7 negatively impacted -- will not negatively impact
8 operations at the property.

9 As I indicated earlier, Mr. Tom Reeg, the
10 CEO of Caesars, is available if you have any
11 questions. And, in addition, I'll kick it to
12 Greg to walk through the specifics of the order.

13 MR. SMALL: Thank you. Thank you,
14 Commissioners.

15 Commissioners, before you for approval is
16 Order 2020-167, which amends in part Commission
17 Order 2020-87. Specifically, the amendment
18 extends the time for Caesars to divest the third
19 Indiana license.

20 This order does not amend or alter any other
21 term or condition contained in Commission
22 Order 2020-87.

23 Caesars has requested additional time to
24 enter into a definitive agreement for divestiture
25 of the third property.

1 The Commission is asked to take action to
2 approve the establishment of that deadline for
3 the third divestiture. Executive Director Tait
4 suggested a deadline of December 31, 2021, and
5 that's what you're asked to consider in this
6 order.

7 Thank you very much. If you have any
8 questions, I'm happy to answer them.

9 CHAIRMAN McMAINS: Thank you.

10 Commissioners, any questions for Executive
11 Director Tait or Counselor Small?

12 COMMISSIONER WILLIAMS: Mr. Chairman, I'm
13 interested to know what assurances we have that
14 the property is going to be operated to the high
15 standards that we expect.

16 CHAIRMAN McMAINS: Over this next year,
17 Commissioner Williams?

18 COMMISSIONER WILLIAMS: In the interim, yes.

19 EXECUTIVE DIRECTOR TAIT: Go ahead, Tom.

20 MR. REEG: Yeah, this is Tom Reeg, the CEO
21 of Caesars Entertainment.

22 We -- we have not made any material changes
23 to any of the assets that are up for sale that
24 are inconsistent with how we run any of the other
25 assets in our portfolio. You have, you know, my

1 personal commitment that that will not change
2 with any of the three, and certainly Hammond,
3 should the order be extended.

4 We have been working diligently with -- with
5 Sara's -- Sara and her staff on the sales, have
6 been in contact with Sara I'm sure far more than
7 Sara would like to speak with me, but it's been
8 quite -- quite nearly constant over the last
9 three or four months.

10 We think that this is the best thing -- the
11 best outcome for the state and for us and for the
12 ultimate buyer. And we understand that each of
13 these licenses is a privilege and we take that
14 solemnly and will operate Horseshoe Hammond in
15 the manner that you have been accustomed since it
16 originally opened as a first-class operation,
17 consistent with any other in our portfolio.

18 CHAIRMAN McMAINS: Thank you, sir.

19 Commissioners, any further questions or
20 comments?

21 Hearing none, what is your pleasure
22 regarding proposed Order 2020-167?

23 COMMISSIONER WILLIAMS: Mr. Chairman, I move
24 that we approve Order 2020-167.

25 CHAIRMAN McMAINS: Thank you, Commissioner

1 Williams.

2 Is there a second?

3 COMMISSIONER COHEN: I'll second.

4 CHAIRMAN McMAINS: Thank you, sir. Seconded
5 by Commissioner Cohen.

6 It's been properly moved and seconded to
7 approve Order 2020-167.

8 Any further discussion on the motion?

9 COMMISSIONER DUDICH: Mr. Chairman, I just
10 want to thank Sara and her team for the continued
11 work on this. It was a heavy lift, and I know
12 that not everything is lining up, so I would like
13 to personally thank Sara and her team and Greg
14 and others on their work on this. I look forward
15 to updated reports on the progress of the
16 divestiture of the property, so thank you, IGC
17 team.

18 CHAIRMAN McMAINS: Any further discussion or
19 comments?

20 All in favor of the motion, please signify
21 by saying aye.

22 (Chorus of ayes.)

23 Opposed?

24 The motion carries unanimously.

25 I'd like to take a moment and welcome

1 Commissioner Cohen. Sir, thank you for joining
2 our group and our Commission and in service to
3 the State of Indiana. It's a pleasure to have
4 you.

5 COMMISSIONER COHEN: Thank you,
6 Mr. Chairman. I appreciate that.

7 CHAIRMAN McMAINS: Our next meeting will be
8 announced at a later time.

9 The last item on our agenda today is a
10 motion to adjourn. Might there be a motion to
11 adjourn? Raise your hand if you want to make a
12 motion.

13 I've got a first, second and third and
14 fourth, I think, motion to adjourn.

15 All in favor of the motion, please signify
16 by saying aye.

17 (Chorus of ayes.)

18 Thank you, folks. We're adjourned.

19 (At 3:31 p.m., November 23, 2020, this
20 meeting of the Indiana Gaming Commission was
21 adjourned.)
22
23
24
25

1 STATE OF INDIANA)
2 COUNTY OF MARION) SS:

3
4 I, Dianne D. Lockhart, a Notary Public and
5 Stenographic Reporter within and for the County of
6 Marion, State of Indiana at large, do hereby certify
7 that the Indiana Gaming Commission Business Meeting
8 held on November 23, 2020, commencing at 2:24 p.m.
9 virtually over Microsoft Teams in Indianapolis,
10 Indiana, was taken down in stenograph notes and
11 afterwards reduced to typewriting under my direction,
12 and that the typewritten transcript is a true record
13 of the proceedings had.

14 IN WITNESS WHEREOF, I have hereunto set my hand
15 and affixed my notarial seal this _____ day of
16 December, 2020.

17
18 _____
19 N O T A R Y P U B L I C

20 My Commission Expires:
21 June 4, 2023

22 County of Residence:
23 Marion County

24
25

	15:17	advanced (1)	43:23;44:10	5:9,13;28:13,21;
	able (1)	54:19	allowing (1)	29:1;30:16,19;33:2,
	25:1	affect (2)	28:8	7;34:1,5;35:19;41:4,
	accept (1)	34:24;48:14	along (7)	10;42:22;45:13,19;
	35:14	affidavit (1)	20:6;29:9,15;	47:3,10;48:23;49:1,
\$1,000 (2)	accordance (3)	10:13	32:15;34:21;43:22;	6;51:10,15;53:14,22;
36:18;37:5	46:13;50:1,8	affiliate (2)	52:19	56:2;57:24;58:7
\$1,500 (3)	accordingly (4)	32:3,4	alter (1)	approved (5)
36:20;37:18;40:14	22:11;23:21;24:3;	affirmative (1)	55:20	44:1,13,24;46:11;
\$10,500 (1)	44:23	25:10	amend (2)	47:23
39:8	accounting (1)	affixed (1)	52:19;55:20	Approving (7)
\$11,000 (1)	16:10	60:15	amended (3)	28:11;32:17;34:13;
37:8	accustomed (1)	aforementioned (2)	13:11;52:20;53:3	35:3;42:8;48:17,18
\$11,500 (1)	57:15	30:9;32:14	amendment (1)	approximately (1)
39:19	Act (9)	afternoon (5)	55:17	15:8
\$12,000 (1)	13:22;16:11;21:8;	27:16,20;33:24;	amends (1)	April (2)
40:6	22:11;23:6,22;24:3;	36:7;52:3	55:16	13:8;50:24
\$13,000 (1)	49:23;52:16	afterwards (1)	American (3)	Aristocrat (2)
39:25	acted (1)	60:11	31:19;32:4;36:18	31:18;36:20
\$15,500 (2)	14:18	again (5)	Ameristar (4)	Aristotle (1)
38:12;39:5	acting (1)	10:5;41:20,22;	8:18;9:1;32:8;38:2	34:15
\$18,000 (1)	52:9	44:9;46:4	analysis (1)	around (1)
39:11	action (9)	against (6)	50:6	54:7
\$2,000 (1)	22:2,13;25:11,25;	23:19;36:10,12,13,	analyst (1)	arrested (1)
37:20	26:2;36:13;42:7;	13,15	7:4	14:11
\$22,000 (1)	46:16;56:1	Agency (1)	Analytics (1)	articulated (1)
38:15	actions (6)	44:21	34:15	50:14
\$25,450 (1)	12:19;16:12;36:5,	agency's (1)	and/or (1)	Ashley (2)
38:21	10,12,15	13:25	15:15	7:2,11
\$29,000 (1)	action's (1)	agenda (1)	Angel (5)	assets (2)
38:18	26:11	59:9	48:7,10,11,14,19	56:23,25
\$3,000 (1)	activities (3)	agent (2)	Angie (1)	assistant (3)
37:25	16:17;23:4,20	14:24;28:10	36:5	7:3,14,19
\$3,500 (1)	actual (1)	ago (1)	announce (1)	associated (1)
40:10	15:3	19:1	7:12	54:24
\$4,000 (2)	added (1)	agree (2)	announced (2)	Associates (1)
38:3;39:22	7:24	26:12,16	54:14;59:8	37:4
\$4,500 (2)	addition (8)	agreed (2)	announcement (1)	assurances (1)
36:25;37:23	7:12,24;10:17;	42:5;54:18	33:18	56:13
\$45,000 (1)	12:13;19:6;49:23;	agreement (40)	anticipate (1)	Atlantic (1)
38:9	54:23;55:11	36:17,19,21,23;	26:25	9:5
\$48,000 (1)	Additional (10)	37:1,3,6,9,12,15,17,	apologize (4)	attested (1)
38:24	7:25;17:18;20:21;	19,21,24;38:1,4,7,10,	4:3,3;27:19;48:2	10:23
\$5,000 (1)	22:13;24:16;27:5;	13,16,19,22,25;39:3,	appeared (1)	attorney (4)
39:13	46:20;53:2;55:4,23	6,9,12,14,17,20,23;	13:1	14:25;28:3;29:22;
\$5,500 (1)	Additionally (1)	40:1,4,7,11,15,19;	applicant (1)	30:2
37:11	28:5	52:1,6;55:24	13:10	audio (6)
\$500 (2)	address (2)	agreements (9)	applicants (4)	17:22;18:2,7,22;
39:16;40:17	8:14;41:19	16:4;36:9,11,14;	34:17,21,24;35:5	19:8;25:10
\$6,000 (2)	adjourn (3)	40:20;42:3,9;52:13,	application (4)	audit (1)
37:2;38:6	59:10,11,14	16	13:12;27:24;28:1;	14:22
\$6,500 (1)	adjourned (2)	ahead (13)	48:9	August (2)
40:3	59:18,21	17:7,12,14;27:14;	applications (1)	9:24;44:11
\$60,000 (1)	administration (1)	29:11,14;31:8;43:13;	34:18	Authorities (1)
39:2	10:10	46:3;47:19,25;48:3;	appointed (1)	32:8
\$7,500 (2)	administrative (1)	56:19	9:1	authority (3)
36:22;37:16	44:18	allegations (2)	appreciate (2)	28:6;50:2;52:15
\$8,000 (1)	adopt (1)	14:12;18:9	26:3;59:6	Auxiliary (1)
37:14	44:24	alleged (1)	approval (12)	6:8
	adopting (2)	13:21	46:14,17,18;49:20;	available (3)
	28:12;30:7	allegedly (1)	50:10,11,17;51:1;	40:21;53:1;55:10
abbreviated (1)	adoption (1)	14:18	52:4;53:4,6;55:15	avoid (2)
44:22	44:22	allow (2)	approve (29)	43:21;44:7
ability (1)				

