

INDIANA GAMING COMMISSION BUSINESS MEETING

December 21, 2021
Virtual via Microsoft Teams Live Stream
Indianapolis, Indiana

Call to Order and Roll Call:

Chairman Michael B. McMains called the meeting to order at 2:15 p.m. local time. A quorum was present.

Present:

Commission members: Michael McMains, Chairman, Marc Fine, Susan Williams, Jason Dudich, Chuck Cohen, Daniel Housman, and Darren Root. Commission staff: Greg Small, Jenny Reske, Dennis Mullen, Robert Paugh, Chris Watson, Danielle Leek, Garth Brown, Dustin Moloy, Alex Dudley, Bob Opat, Angela Bunton, Liz Sullivan, Ed Winkofsky-Legal for Boyd Gaming and members of the public.

Approval of the Minutes:

Upon motion by Susan Williams, second by Jason Dudich, and unanimous vote of those present, the Commission approved the proposed minutes from the November 17, 2021, Business Meeting.

Administering Oath to Presenters: Executive Director Greg Small advised an oath was provided and a copy will be kept on file.

Report of the Executive Director:

Executive Director Small began his report by introducing new Gaming Agents: Jerry Berkey, Lloyd Hawkins, Zachary Robinson, Jason Morgan, Juli Schnell, Mark Clephane, and David Seiber. Also introduced was Chris Watson, new IT Assistant Director. The investigations division completed a reinvestigation for Interblock – Oaktree.

Exclusion List Updates: The IGC added 3 individuals to the statewide exclusion list since the September 2021 meeting. The total number of individuals on the list is now 906.

Waiver of Rules and Regulations: The IGC granted 4 waivers to Indiana casinos since the previous meeting. This information is included in your materials and will also be posted on the Commission's website.

Old Business: None

New Business:

Transfer of Ownership:

ORDER 2021-197
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING
TRANSFER OF OWNERSHIP OF INTERBLOCK D.D. TO IB OCM VOTECO

Order 2021-197 involved an ownership transfer between supplier licensee Interblock d.d. and IB OCM Voteco. After receiving the respective transfer applications, the Commission completed a background and financial investigation of each transferee, finding that both were substantially compliant with Indiana statutes and regulations and finding no derogatory information that would affect the transferee's suitability for holding the interest in Interblock. Approving Order 2021-197 would have the effect of approving this ownership transfer request.

Action: Upon motion by Jason Dudich, second by Susan Williams, and unanimous vote of those present, the Commission approved Order 2021-197.

ORDER 2021-198
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING
TRANSFER OF OWNERSHIP OF SMARKETS HOLDINGS USA, INC. TO
SUSQUEHANNA GROWTH EQUITY FUND VI

Order 2021-198 involved an ownership transfer between vendor licensee Smarkets Holdings USA, Inc. and Susquehanna Growth Equity Fund VI. After receiving the respective transfer applications, the Commission completed a background and financial investigation of each transferee, finding that both were substantially compliant with Indiana statutes and regulations and finding no derogatory information that would affect the transferee's suitability for holding the interest in Smarkets. Approving Order 2021-198 would have the effect of approving this ownership transfer request.

Action: Upon motion by Jason Dudich, second by Susan Williams, and unanimous vote of those present, the Commission approved Order 2021-198.

Patron Matters:

Exclusion List Removal Petition:

Order 2021-199 involved the petition for removal from the exclusion list of Troy Johnson. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Order 2021-200 involved the petition for removal from the exclusion list of Scott McGaha. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Order 2021-201 involved the petition for removal from the exclusion list of Jacob Mills. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Order 2021-202 involved the petition for removal from the exclusion list of De'Lone Garner. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Order 2021-203 involved the petition for removal from the exclusion list of Brandon Mullins. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Order 2021-204 involved the petition for removal from the exclusion list of Timothy Wong. A Findings of Fact and Recommendation were prepared and submitted as required by Commission regulations. Commission staff recommended granting removal from the exclusion list.

Action: Upon motion by Jason Dudich, second by Marc Fine, and unanimous vote of those present, the Commission approved Orders 2021-199 through 2021-204.

Supplier's License Matters:

Renewals:

Supplier's Renewals:

**ORDER 2021-205
AN ORDER OF THE INDIANA GAMING COMMISSION CONCERNING
RENEWAL OF SUPPLIER'S LICENSES**

- 1) Aristocrat Technologies, Inc.: valid November 9, 2021 through November 8, 2022;
- 2) American Gaming Systems, LLC: valid November 12, 2021 through November 11, 2022;
- 3) SBTech Malta Limited: valid November 23, 2021 through November 22, 2022;
and
- 4) United Tote Company: valid November 23, 2021 through November 22, 2022.

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission granted the renewal of the supplier licenses for a period of one year by adopting Order 2021-205.

