

ORDER 2012-124
WAIVING THE APPLICATION OF 68 IAC 5-2 TO THE TRANSFER OF
OWNERSHIP IN TCS JOHN HUXLEY EUROPE LTD.

Under 68 IAC 5-2, supplier licensees who are not publicly traded companies must comply with certain requirements before transferring an ownership interest, including a suitability investigation, in order to protect the Commission's interest in the suitability of its licensees. Under 68 IAC 5-2-6, the Commission may waive a requirement or procedure set forth in 68 IAC 5 if the Commission determines that it is impractical or burdensome and the waiver is in the best interest of the public and the gaming industry and is not outside the technical requirements necessary to serve the purpose of the requirement or procedure.

Privately held TCS John Huxley Europe, Ltd. ("Huxley"), an Indiana supplier licensee, is ultimately wholly owned by Pata-Pata AB ("Pata-Pata"), a Swedish corporation. Pata-Pata is owned by three members of the Knutsson family: Bertil Knutsson, Michael Knutsson, and Tristan Sjoberg. On June 4, 2012, IGC received notice from Huxley stating Pata-Pata's intent to transfer additional interests held by Bertil Knutsson to Michael and Tristan. The transfer would increase the sons' indirect ownership in Huxley.

Compliance with the requirements of 68 IAC 5-2 is time-consuming and costly for both the applicant and the Commission. The policy goal of 68 IAC 5-2 is to ensure that a party seeking an ownership interest is suitable under the Commission's licensing standards.

The Commission previously investigated Michael Knutsson. His license is in good standing and he is under an ongoing duty to remain suitable for licensure.

Tristan Sjoberg's holding company, Crib Goch Investment Ltd. ("Crib Goch"), will hold the interest in Pata-Pata that he receives from Bertil Knutsson. Mr. Sjoberg is the sole owner, manager and director of Crib Goch, and Crib Goch will hold the interest on Mr. Sjoberg's behalf. The Commission previously investigated Mr. Sjoberg. His license is in good standing and he is under an ongoing duty to remain suitable for licensure.

For these reasons, the Commission has determined that there is little to gain from applying the requirements of 68 IAC 5-2 to the present transaction. The requirements of 68 IAC 5-2 are impractical and burdensome to this transfer, and waiver is in the best interest of the public and the gaming industry and is not outside the technical requirements necessary to serve the purpose of the transfer regulations.

Based on the foregoing, the Commission hereby WAIVES 68 IAC 5-2 as necessary to allow the proposed transfer of additional indirect interest in Huxley to Michael Knutsson and Crib Goch.

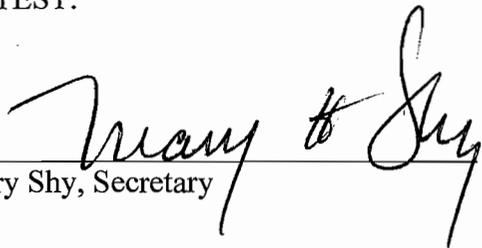
IT IS SO ORDERED ON THIS 2ND DAY OF AUGUST, 2012.

THE INDIANA GAMING COMMISSION:



Marc Fine, Vice-Chair

ATTEST:



Mary Shy, Secretary