<p>aware (3) 12:24;13:9;17:21</p> <p>aye (15) 5:18;11:22;29:4; 31:2;33:10;35:24; 41:13;43:7;45:23; 47:13;49:10;51:18; 54:1;58:21;59:16</p> <p>eyes (15) 5:19;11:23;29:5; 31:3;33:11;35:25; 41:14;43:8;45:24; 47:14;49:11;51:19; 54:2;58:22;59:17</p> <p>Aztar (1) 52:7</p>	<p>Book (1) 32:5</p> <p>both (5) 9:21;10:3;13:18; 14:21;15:2</p> <p>briefly (1) 12:22</p> <p>brings (1) 6:16</p> <p>Brock (2) 7:13,20</p> <p>Brown (5) 8:8;33:19,22;35:9, 10</p> <p>BS (2) 7:8,9</p> <p>Bunton (4) 36:5,7;40:24,25</p> <p>burden (2) 29:23;30:5</p> <p>business (7) 7:6,23;8:12;11:2,4; 13:4;60:7</p> <p>button (1) 33:17</p> <p>buyer (1) 57:12</p>	<p>casino (7) 7:22;13:5;14:16; 38:14;52:7,14,22</p> <p>casinos (2) 31:20;36:12</p> <p>Centaur (8) 12:16;13:2,7;14:9, 18;15:15;21:5;23:13</p> <p>Center (1) 6:5</p> <p>Central (1) 7:14</p> <p>CEO (2) 55:10;56:20</p> <p>certain (4) 12:20;13:9;20:8,11</p> <p>certainly (2) 18:2;57:2</p> <p>Certificate (2) 32:7;34:10</p> <p>Certified (2) 6:13,14</p> <p>certify (1) 60:6</p> <p>Chair (7) 4:13,14;5:25;10:7; 40:23;42:25;43:3</p> <p>CHAIRMAN (100) 4:1,11,12,15;5:1,8, 12;10:9,25;11:15; 12:7;14:2,15;17:4,6, 8;19:3,25;20:1,15,19; 21:16,18;22:14,19, 23;23:7,15;24:1,4,12; 25:12,20;26:12,21; 27:8,18;28:16,20,22, 24;29:8,30;12:17,23; 31:6;32:22;33:1,5, 14;35:9,13,15,18; 40:24;41:3,7,23; 42:17,21,24;43:4; 45:7,12,15,18;46:24; 47:2,4,7,8,17,23; 48:5,21,25;49:3,4,5; 51:5,9,11,13;53:9,13, 15,19,20;54:6;56:9, 12,16;57:18,23,25; 58:4,9,18;59:6,7</p> <p>challenges (1) 54:21</p> <p>chance (1) 9:10</p> <p>change (1) 57:1</p> <p>changes (5) 13:9;43:25;44:12; 45:1;56:22</p> <p>character (1) 16:14</p> <p>charge (1) 16:24</p> <p>charging (1) 14:6</p>	<p>charity (2) 43:19;44:14</p> <p>Chicago (3) 8:19;9:2;54:22</p> <p>chief (1) 14:2</p> <p>Chip (5) 31:20;32:2,9; 34:10;38:8</p> <p>Chorus (15) 5:19;11:23;29:5; 31:3;33:11;35:25; 41:14;43:8;45:24; 47:14;49:11;51:19; 54:2;58:22;59:17</p> <p>Christmas (1) 27:3</p> <p>Chuck (2) 6:2,9</p> <p>Churchill (2) 34:6;39:15</p> <p>Circle (6) 32:11,12,13;40:9, 13,16</p> <p>circumstances (1) 24:11</p> <p>citizens (1) 23:17</p> <p>City (3) 9:6;10:20;52:9</p> <p>clarifying (1) 48:22</p> <p>clarity (1) 20:20</p> <p>Clarksville (2) 32:12;40:9</p> <p>clear (4) 13:17;16:19;24:1; 29:24</p> <p>close (1) 50:23</p> <p>Code (2) 52:14,18</p> <p>Cohen (17) 4:23,24;6:3,3; 20:19;21:3,9;30:22; 35:13;42:21;45:17; 47:2;48:25;58:3,5; 59:1,5</p> <p>Collar (1) 6:5</p> <p>comfort (1) 25:18</p> <p>comfortable (1) 22:7</p> <p>commencing (1) 60:8</p> <p>comments (8) 16:25;20:17;22:1; 27:9;28:17;35:10; 57:20;58:19</p> <p>Commission (59) 4:6;5:3,15;6:17,21, 24;8:15,17,20,23; 9:16;11:3,5,18; 15:19;17:3;18:1,4,13, 22;19:24;20:4;21:19, 25;22:1;23:4;24:2; 25:25;26:9;28:2; 29:22;30:2;34:19,22; 35:1;36:6;41:19; 42:3,14;44:13,19; 46:15;48:9;50:5,20; 51:1;52:10,12,15,23; 54:7,9;55:16,21; 56:1;59:2,20;60:7, 20,5</p> <p>Commissioner (81) 4:17,18,19,21,22, 24;5:8,11;6:2,2,3,19, 21,23;11:9,10,14; 17:6,8,10,13;18:10; 19:2,5,13,25;20:2,15, 19;21:3,9,10,18; 23:18;24:5,17,18; 25:12,21,22;26:3,12, 17,17,18;27:4;28:20, 23;30:16,17,22;33:1, 4;35:13,17;41:3,6,7; 42:21;43:2;45:12,17; 47:2,6;48:25;49:4; 51:9,12;53:13,15,18; 56:12,17,18;57:23, 25;58:3,5,9;59:1,5</p> <p>Commissioners (38) 4:8;5:4,7;8:1; 10:18;12:8;17:5; 24:7;27:16;28:18; 29:3;30:15;31:11; 32:23;33:5,24;35:12; 36:7;41:2;42:1,18, 19;43:16;45:10;46:5; 49:18;50:7;51:6; 52:3,4;53:1,7,11; 55:2,14,15;56:10; 57:19</p> <p>Commission's (5) 40:21;43:19;44:5; 50:2;53:4</p> <p>commitment (1) 57:1</p> <p>committed (1) 16:19</p> <p>communication (6) 16:12;17:15,17; 18:8,11,13</p> <p>communications (1) 21:11</p> <p>Community (2) 7:6;55:6</p> <p>Company (3) 31:18;46:10;52:8</p> <p>complete (1) 12:11</p> <p>completed (1) 48:9</p>
B			
<p>back (3) 9:6,23;25:2</p> <p>background (2) 34:20;48:10</p> <p>bad (1) 47:24</p> <p>Ball (1) 7:9</p> <p>banking (1) 16:3</p> <p>became (2) 12:24;13:8</p> <p>becoming (1) 17:21</p> <p>began (1) 44:19</p> <p>begin (1) 24:14</p> <p>behalf (1) 14:9</p> <p>Belterra (5) 31:21;32:4,8; 34:11;38:5</p> <p>benefit (2) 21:21;22:9</p> <p>best (4) 6:19;55:5;57:10,11</p> <p>BetFair (2) 32:1,3</p> <p>better (1) 21:2</p> <p>betting (3) 40:8,12,16</p> <p>bit (2) 4:3;27:21</p> <p>Black (1) 7:2</p> <p>Bloomington (3) 6:3,6,12</p> <p>Blue (5) 31:20;32:2,8; 34:10;38:8</p> <p>Board (2) 14:3;17:24</p>	<p>Bunton (4) 36:5,7;40:24,25</p> <p>burden (2) 29:23;30:5</p> <p>business (7) 7:6,23;8:12;11:2,4; 13:4;60:7</p> <p>button (1) 33:17</p> <p>buyer (1) 57:12</p>		
C			
	<p>Caesars (24) 9:6,18;10:21,22; 21:20;31:21;32:10; 38:23;39:13;49:16, 20,24;50:9,11,16,20, 23;54:13,13,16; 55:10,18,23;56:21</p> <p>Caesars' (2) 52:21;54:7</p> <p>call (1) 4:8</p> <p>calling (1) 4:6</p> <p>campaign (1) 14:7</p> <p>can (10) 12:5;24:22,23; 25:9;27:17,21;41:22, 24;43:13;47:19</p> <p>Capital (2) 31:15;52:10</p> <p>captain (1) 6:10</p> <p>Card (1) 37:25</p> <p>career (2) 9:3,5</p> <p>carries (14) 5:21;11:25;29:7; 31:5;33:13;36:2; 41:16;43:10;46:1; 47:16;49:13;51:21; 54:4;58:24</p>		

