ORDER 2014-50 IN RE SETTLEMENT AGREEMENT

HORSESHOE HAMMOND, LLC 14-HH-01

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

APPROVED

APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 20th DAY OF MARCH, 2014.

THE INDIANA GAMING COMMISSION:

Matt Bell, Chair

AŢTEST:

Cris Johnston, Secretary

STATE OF INDIANA INDIANA GAMING COMMISSION

IN RE THE MATTER OF:)	
HORSESHOE HAMMOND, LLC)	SETTLEMENT
)	14-HH-01
)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission ("Commission") by and through its Executive Director Ernest E. Yelton and Horseshoe Hammond, LLC ("Horseshoe") (collectively, the "Parties") desire to settle this matter prior to the initiation of a disciplinary proceeding pursuant to 68 IAC 13-1-18(a). The Parties stipulate and agree that the following facts are true:

FINDINGS OF FACT

- 1. Pursuant to IC 4-33-9-12 and 68 IAC 1-11-1(c), a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
- 2. On August 30, 2013 a Gaming Agent was contacted by a Security Manager regarding an underage person that had entered the casino. The Agent reviewed video coverage and found that the two Security Officers at the entrance did not ask the underage person for identification.
- 3. On September 28, 2013 a Gaming Agent received a call from a Security Supervisor in regards to an underage person on the casino floor. The Agent reviewed video coverage and found that the two Security Officers at the entrance did not ask the underage person for identification.
- 4. On November 20, 2013 a Gaming Agent was contacted by a Security Manager regarding an underage person who entered the casino. The Security Officer stationed at the entrance was checking the identifications of three other patrons when the woman and her child walked past.

TERMS AND CONDITIONS

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

pursuing formal disciplinary action against Horseshoe. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

Horseshoe shall pay to the Commission a settlement of \$24,000 and submit a corrective action plan in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. Neither this agreement nor any action performed pursuant to it will constitute an admission of any violation by Horseshoe. This agreement extends only to known incidents specifically alleged in this agreement and wholly based on the facts described herein. If the Commission subsequently discovers additional facts, which are not described in this agreement, that may support an independent determination that a violation has occurred, the Commission may pursue disciplinary action for such violations even if the facts are related to an incident described herein.

Upon execution and approval of this Settlement Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Settlement Agreement by the Commission, Horseshoe agrees to promptly remit payment in the amount of \$24,000 as well as submit a corrective action plan and shall waive all rights to further administrative or judicial review.

This Settlement Agreement constitutes the entire agreement between the parties. No prior or subsequent understandings, agreements, or representations, oral or written, not specified or referenced within this document will be valid provisions of this Settlement Agreement. This Settlement Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Settlement Agreement shall be binding upon the Commission and Horseshoe.

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

Ernest E. Yelton, Executive Director

Indiana Gaming Commission

Date

Dan Nita, General Manager Horseshoe Hammond, LLC

Date