<p>compliance (1) 50:21</p> <p>compliant (1) 48:12</p> <p>comply (1) 54:13</p> <p>concern (2) 25:14;42:2</p> <p>concerned (1) 25:15</p> <p>concerning (12) 27:24;29:16;31:12; 36:9,11,14;43:14; 46:6;51:25;52:5,16; 53:12</p> <p>concerns (5) 22:11;43:18;44:4, 17:49:19</p> <p>concluded (1) 30:4</p> <p>concludes (4) 8:10;10:7;40:23; 51:4</p> <p>conclusions (1) 30:7</p> <p>concrete (1) 19:23</p> <p>concur (1) 25:21</p> <p>condition (1) 55:21</p> <p>conditioned (1) 53:3</p> <p>conditions (1) 50:12</p> <p>conduct (1) 20:22</p> <p>conducted (5) 8:3;14:21;15:1; 28:2;34:20</p> <p>confidence (2) 16:25;17:1</p> <p>confidential (6) 8:8;35:1;42:13; 46:21;50:4,7</p> <p>confirm (1) 41:22</p> <p>congratulations (2) 7:20;10:5</p> <p>connections (1) 17:11</p> <p>consented (1) 52:25</p> <p>consider (3) 13:5;20:8;56:5</p> <p>consideration (1) 51:2</p> <p>considered (2) 16:4;44:14</p> <p>consistent (1) 57:17</p> <p>conspiracy (2) 14:6,19</p>	<p>constant (3) 18:7,13;57:8</p> <p>consultant (1) 14:24</p> <p>consultation (1) 14:14</p> <p>consumer (1) 7:8</p> <p>contact (1) 57:6</p> <p>contained (4) 42:12;50:11,12; 55:21</p> <p>containing (1) 15:9</p> <p>continue (4) 15:17;22:5;29:12; 43:13</p> <p>continued (2) 50:11;58:10</p> <p>continuing (2) 9:9;52:12</p> <p>contracts (2) 16:8;34:9</p> <p>contrary (1) 23:5</p> <p>contributions (1) 14:8</p> <p>controller (1) 7:3</p> <p>convince (1) 20:10</p> <p>convincing (1) 29:24</p> <p>cooperation (1) 15:22</p> <p>cop (1) 21:1</p> <p>Coppola (3) 8:16,21,25</p> <p>copy (1) 15:11</p> <p>core (1) 14:21</p> <p>corporate (4) 9:22;14:7;36:13; 39:13</p> <p>Corrections (1) 7:7</p> <p>counsel (1) 15:25</p> <p>Counselor (2) 53:9;56:11</p> <p>counts (23) 36:24;37:7,10,13; 38:2,5,8,11,14,18,20, 24;39:1,4,7,10,18,21, 24;40:2,5,9,13</p> <p>County (10) 7:6;13:5,10,14,15, 19;60:2,5,22,22.5</p> <p>couple (2) 19:1;26:15</p>	<p>court (1) 12:25</p> <p>coverage (2) 43:21;44:8</p> <p>covers (1) 16:7</p> <p>COVID-19 (1) 54:25</p> <p>Cowan (1) 29:19</p> <p>Crime (2) 6:5,14</p> <p>Criminal (3) 6:7;7:8;12:13</p> <p>Crown (1) 32:6</p> <p>Cummins-Allison (1) 36:22</p> <p>cure (1) 24:10</p> <p>curious (1) 19:13</p> <p>current (3) 15:14;21:6;23:3</p> <p>currently (1) 15:6</p> <p>customer (1) 28:9</p>	<p>10:19</p> <p>demonstrating (1) 50:21</p> <p>Department (4) 6:7,8;7:7;12:14</p> <p>derogatory (2) 34:23;48:13</p> <p>detailed (4) 14:19;16:14;42:11; 54:11</p> <p>details (4) 40:18,20;46:20; 50:4</p> <p>Detective (1) 6:8</p> <p>Development (3) 52:1,6,13</p> <p>Dewar (1) 7:18</p> <p>Dianne (1) 60:4</p> <p>Dickerson (1) 29:20</p> <p>differ (1) 50:15</p> <p>difficulties (1) 27:20</p> <p>difficulty (1) 4:4</p> <p>Digital (3) 31:13;37:13;39:24</p> <p>diligently (1) 57:4</p> <p>direct (2) 13:24;21:23</p> <p>direction (4) 24:15;26:23;51:3; 60:11</p> <p>directive (2) 13:17;24:3</p> <p>directly (1) 13:24</p> <p>DIRECTOR (50) 4:10,13,16,19,22, 25;5:23,24;7:14;8:8, 22;9:11;10:2,14; 11:7;12:5;17:20; 18:17;19:4,7,17; 20:25;21:13;22:18, 21;23:1,11,25;26:21; 27:12;28:7;29:10,13; 31:7;33:15,23;36:3; 41:17,24;43:12;46:3, 13;47:21,25;49:15; 51:23;54:5;56:3,11, 19</p> <p>Director's (1) 10:8</p> <p>disappointed (1) 18:5</p> <p>disciplinary (7) 24:14;36:4,10,12, 13,15;42:7</p>	<p>disclose (1) 16:9</p> <p>disclosed (1) 12:14</p> <p>discovered (1) 15:21</p> <p>discuss (2) 26:1,10</p> <p>discussing (1) 36:4</p> <p>discussion (17) 5:16;11:19;22:5; 29:2;30:25;33:8; 35:22;41:11;43:1,5; 45:21;47:11;49:8; 51:16;53:23;58:8,18</p> <p>discussions (4) 18:19,23;21:14; 24:6</p> <p>District (1) 12:25</p> <p>divest (1) 55:18</p> <p>divestiture (8) 52:22;54:8,10,12; 55:2,24;56:3;58:16</p> <p>divisions (1) 14:22</p> <p>documentation (4) 15:11;50:15,18; 54:18</p> <p>documents (4) 15:9,20;16:3;35:1</p> <p>doubt (1) 15:18</p> <p>down (3) 25:4;27:11;60:10</p> <p>Downs (2) 34:7;39:15</p> <p>draft (2) 50:13;52:20</p> <p>DraftKings (4) 8:5;32:6;34:7; 39:18</p> <p>dual (1) 13:18</p> <p>Dudich (26) 4:20,21;5:8;11:12, 17;17:6,10,13;18:10; 19:2;21:18;23:18; 24:7;25:21;26:17; 27:4;28:20;33:1; 41:3;43:2;45:12; 47:6;49:4;51:9; 53:18;58:9</p> <p>due (1) 34:9</p> <p>During (1) 13:16</p> <p>Dustin (19) 27:13;28:16,17; 29:10,14;30:12,13; 31:7;32:22,23;41:19;</p>
		D		
		<p>d/b/a (5) 32:2,3,5,6;52:8</p> <p>date (5) 12:22;18:9;19:8; 21:14;25:9</p> <p>day (4) 14:14;18:15;25:6; 60:15</p> <p>days (12) 18:16;20:12;24:18; 25:2,16,16,24;26:3,8, 24;45:3;53:5</p> <p>deadline (3) 55:2;56:2,4</p> <p>December (5) 43:20;54:17;55:3; 56:4;60:16</p> <p>decisive (1) 20:14</p> <p>declined (1) 15:4</p> <p>defer (1) 17:14</p> <p>definitive (2) 26:20;55:24</p> <p>degree (1) 6:11</p> <p>delays (1) 20:4</p> <p>delegation (1) 28:5</p> <p>DeLucio (1)</p>		

42:18;43:13;46:3,25; 47:22;48:1;51:6,23 Dustin's (1) 27:11 duty (1) 23:17	Entertainment (11) 10:21,22;12:10,19; 14:3;15:25;17:25; 22:6,16;49:20;56:21 entities (1) 8:4 entity (1) 16:23 Erpenbach (1) 15:23 establishment (1) 56:2 Evansville (5) 10:20;52:8,9,22; 54:14 even (1) 19:19 event (2) 10:18;27:1 Everi (2) 31:15;36:24 everybody (3) 4:1;10:12;33:16 everyone (3) 5:25;11:1;27:17 evidence (1) 29:24 ex (1) 16:12 Examiner (2) 6:14,15 excited (1) 10:3 exclusion (5) 7:25;29:18;30:1,6, 10 exclusive (1) 54:15 excuse (1) 6:21 executed (2) 52:13;53:5 EXECUTIVE (57) 4:10,13,16,19,22, 25;5:23,24;8:21; 9:11;10:2,7,14;11:7; 12:5,16;14:2,17,23; 17:20;18:17,18;19:4, 7,17,20;20:25;21:13; 22:18,21;23:1,11,25; 26:21;27:12;28:6; 29:10,13;31:7;33:15, 22,24;36:3,8;41:17, 24;43:12;46:3,12; 47:21,25;49:15; 51:23;54:5;56:3,10, 19 executives (2) 13:6;15:24 exited (1) 9:25 expect (2) 24:23;56:15	expected (1) 54:16 expire (3) 43:20;44:6,19 Expires (1) 60:20.5 expressed (1) 26:16 extend (1) 55:2 extended (1) 57:3 extends (1) 55:18 extension (2) 43:23;44:9 extent (1) 24:12	felony (3) 27:24;28:7,14 few (1) 7:12 figure (1) 17:16 file (1) 10:16 filed (3) 44:23;45:2,3 files (1) 15:11 filing (1) 44:20 filings (1) 12:25 final (7) 8:7;34:25;45:1; 46:15;50:14,18;51:2 finally (2) 44:17;50:23 finance (1) 7:8 financial (6) 7:4;16:7;34:20; 48:10;49:24;50:5 financing (4) 49:16,21;50:15,24 find (1) 25:3 finding (1) 48:11 findings (8) 12:18,22;18:9; 24:13;28:3,12;30:2,7 Fine (16) 4:13,14;11:10; 19:5,13;21:10;24:5, 17;26:18;28:23; 30:16,18;33:4;35:17; 41:6,8 firm (1) 25:9 First (5) 6:1;13:22,23; 50:14;59:13 first-class (1) 57:16 five (1) 7:22 Fleming (1) 16:1 folks (1) 59:18 following (4) 8:4;15:21;40:22; 50:12 follow-up (2) 18:10;26:2 Forensic (1) 6:15 form (1) 52:6	formal (2) 44:2,15 former (5) 6:19;12:16;14:24; 15:2;23:13 forward (5) 16:16;17:16;19:15; 20:5;58:14 found (3) 28:6;34:23;48:13 four (6) 9:23;14:21;26:15; 39:4,7;57:9 fourteen (1) 36:9 fourth (1) 59:14 frame (1) 18:16 Franco (2) 27:25;28:7 Franco's (1) 28:14 Frank (1) 29:19 Fraud (1) 6:14 French (2) 32:9;38:11 frequent (1) 54:11 fulfilling (1) 16:20 full (1) 46:15 fully (1) 16:19 funds (1) 16:10 further (9) 5:16;25:4;29:2; 41:11;42:7;45:21; 57:19;58:8,18 furtherance (1) 14:18
E	F	G		
earlier (1) 55:9 earned (1) 6:12 East (2) 8:18;9:1 Eastern (1) 12:25 echo (2) 21:19;22:1 Economic (2) 6:14;54:18 edits (1) 45:1 effect (6) 28:12;30:8;32:18; 42:8;46:18;48:18 effective (1) 45:3 eight (2) 38:17,20 either (3) 15:14;21:5;25:19 Eldorado (1) 21:20 elect (2) 11:5,17 election (1) 14:8 electronic (1) 15:9 eleven (1) 9:22 email (1) 19:18 emergency (10) 14:15;26:1;43:19, 22;44:1,5,8;46:12,14, 19 end (2) 19:16;25:3 engaged (4) 14:6;18:18;21:14; 23:4 enough (2) 22:14;26:4 ensure (1) 17:1 enter (1) 55:24 entered (1) 42:9 entertain (1) 48:23	facility (3) 40:8,12,16 fact (3) 28:3,13;30:3 failure (1) 16:10 failures (1) 16:9 falling (1) 16:13 falls (1) 20:22 false (1) 14:9 familiar (1) 9:8 FanDuel (6) 8:6;32:2,4;34:8,8; 39:21 Fantasy (4) 8:6,6;31:23,24 far (2) 18:21;57:6 favor (16) 5:17;11:21;16:22; 29:3;31:1;33:9; 35:23;41:12;43:6; 45:22;47:12;49:9; 51:17;53:25;58:20; 59:15 FBI (1) 14:24 fear (1) 16:22 February (2) 13:4;44:6 federal (1) 14:8 feel (1) 26:19 feeling (1) 22:7	Gambling (3) 13:22;21:8;23:6 Games (2) 31:15;37:18 Gaming (33) 4:5;5:3,15;8:5,5, 17;11:18;12:17;13:2; 14:25;15:11,17; 16:21;21:5;23:3,14, 16,20,24;31:13,19; 32:6;36:18;39:15; 43:19;44:15;48:7,15, 19;52:8,11;59:20; 60:7 Gaming's (1)		

<p>13:7 GAN (2) 31:16;37:2 gap (2) 43:21;44:7 Garth (1) 33:19 Gary (4) 12:20;13:18;14:4; 20:6 general (5) 8:13,18;9:1,14; 54:23 generous (2) 24:19;25:13 Genesis (1) 8:5 GeoComply (2) 46:9,10 Gibson (2) 13:18;15:23 given (1) 13:6 glitch (6) 17:22;18:3,7,22; 19:8;25:10 Global (2) 37:4;46:11 GLP (2) 31:15;52:10 good (9) 15:24;16:13;17:11, 25:24;9;27:16;33:24; 36:7;52:3 Grand (3) 7:16;32:11;39:1 grant (1) 35:4 granted (2) 7:22;22:8 granting (2) 30:8;55:5 Great (5) 4:25;5:24;26:22; 27:19;43:12 Greg (6) 7:17,20;15:23; 51:24;55:12;58:13 Group (8) 12:19;14:4;15:25; 17:25;22:16,24;23:8; 59:2 guess (2) 21:12;26:13 guys (1) 27:6</p>	<p>4:15;59:11;60:14 hands (1) 25:17 happy (9) 8:11;9:8;24:15; 35:7;42:15;45:5; 46:22;53:7;56:8 hard (1) 15:11 Harrah's (2) 9:19;38:17 hassle (1) 27:21 hate (1) 25:2 Haute (1) 20:7 Haven (2) 32:13;40:17 hear (6) 24:2,8;26:8,25; 27:17;41:22 heard (1) 24:11 Hearing (29) 5:17,21;11:4,21; 27:10;28:2,18;29:3, 22;30:14;31:1;32:25; 33:9;35:11,23;41:1, 12;42:19;43:6;45:10, 22;47:1,12;49:9; 51:8,17;53:11,24; 57:21 hears (1) 23:25 heavy (1) 58:11 held (1) 60:8 hello (2) 8:23;9:10 helping (1) 25:7 Hendricks (1) 10:21 Herbert (1) 29:18 hereby (1) 60:6 hereunto (1) 60:14 Herndon (1) 6:19 hesitate (1) 21:1 hi (1) 8:19 high (2) 12:21;56:14 highest (1) 16:21 Hill (2) 32:5;40:5</p>	<p>hit (1) 33:17 hold (1) 15:17 holders (3) 15:16;21:22;34:10 holding (1) 48:15 Holdings (4) 48:8,11,11,19 Holdings' (1) 48:14 holds (1) 7:7 holiday (1) 24:20 Hollywood (4) 9:4;31:22;32:9; 38:14 Hoosier (2) 32:9;38:17 hope (1) 11:10 hopeful (1) 27:1 hopefully (1) 27:21 Horseshoe (5) 9:7,14;32:10; 38:20;57:14 hours (1) 15:3 human (1) 7:9 hundreds (1) 15:10</p>	<p>7:4 implicate (1) 13:1 implicated (2) 19:11,15 implored (1) 18:2 important (1) 23:21 improper (2) 16:9,10 Inc (8) 31:14,15,16,18; 46:10,11;49:20; 52:11 include (1) 12:18 included (3) 8:7;34:25;46:21 includes (1) 15:5 including (24) 14:23;36:24;37:7, 10,13;38:2,5,8,11,14, 17,20,23;39:1,4,7,10, 18,21,24;40:2,5,9,13 inconsistent (1) 56:24 Indiana (42) 4:5;5:3,14;6:6,7,9, 13;7:16;8:14,17;9:7, 9,13;10:4;11:18; 13:22;16:15;21:22; 22:9,10;23:3,24;32:6, 10,11;38:23;39:1; 45:2;46:9;48:6,12; 52:7,14,18,54;16; 55:19;59:3,20;60:1,6, 7,10 Indianapolis (3) 32:12;40:13;60:9 indicate (1) 24:5 indicated (3) 17:23;18:20;55:9 indictment (5) 14:5,12,17,19; 18:25 individual (2) 15:10;16:23 individuals (8) 7:24;14:21,23; 15:4,5;21:4;23:12; 29:21 industry (2) 23:16;54:23 information (10) 7:25;13:21;16:4, 16;17:18;21:4;22:15; 34:23;42:11;48:14 Integration (2) 31:16;37:22 integrity (2)</p>	<p>16:14,22 intent (2) 44:20,25 Interactive (4) 32:2,3;34:7;39:15 interest (1) 48:15 interested (1) 56:13 interests (1) 55:5 interim (7) 28:7;46:14,18; 50:9,10,25;56:18 International (4) 31:14;48:7,16,19 interview (1) 15:3 interviews (2) 15:1,4 into (2) 42:10;55:24 introduce (5) 8:13,15,20,23;9:16 invaluable (1) 6:16 investigation (12) 12:4,9,11,12; 14:20;15:14;19:10; 20:21,23;23:2;24:13; 48:10 investigations (3) 8:3;14:22;34:20 investigation's (1) 15:19 invite (1) 27:14 involved (3) 13:13;16:17;19:9 involvement (1) 13:7 involves (3) 12:12;46:8;48:5 involving (2) 12:19;27:13 issued (6) 13:15;14:5,15; 28:7;34:19;50:11 issues (2) 17:22;33:20 item (1) 59:9 IU (1) 6:12</p>
<p>H</p>		<p>I</p>		
<p>Hammond (7) 9:14;32:10;38:20; 54:20;55:3;57:2,14 hand (3)</p>		<p>IAC's (1) 49:25 IC (3) 50:19,19,22 identified (3) 6:25;44:25;50:8 IGC (19) 7:22;10:14;12:24; 13:8,11,20,23;15:5,7; 16:2,19;17:20;20:23; 21:24;24:12;34:19; 54:11;55:1;58:16 IGC's (5) 12:9,11;13:3; 14:20;21:7 IGT (1) 37:7 illegal (1) 23:19 impact (1) 55:7 impacted (2) 54:23;55:7 IMPD (1)</p>	<p>J</p>	<p>Jahnae (1) 15:23 January (3) 12:24;13:3;18:20 Jason (3) 11:12,17;12:2</p>

<p>8:12;11:2;20:5; 27:13;29:8,15;33:19; 41:17 Mrs (2) 5:23;17:5 much (2) 9:17;56:7 must (4) 46:14;50:20,23; 53:4 mute (1) 33:17 muted (1) 11:20 myself (2) 8:24;25:15</p>	<p>12:42;19;43:6;45:10, 22;47:1,12;49:9; 51:8,17;53:11,24; 57:21 non-licensees (1) 23:9 notarial (1) 60:15 Notary (1) 60:4 note (3) 19:9,14;26:24 notes (1) 60:10 notice (3) 13:24;44:20,25 notified (1) 26:10 notwithstanding (1) 24:20 November (4) 4:2;52:17;59:19; 60:8 number (3) 19:12;23:8;34:9 NYX (2) 31:13;37:13</p>	<p>one (10) 7:1;15:8;18:10; 20:5,6;21:12;32:20; 36:12;49:16;55:4 ongoing (3) 12:9;18:23;54:24 only (2) 13:17;55:3 opened (1) 57:16 operate (1) 57:14 operated (1) 56:14 operation (1) 57:16 operations (3) 13:14,19;55:8 operator (1) 25:18 operators (3) 22:10;31:23;36:16 opinion (1) 50:21 opportunity (3) 5:5;8:22;19:19 Opposed (14) 5:20;11:24;29:6; 31:4;33:12;36:1; 41:15;43:9;45:25; 47:15;49:12;51:20; 54:3;58:23 order (79) 4:7;20:9;27:23; 28:11,19,21;29:1; 34:7,7;36:17,19,21, 23;37:1,3,6,9,12,15, 17,19,21,24;38:1,4,7, 10,13,16,19,22,25; 39:3,6,9,12,14,17,20, 23;40:1,4,7,11,15; 43:21;44:7,46:8,12, 14,17,19,23;47:20; 48:3,5,17;49:16,19; 50:13;51:7,10,15,25; 52:23;53:12,22;54:6, 13;55:12,16,17,20, 22;56:6;57:3,22,24; 58:7 orders (29) 27:15;29:16;30:20; 31:12;32:17,24;33:2, 7,25;34:4,8,13;35:3, 14,19;41:4,10;42:2,8, 12,22;45:13;46:6; 47:3,10,18;48:23; 49:1,6 originally (2) 9:5;57:16 Orleans (1) 9:19 others (1) 58:14</p>	<p>ought (1) 20:11 out (3) 12:25;17:16;25:3 outcome (1) 57:11 outside (2) 14:24;16:13 over (11) 6:10;9:15;15:13; 18:11,15;22:24;23:8; 52:13;56:16;57:8; 60:9 overly (1) 25:13 overview (1) 12:21 own (1) 20:20 owners (1) 34:22 owner's (5) 13:5,15;52:7,14; 54:8 ownership (6) 13:9;16:8;46:7,8; 48:6,18</p>	<p>36:24 Penn (1) 9:3 people (2) 20:22;23:7 Perhaps (1) 21:16 period (1) 32:19 permanent (4) 33:20;34:1,5;35:4 permission (1) 49:23 personal (1) 57:1 personally (1) 58:13 persons (3) 12:20;23:23;34:22 pertaining (2) 12:15;16:17 petition (1) 30:3 petitioner (1) 29:23 petitioners (1) 30:4 petitions (2) 29:17;30:9 Pilgrim (1) 7:13 placed (1) 29:23 plan (6) 19:15;20:5,9;22:4; 24:22;25:3 plans (2) 17:18;24:9 Playing (1) 37:25 please (19) 4:9;5:18;11:22; 29:4;31:2;33:10,17; 35:24;41:12,20;43:7; 45:23;47:13,21; 49:10;51:18;53:25; 58:20;59:15 pleasure (15) 5:7;10:1;28:19; 30:14;32:25;35:11; 41:1;42:20;45:11; 47:1;51:8;53:12,24; 57:21;59:3 pm (3) 4:2;59:19;60:8 point (2) 22:7;24:24 Police (2) 6:8,10 policy (1) 23:19 portfolio (2) 56:25;57:17</p>
N	O	P		
<p>name (1) 8:25 National (1) 6:4 nature (1) 18:8 nearly (3) 12:11;15:3;57:8 necessary (2) 43:22;44:9 need (13) 11:5;20:8,10,13; 21:22;22:12;24:23; 25:8,17,24,25;26:18, 19 needed (1) 26:11 negatively (2) 55:7,7 negotiations (1) 54:15 new (14) 7:2;8:12,13,16,17; 9:2,13,19;10:4;11:4, 5;13:20;32:13;40:17 newest (2) 6:2;9:14 newly (1) 8:25 next (9) 9:12;10:10;12:3; 25:16;27:11;36:4; 51:24;56:16;59:7 nine (3) 36:14;38:23;39:1 nod (1) 11:11 nominate (2) 11:8,12 none (27) 5:17,21;11:4,21; 27:10;28:18;29:3; 30:14;31:1;32:25; 33:9;35:11,23;41:1,</p>	<p>oath (3) 10:10,16,23 oaths (1) 10:19 objection (1) 44:22 obstructed (1) 14:10 obtained (2) 15:21;16:2 obviously (3) 18:25;19:20;21:12 occupational (4) 16:11;28:9;41:18; 42:4 October (2) 50:10;54:15 offer (1) 12:8 offered (1) 17:1 officer (1) 14:2 officer's (1) 28:12 official (1) 8:10 off-track (3) 40:8,12,16 old (1) 11:2 once (1) 10:5</p>	<p>pages (1) 15:10 Paid (3) 8:5,6;31:23 pandemic (1) 54:25 parameters (1) 16:11 Park (2) 32:9;38:17 part (1) 55:16 parte (1) 16:12 particular (1) 24:22 parties (9) 17:23;18:19,21; 24:9;42:10;52:17,25, 25;53:5 Partners (4) 31:14;48:7,16,19 passes (1) 25:6 past (2) 15:15;21:5 Patriot (1) 8:5 patrons (1) 27:13 payment (1) 32:16 Payments (1)</p>		

portion (1) 15:20	6:5		10:20;55:9;56:20, 20	5:23;8:10;10:8; 20:18;24:21;27:11
position (1) 19:22	progress (3) 44:3,16;58:15	Q	reference (1) 18:20	reported (1) 51:1
possible (1) 23:22	project (2) 13:7;20:6	quickly (1) 8:14	references (1) 14:17	Reporter (1) 60:5
posted (1) 8:2	promise (1) 25:9	quite (2) 57:8,8	reflect (1) 5:2	reports (3) 8:7;34:25;58:15
postponed (1) 13:3	promoted (3) 7:13,17,18	quorum (1) 5:2	reflected (1) 13:12	reprisal (1) 16:22
potential (2) 21:23;26:10	promotion (1) 8:18	R	reflection (1) 25:13	request (7) 12:7;28:14;32:15; 48:6;49:19;52:18,24
potentially (1) 21:7	promotions (1) 7:13	Raise (1) 59:11	regarding (17) 12:4,9;13:10,21; 17:19;20:18;28:19; 32:24;42:11;45:4,8; 46:20,23;51:7;54:12, 22;57:22	requested (4) 15:4;16:2;49:25; 55:23
Practice (1) 6:6	promptly (1) 24:24	Ratcliff (2) 13:12;14:1	Register (1) 45:2	requests (1) 46:7
practices (1) 16:10	properly (14) 5:13;11:16;28:25; 30:19;33:6;35:18,21; 41:9;45:18;47:9; 49:5;51:14;53:21; 58:6	ratification (1) 51:2	regulate (1) 16:21	required (3) 32:16;34:18;54:10
preliminary (1) 24:6	properties (5) 7:23;8:14;15:12; 52:11;54:10	ratifying (2) 42:9;46:18	regulations (5) 16:15;21:7,24; 23:5;48:13	requirement (1) 50:1
prepare (1) 52:21	property (10) 7:18;9:4,22;52:23; 54:20;55:3,8,25; 56:14;58:16	reached (1) 42:3	regulators (1) 23:16	requires (1) 50:25
prepared (2) 28:3;30:2	proposal (2) 18:3;19:24	reading (1) 26:14	regulatory (1) 12:12	Residence (1) 60:22
present (10) 5:3;8:9;18:6; 27:14;29:21;33:20; 36:5;47:19;48:3,4	proposals (1) 17:18	readopt (1) 44:21	reinvestigations (1) 8:4	resides (1) 6:3
presentation (2) 40:23;51:4	proposed (11) 13:13;45:9;49:21, 24;50:4,24;51:7; 52:19;53:3,12;57:22	readopted (3) 43:23;44:10;45:1	related (2) 33:20;41:18	resigned (2) 6:24;14:1
presented (8) 15:18;33:3;41:5; 42:23;45:14;46:15; 47:18;50:16	propose (1) 23:22	readoption (6) 43:18,21;44:4,8,18, 20	relatively (2) 22:3;27:22	Resolution (10) 28:6;43:18;44:4, 17,23;46:13;50:2,9, 25;52:5
presenters (1) 10:11	prosecute (1) 23:22	ready (1) 17:2	relevant (3) 16:5;17:23;40:18	resolutions (5) 43:14,17;45:5,9,19
presenting (2) 10:15;51:25	prove (1) 29:24	really (2) 9:25;18:23	relief (1) 55:5	resolved (1) 22:12
presents (1) 54:20	provide (3) 18:3;26:5;50:20	reason (1) 52:20	relinquishment (1) 42:6	resources (1) 7:9
president (1) 6:4	provided (5) 8:1;35:2;40:19; 42:13;50:6	receive (1) 14:7	remain (1) 17:25	respective (1) 32:19
previous (2) 5:6,14	Provider's (1) 34:14	received (12) 6:11;13:11,20,24; 19:17;21:3;25:23; 28:1;34:18;49:21; 50:9;54:11	remaining (4) 15:24;17:24;18:21; 24:8	respectively (3) 29:20;34:3,16
previously (7) 7:5;12:13;15:6; 16:3,6;35:5;44:1	providing (1) 12:21	receiving (2) 17:17;48:8	remedy (2) 24:10;26:11	responsibility (1) 16:20
primarily (1) 14:20	public (3) 14:13;27:5;60:4	recently (2) 6:24;7:4	remind (1) 33:16	result (1) 24:13
privilege (1) 57:13	public's (1) 16:24	recite (1) 35:20	removal (2) 29:17;30:9	retired (1) 6:9
probably (2) 25:24;26:4	purposes (2) 10:23;48:22	recommendation (3) 26:7;28:4,13	removed (2) 29:25;30:5	review (5) 5:5;16:7,18;19:8; 28:12
procedures (1) 50:8	pursuant (4) 50:2;52:14,18,23	recommendations (1) 30:3	renewal (1) 32:15	reviewed (2) 15:8;19:23
proceed (3) 17:2;25:1;27:7	purview (1) 13:25	recommends (1) 55:1	renewals (3) 31:8,13;35:6	revolves (1) 54:7
proceedings (1) 60:13	push (2) 25:4;26:18	record (3) 5:2;48:22;60:12	renewing (1) 32:18	right (4) 11:6,20;18:17;29:9
process (6) 24:14;44:3,15,20, 23;54:12		Redevelopment (1) 52:10	replacements (1) 6:25	Rising (2) 31:20;39:7
Professor (1)		reduced (1) 60:11	report (6)	Riverboat (3) 13:22;21:8;23:6
		Reeg (4)		

<p>road (1) 25:4</p> <p>Roar (1) 39:24</p> <p>Robinson (1) 29:19</p> <p>role (1) 7:14</p> <p>roles (3) 9:21;10:4;13:18</p> <p>Roll (1) 4:8</p> <p>rule (12) 43:19,21,22,24; 44:1,6,7,8,10,15,22; 45:1</p> <p>rulemaking (2) 44:2,15</p> <p>rules (5) 20:24;22:17;43:14; 44:12,18</p> <p>run (3) 43:24;44:10;56:24</p> <p>Rush (1) 40:2</p> <p>Ryan (4) 8:16,25;9:11;10:3</p>	<p>scope (2) 16:7;20:22</p> <p>seal (1) 60:15</p> <p>season (2) 24:20;27:3</p> <p>Second (21) 5:11;11:14;28:23; 30:21,22;33:4;35:16, 17;41:6;45:16,17; 47:5,6;49:4;50:18; 51:12;53:17,18;58:2, 3;59:13</p> <p>seconded (14) 5:13;11:16;28:25; 30:24;33:6;35:19; 41:9;45:19;47:9; 49:6;51:14;53:21; 58:4,6</p> <p>seconds (1) 42:25</p> <p>Secretary (4) 6:22;11:5,13,17</p> <p>sections (1) 44:24</p> <p>seeing (1) 18:21</p> <p>seeking (1) 49:23</p> <p>seems (4) 20:7,13;23:15; 24:21</p> <p>sell (1) 54:16</p> <p>sentiment (1) 26:16</p> <p>separate (2) 15:1,9</p> <p>separation (1) 13:17</p> <p>September (4) 14:5,11,13;49:22</p> <p>serious (6) 15:18;18:8;20:3; 21:25;22:20,22</p> <p>seriously (2) 16:24;20:8</p> <p>serve (2) 6:18;28:8</p> <p>served (2) 6:10;7:5</p> <p>service (4) 6:20;28:10;34:14; 59:2</p> <p>Services (1) 44:21</p> <p>serving (1) 7:15</p> <p>session (1) 19:20</p> <p>set (4) 13:5;24:10;44:19; 60:14</p>	<p>settlement (43) 36:9,11,14,17,19, 21,23;37:1,3,6,9,12, 15,17,19,21,24;38:1, 4,7,10,13,16,19,22, 25;39:3,6,9,12,14,17, 20,23;40:1,4,7,11,15, 18,20;42:3,9</p> <p>several (2) 18:11,15</p> <p>shareholders (1) 23:9</p> <p>show (1) 23:2</p> <p>signed (4) 10:12,15,19,22</p> <p>significant (1) 12:18</p> <p>significantly (2) 18:24;54:21</p> <p>signify (15) 5:18;11:22;29:4; 31:2;33:10;35:24; 41:12;43:7;45:23; 47:13;49:10;51:18; 53:25;58:20;59:15</p> <p>similar (1) 23:18</p> <p>Similarly (1) 44:7</p> <p>sister (1) 46:10</p> <p>situation (2) 25:7;26:11</p> <p>situations (1) 16:13</p> <p>six (4) 38:5,11,14;39:10</p> <p>skills (1) 6:16</p> <p>Small (5) 51:24;52:2;53:10; 55:13;56:11</p> <p>smoothly (1) 27:22</p> <p>so-called (1) 49:25</p> <p>sold (1) 54:17</p> <p>solemn (1) 23:17</p> <p>solemnly (1) 57:14</p> <p>Solutions (3) 31:15;37:20;46:10</p> <p>somehow (1) 23:10</p> <p>soon (3) 22:3,12;23:22</p> <p>sooner (2) 20:12;27:1</p> <p>sorry (9) 17:10,13;29:13;</p>	<p>31:9;43:2,2;45:14; 47:22,24</p> <p>sounded (1) 24:7</p> <p>Southern (5) 9:7;31:21;32:10; 38:23;54:16</p> <p>spanning (1) 15:2</p> <p>speak (2) 10:12;57:7</p> <p>speaking (1) 33:17</p> <p>specifically (2) 12:15;55:17</p> <p>specifics (1) 55:12</p> <p>Spectacle (15) 12:4,10,19,20;14:3, 4;15:15,16,25;17:24; 18:14;22:6,15;23:10, 13</p> <p>spoken (1) 24:25</p> <p>SportRadar (2) 31:14;37:20</p> <p>Sports (11) 8:6,6;31:23,25; 32:1,5,7;34:6,14; 36:15;44:5</p> <p>SportsHub (1) 31:24</p> <p>SS (1) 60:1.5</p> <p>staff (25) 7:2,22;10:14;12:3; 13:8;14:23;16:19; 17:21;18:18;21:13; 23:25;24:12,23;26:5, 23;27:3;33:25;34:19, 23;36:8;42:4;44:19; 54:11;55:1,57:5</p> <p>Staff's (2) 34:25;50:6</p> <p>stage (1) 54:19</p> <p>stakeholders (5) 19:9,14;23:10,12, 13</p> <p>stand (1) 17:2</p> <p>standards (2) 16:14;56:15</p> <p>standby (1) 10:17</p> <p>standing (3) 15:24;17:25;24:9</p> <p>Star (3) 31:20;39:4,7</p> <p>start (1) 4:6</p> <p>started (5) 7:2;9:3,5,19;20:7</p>	<p>State (15) 6:9;7:9,25;9:3,8; 21:21,24;22:9,10; 23:17;55:6;57:11; 59:3;60:1,6</p> <p>stated (1) 22:2</p> <p>statements (2) 14:9;17:19</p> <p>States (1) 12:14</p> <p>statewide (3) 29:17,25;30:10</p> <p>statute (2) 20:23;22:16</p> <p>statutes (2) 16:15;48:12</p> <p>statutory (1) 16:20</p> <p>stenograph (1) 60:10</p> <p>Stenographic (1) 60:5</p> <p>Stowe (1) 14:25</p> <p>Street (1) 40:2</p> <p>subject (2) 20:20;35:5</p> <p>subjects (3) 15:13;19:5,10</p> <p>submitted (6) 18:4;22:4;27:24; 32:15;34:17;52:17</p> <p>substantial (1) 34:22</p> <p>substantially (1) 48:12</p> <p>substantive (1) 43:25</p> <p>suggested (1) 56:4</p> <p>suitability (4) 15:16;16:5;34:24; 48:15</p> <p>supervisor (3) 7:16,17,19</p> <p>supplier (3) 34:2;46:4,7</p> <p>suppliers (2) 31:13;36:10</p> <p>supported (1) 14:22</p> <p>Sure (7) 4:10;12:5;17:20; 27:12;29:15;33:22; 57:6</p> <p>Surveillance (3) 31:16;37:4,22</p> <p>Susan (2) 17:7,14</p> <p>suspend (1) 20:10</p>
S				
<p>saga (1) 19:16</p> <p>sale (2) 54:14;56:23</p> <p>sales (1) 57:5</p> <p>same (1) 14:14</p> <p>Sara (25) 9:2;10:9,13;11:6; 12:3;17:4,15;18:11; 19:2,5;20:17;21:10; 22:6,14;25:23;26:7, 14,20;27:10;31:10; 57:5,6,7;58:10,13</p> <p>Sara's (1) 57:5</p> <p>Saxon (1) 6:23</p> <p>saying (15) 5:18;11:22;29:4; 31:2;33:10;35:24; 41:13;43:7;45:23; 47:13;49:10;51:18; 54:1;58:21;59:16</p> <p>SBTech (3) 31:17;34:2;37:16</p> <p>scheduled (1) 13:4</p> <p>scheduling (1) 27:5</p> <p>Scientific (1) 37:18</p>	<p>seeking (1) 49:23</p> <p>seems (4) 20:7,13;23:15; 24:21</p> <p>sell (1) 54:16</p> <p>sentiment (1) 26:16</p> <p>separate (2) 15:1,9</p> <p>separation (1) 13:17</p> <p>September (4) 14:5,11,13;49:22</p> <p>serious (6) 15:18;18:8;20:3; 21:25;22:20,22</p> <p>seriously (2) 16:24;20:8</p> <p>serve (2) 6:18;28:8</p> <p>served (2) 6:10;7:5</p> <p>service (4) 6:20;28:10;34:14; 59:2</p> <p>Services (1) 44:21</p> <p>serving (1) 7:15</p> <p>session (1) 19:20</p> <p>set (4) 13:5;24:10;44:19; 60:14</p>	<p>settlement (43) 36:9,11,14,17,19, 21,23;37:1,3,6,9,12, 15,17,19,21,24;38:1, 4,7,10,13,16,19,22, 25;39:3,6,9,12,14,17, 20,23;40:1,4,7,11,15, 18,20;42:3,9</p> <p>several (2) 18:11,15</p> <p>shareholders (1) 23:9</p> <p>show (1) 23:2</p> <p>signed (4) 10:12,15,19,22</p> <p>significant (1) 12:18</p> <p>significantly (2) 18:24;54:21</p> <p>signify (15) 5:18;11:22;29:4; 31:2;33:10;35:24; 41:12;43:7;45:23; 47:13;49:10;51:18; 53:25;58:20;59:15</p> <p>similar (1) 23:18</p> <p>Similarly (1) 44:7</p> <p>sister (1) 46:10</p> <p>situation (2) 25:7;26:11</p> <p>situations (1) 16:13</p> <p>six (4) 38:5,11,14;39:10</p> <p>skills (1) 6:16</p> <p>Small (5) 51:24;52:2;53:10; 55:13;56:11</p> <p>smoothly (1) 27:22</p> <p>so-called (1) 49:25</p> <p>sold (1) 54:17</p> <p>solemn (1) 23:17</p> <p>solemnly (1) 57:14</p> <p>Solutions (3) 31:15;37:20;46:10</p> <p>somehow (1) 23:10</p> <p>soon (3) 22:3,12;23:22</p> <p>sooner (2) 20:12;27:1</p> <p>sorry (9) 17:10,13;29:13;</p>	<p>31:9;43:2,2;45:14; 47:22,24</p> <p>sounded (1) 24:7</p> <p>Southern (5) 9:7;31:21;32:10; 38:23;54:16</p> <p>spanning (1) 15:2</p> <p>speak (2) 10:12;57:7</p> <p>speaking (1) 33:17</p> <p>specifically (2) 12:15;55:17</p> <p>specifics (1) 55:12</p> <p>Spectacle (15) 12:4,10,19,20;14:3, 4;15:15,16,25;17:24; 18:14;22:6,15;23:10, 13</p> <p>spoken (1) 24:25</p> <p>SportRadar (2) 31:14;37:20</p> <p>Sports (11) 8:6,6;31:23,25; 32:1,5,7;34:6,14; 36:15;44:5</p> <p>SportsHub (1) 31:24</p> <p>SS (1) 60:1.5</p> <p>staff (25) 7:2,22;10:14;12:3; 13:8;14:23;16:19; 17:21;18:18;21:13; 23:25;24:12,23;26:5, 23;27:3;33:25;34:19, 23;36:8;42:4;44:19; 54:11;55:1,57:5</p> <p>Staff's (2) 34:25;50:6</p> <p>stage (1) 54:19</p> <p>stakeholders (5) 19:9,14;23:10,12, 13</p> <p>stand (1) 17:2</p> <p>standards (2) 16:14;56:15</p> <p>standby (1) 10:17</p> <p>standing (3) 15:24;17:25;24:9</p> <p>Star (3) 31:20;39:4,7</p> <p>start (1) 4:6</p> <p>started (5) 7:2;9:3,5,19;20:7</p>	<p>State (15) 6:9;7:9,25;9:3,8; 21:21,24;22:9,10; 23:17;55:6;57:11; 59:3;60:1,6</p> <p>stated (1) 22:2</p> <p>statements (2) 14:9;17:19</p> <p>States (1) 12:14</p> <p>statewide (3) 29:17,25;30:10</p> <p>statute (2) 20:23;22:16</p> <p>statutes (2) 16:15;48:12</p> <p>statutory (1) 16:20</p> <p>stenograph (1) 60:10</p> <p>Stenographic (1) 60:5</p> <p>Stowe (1) 14:25</p> <p>Street (1) 40:2</p> <p>subject (2) 20:20;35:5</p> <p>subjects (3) 15:13;19:5,10</p> <p>submitted (6) 18:4;22:4;27:24; 32:15;34:17;52:17</p> <p>substantial (1) 34:22</p> <p>substantially (1) 48:12</p> <p>substantive (1) 43:25</p> <p>suggested (1) 56:4</p> <p>suitability (4) 15:16;16:5;34:24; 48:15</p> <p>supervisor (3) 7:16,17,19</p> <p>supplier (3) 34:2;46:4,7</p> <p>suppliers (2) 31:13;36:10</p> <p>supported (1) 14:22</p> <p>Sure (7) 4:10;12:5;17:20; 27:12;29:15;33:22; 57:6</p> <p>Surveillance (3) 31:16;37:4,22</p> <p>Susan (2) 17:7,14</p> <p>suspend (1) 20:10</p>

<p>suspension (2) 14:15;15:21</p> <p>Svetanoff (1) 6:23</p> <p>SWIMA (1) 34:15</p> <p>Swish (1) 34:15</p> <p>Systems (4) 31:16,19;36:18; 37:22</p>	<p>55:1</p> <p>Third (5) 50:20;55:18,25; 56:3;59:13</p> <p>though (1) 24:21</p> <p>thoughts (1) 26:9</p> <p>thousand (1) 15:8</p> <p>thousands (1) 15:10</p> <p>three (13) 7:4;8:3;9:20;15:3; 26:15;37:7,13;38:2; 39:18;40:5;54:10; 57:2,9</p> <p>thrilled (1) 6:17</p> <p>Throughout (2) 13:8;16:15</p> <p>Thus (1) 43:20</p> <p>ties (2) 21:5,6</p> <p>timeline (2) 12:23;25:9</p> <p>timely (1) 32:15</p> <p>today (12) 8:23;9:10;10:15; 11:3;16:25;17:11; 18:4,6;19:18,24; 24:3;59:9</p> <p>today's (1) 10:11</p> <p>tolerance (1) 23:19</p> <p>Tom (4) 10:20;55:9;56:19, 20</p> <p>totaling (36) 36:18,20,22,25; 37:2,4,7,10,14,16,18, 20,22,25;38:2,5,8,11, 15,18,21,24;39:2,5,7, 10,13,15,18,21,24; 40:2,6,10,14,17</p> <p>Tote (2) 31:17;34:2</p> <p>toward (1) 16:23</p> <p>transaction (4) 21:20;49:21,24; 50:5</p> <p>transactions (1) 16:8</p> <p>transcript (1) 60:12</p> <p>transfer (7) 46:7,9,11,20;48:6, 8,18</p> <p>transfers (2)</p>	<p>16:8;46:4</p> <p>Tropicana (7) 31:21;32:11;39:10; 52:1,8,22;54:14</p> <p>trouble (1) 17:12</p> <p>true (1) 60:12</p> <p>trustee-in-waiting (3) 21:11,15;24:25</p> <p>trustees (2) 22:4;24:6</p> <p>try (1) 24:10</p> <p>turn (2) 9:15;47:18</p> <p>twelve (1) 36:11</p> <p>two (13) 8:13;18:15;25:16; 26:13;34:9;36:24; 37:10;39:21,24;40:2, 9,13;49:25</p> <p>type (1) 22:2</p> <p>typewriting (1) 60:11</p> <p>typewritten (1) 60:12</p> <p>Typically (1) 48:2</p>	<p>12:14;31:17;34:2</p> <p>University (3) 6:6,8,13</p> <p>unnamed (2) 12:16;14:17</p> <p>unpaid (1) 42:5</p> <p>unprecedented (2) 20:3;24:10</p> <p>up (9) 9:24;20:6;25:3; 26:4;36:4;46:4; 51:24;56:23;58:12</p> <p>update (2) 12:3,8</p> <p>updated (2) 27:6;58:15</p> <p>updates (1) 54:11</p> <p>upon (3) 15:19;17:21;53:4</p> <p>upwards (1) 21:4</p> <p>USA (1) 31:14</p> <p>utilization (1) 16:9</p> <p>utilized (1) 54:12</p>	<p>Wagering (7) 32:1,5,7;34:6,14; 36:15;44:5</p> <p>wait (1) 22:5</p> <p>waiver (4) 27:24;28:8,14; 49:25</p> <p>waivers (1) 7:22</p> <p>walk (2) 12:22;55:12</p> <p>Walt (1) 14:25</p> <p>waving (1) 4:15</p> <p>website (2) 8:2;40:22</p> <p>week (3) 7:3;25:5,6</p> <p>weeks (7) 18:12,15;25:16; 26:13,15,15,16</p> <p>Welcome (7) 4:1;5:25;6:1;7:11; 10:4;26:8;58:25</p> <p>welcomed (1) 7:1</p> <p>Wesleyan (1) 6:13</p> <p>WGU (1) 7:10</p> <p>what's (3) 5:7;18:16;42:19</p> <p>WHEREOF (1) 60:14</p> <p>White (1) 6:4</p> <p>whose (1) 20:22</p> <p>William (3) 29:18;32:5;40:5</p> <p>Williams (25) 4:17,18;5:11; 11:14;17:8;19:25; 20:2,16;21:19;22:1; 24:7,18;25:12,22; 26:3,13,17;51:12; 53:13,16;56:12,17, 18;57:23;58:1</p> <p>willing (1) 6:18</p> <p>Winner's (6) 32:11,12,13;40:8, 12,16</p> <p>wish (1) 6:19</p> <p>within (7) 16:11;25:16,24; 26:8,14;53:5;60:5</p> <p>without (2) 16:22;44:25</p> <p>WITNESS (1)</p>
T		U		V
<p>TAIT (48) 4:10,13,16,19,22, 25:5;23,24;8:22; 9:11;10:2,14;11:7; 12:5;17:5,20;18:17; 19:4,7,17;20:25; 21:1,3;22:18,21;23:1, 11,25;26:21;27:12; 28:7;29:10,13;31:7; 33:15,23;36:3;41:17, 24;43:12;46:3;47:21, 25;49:15;51:23;54:5; 56:3,11,19</p> <p>talk (1) 19:22</p> <p>talking (1) 22:3</p> <p>team (6) 8:3;25:23;26:7; 58:10,13,17</p> <p>Teams (1) 60:9</p> <p>technical (9) 4:4;17:22;18:2,7, 22;19:8;25:10;27:20; 33:18</p> <p>Technologies (3) 31:18,24;36:20</p> <p>telephonic (1) 29:22</p> <p>temporary (1) 34:18</p> <p>ten (7) 15:13;19:5;20:21; 21:4;22:24;23:8;38:8</p> <p>tens (1) 15:9</p> <p>term (1) 55:21</p> <p>termination (1) 15:19</p> <p>terms (7) 17:15,17;21:2; 50:14,16,18;54:18</p> <p>Terre (1) 20:7</p> <p>thanks (1) 8:22</p> <p>therefore (1)</p>	<p>various (1) 9:21</p> <p>Vegas (1) 9:21</p> <p>Vendors (1) 32:1</p> <p>Vendor's (1) 34:6</p> <p>Vice (3) 4:13,14;6:4</p> <p>Vigo (5) 13:5,10,14,15,19</p> <p>violate (1) 50:19</p> <p>violated (4) 21:7;22:16,25; 23:24</p> <p>violation (1) 14:8</p> <p>violations (5) 13:21;20:23;21:23, 24;22:20</p> <p>Virginia (1) 13:1</p> <p>virtually (1) 60:9</p> <p>voluntary (1) 42:5</p>	W		

60:14 Witnesses (1) 16:16 wonderful (2) 11:9;41:25 wondering (1) 24:19 work (5) 9:9;10:3;28:9; 58:11,14 worked (1) 9:6 working (2) 11:11;57:4 writing (1) 50:17 written (1) 51:10	12 (1) 7:7 13 (1) 44:11 14 (1) 44:6 15 (1) 13:16 16 (1) 52:17 160 (1) 45:14 162 (1) 45:14 19 (1) 9:18 19th (1) 14:1	37:1 2020-119 (1) 37:3 2020-120 (1) 37:6 2020-121 (1) 37:9 2020-122 (1) 37:12 2020-123 (1) 37:15 2020-124 (1) 37:17 2020-125 (1) 37:19 2020-126 (1) 37:21 2020-127 (1) 37:24 2020-128 (1) 38:1 2020-129 (1) 38:4 2020-130 (1) 38:7 2020-131 (1) 38:10 2020-132 (1) 38:13 2020-133 (1) 38:16 2020-134 (1) 38:19 2020-135 (1) 38:22 2020-136 (1) 38:25 2020-137 (1) 39:3 2020-138 (1) 39:6 2020-139 (1) 39:9 2020-140 (1) 39:12 2020-141 (1) 39:14 2020-142 (1) 39:17 2020-143 (1) 39:20 2020-144 (1) 39:23 2020-145 (1) 40:1 2020-146 (1) 40:4 2020-147 (1) 40:7 2020-148 (1) 40:11 2020-149 (3) 40:15;41:5,10	2020-150 (3) 42:2,12,22 2020-159 (3) 42:2,12,22 2020-160 (4) 43:17,18;45:13,19 2020-161 (1) 44:4 2020-162 (4) 43:17;44:17,24; 45:20 2020-163 (8) 46:6,8,17;47:3,10; 48:24;49:1,6 2020-164 (10) 46:6;47:3,10,20; 48:4,5,17,24;49:2,7 2020-165 (4) 49:19;51:7,10,15 2020-166 (4) 52:5;53:12,14,22 2020-167 (4) 55:16;57:22,24; 58:7 2020-83 (1) 28:6 2020-87 (3) 52:23;55:17,22 2020-88 (5) 27:23;28:11,19,21; 29:1 2020-89 (2) 29:16;30:20 2020-93 (2) 29:16;30:20 2020-94 (4) 31:12;32:17;33:2,7 2020-SL-05 (1) 46:12 2021 (5) 43:24;44:6,11; 55:4;56:4 2022 (1) 50:24 2023 (1) 60:21 21 (1) 7:24 22 (1) 43:20 23 (4) 4:2;12:24;59:19; 60:8 24th (2) 13:3;14:5 25 (1) 6:11 27th (1) 54:15 28 (1) 49:22 28th (1) 14:11	29 (1) 15:1 29th (2) 13:20;14:13 <hr/> 3 <hr/> 3:31 (1) 59:19 30 (10) 18:15;25:16,16,24; 26:3,8,24;45:3; 50:24;53:5 31 (1) 56:4 31st (2) 54:17;55:3 33 (1) 15:3 <hr/> 4 <hr/> 4 (1) 60:21 4-33 (2) 50:19,22 4-33-23-14 (1) 52:18 4-33-23-7 (1) 52:15 4-35 (2) 50:19,22 <hr/> 6 <hr/> 60 (3) 20:12;24:18;25:2 68 (1) 49:25 <hr/> 9 <hr/> 90-day (2) 43:23;44:9 94 (1) 32:24
Y	2			
Yahoo (1) 31:24 year (4) 8:4;32:20;55:4; 56:16 yearly (1) 35:6 years (7) 6:11;7:5,7,15;9:19, 20,22 Yep (1) 11:11	2 (2) 28:8;50:10 2:24 (2) 4:2;60:8 2007 (1) 9:6 2012-151 (1) 46:13 2014 (1) 9:7 2016 (1) 9:7 2017 (1) 9:3 2017-109 (3) 50:3,9,25 2020 (12) 4:2;5:10;12:24; 13:16;43:20;44:2; 49:22;50:10;52:17; 59:19;60:8,16 2020-104 (4) 31:12;32:17;33:3,7 2020-105 (3) 33:25;35:3,19 2020-106 (1) 34:1 2020-107 (2) 34:4;35:14 2020-111 (1) 34:13 2020-113 (2) 35:14,20 2020-114 (2) 36:17;41:4 2020-115 (1) 36:19 2020-116 (1) 36:21 2020-117 (1) 36:23 2020-118 (1)			
Z				
zero (1) 23:19 Zone (1) 7:14				
1				
1 (1) 14:16 1:50 (1) 19:18 10 (1) 5:10 104 (1) 32:24 107 (1) 34:7 108 (1) 34:8 109 (1) 34:8 110 (2) 34:5,8 113 (2) 34:13;35:3 114 (1) 41:10				