Casino Renewals:

ORDER 2021-206

AN ORDER OF THE INDIANA GAMING COMMISSION RENEWING THE CASINO OWNER'S LICENSE AND WRITTEN POWER OF ATTORNEY FOR BELTERRA RESORT INDIANA, LLC

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission ADOPTED order 2021-206 and granted the renewal of Belterra's casino owner's license for a period of one year subject to Belterra maintaining its casino gambling operation, riverboat, hotel, and pavilion in substantial compliance with all applicable state and local laws including, but not limited to, Commission regulations, resolutions, orders, and/or other directives relating to the casino owner's license, or the lawful operation or conduct of gaming in Indiana. The renewal of the casino owner's license is valid for a period of one year from October 23, 2021 through October 22, 2022. Furthermore, the Commission approved the renewal of the power of attorney identifying Ellis Landau as trustee-in-waiting for Belterra. The renewal expires upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Belterra's casino owner's license; or (2) modifies or withdraws the renewal of the power of attorney approved herein.

ORDER 2021-207

AN ORDER OF THE INDIANA GAMING COMMISSION PROSPECTIVELY RENEWING THE CASINO OWNER'S LICENSE AND POWER OF ATTORNEY FOR CAESARS RIVERBOAT CASINO, LLC d/b/a CAESARS SOUTHERN INDIANA

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission ADOPTED order 2021-207 and granted the renewal of the casino owner's license for a period of one year subject to Caesars Southern maintaining its casino gambling operation, riverboat, hotel, and pavilion in substantial compliance with state and local laws including, but not limited to, Commission regulations, resolutions, orders, and/or other directives relating to the casino owner's license or to the lawful operation or conduct of gaming in Indiana. The renewal of the casino owner's license is valid for a period of one year from November 16, 2021 through November 15, 2022. Furthermore, the Commission approved the renewal of the power of attorney identifying Mr. Hansen as trustee-in-waiting for Caesars Southern. The renewal expires upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Caesars Southern's casino owner's license; or (2) modifies or withdraws the approval of Mr. Hansen as granted herein.

ORDER 2021-208
AN ORDER OF THE INDIANA GAMING COMMISSION PROSPECTIVELY
RENEWING THE CASINO OWNER'S LICENSE AND POWER OF ATTORNEY
FOR AZTAR INDIANA GAMING COMPANY, LLC d/b/a BALLY'S
EVANSVILLE

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission ADOPTED order 2021-208 and granted the renewal of the casino owner's license for a period of one year subject to Aztar maintaining its casino gambling operation, riverboat, hotel, and pavilion in substantial compliance with all applicable state and local laws including, but not limited to, Commission regulations, resolutions, orders, and/or other Commission directives relating to the casino owner's license, or the lawful operation or conduct of gaming in Indiana. The renewal of the casino owner's license is valid for a period of one year from December 5, 2021 through December 4, 2022. Furthermore, the Commission approved the renewal of the power of attorney identifying Mr. Gifford as trustee-in-waiting for Aztar. The renewal expires upon subsequent Commission order that either: (1) addresses the renewal of Aztar's casino owner's license; or (2) modifies or withdraws the approval of Mr. Gifford as approved herein.

ORDER 2021-209
AN ORDER OF THE INDIANA GAMING COMMISSION RENEWING THE
CASINO OWNER'S LICENSE AND WRITTEN POWER OF ATTORNEY OF
INDIANA GAMING COMPANY, LLC d/b/a HOLLYWOOD CASINO
LAWRENCEBURG

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission ADOPTED order 2021-209 and granted the renewal of Hollywood's casino owner's license for a period of one year subject to Hollywood maintaining its casino gambling operation, riverboat, hotel, and pavilion in substantial compliance with all applicable state and local laws, including but not limited to, Commission regulations, resolutions, orders, and/or other directives relating to the casino owner's license, or the lawful conduct or operation of gaming in Indiana. The renewal of the casino owner's license is valid for a period of one year from December 10, 2021 through December 9, 2022. Furthermore, the Commission approved the renewal of power of attorney identifying Mr. Larry Kinser as trustee-in-waiting for Hollywood. The renewal expires upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Hollywood's casino owner's license; or (2) modified or withdraws the renewal approval of Mr. Kinser as granted herein.

Sports Wagering Vendor's Renewals:

ORDER 2021-210

**AN ORDER OF THE INDIANA GAMING COMMISSION CONCERNING
RENEWAL OF VENDOR'S LICENSES**

- 1) American Wagering, Inc. (Caesars Southern Vendor): valid November 19, 2021 through November 18, 2022;
- 2) American Wagering, Inc. (Horseshoe Hammond Vendor): valid November 16, 2021 through November 15, 2022; and
- 3) Churchill Downs Interactive Group: valid December 30, 2021 through December 29, 2022.

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission granted the renewal of the vendors licenses for a period of one year by adopting Order 2021-210.

Sports Wagering Certificate Holders:

**ORDER 2021-211
AN ORDER OF THE INDIANA GAMING COMMISSION CONCERNING
RENEWAL OF CERTIFICATES OF AUTHORITY**

- 1) Gaming Entertainment (Indiana) LLC d/b/a Rising Star Casino: valid November 7, 2021 through November 6, 2022:

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission granted the renewal of the Certificate of Authority license for a period of one year by adopting Order 2021-211.

Paid Fantasy Sports Operators:

**ORDER 2021-212
AN ORDER RENEWING THE PAID FANTASY SPORTS GAME OPERATOR
LICENSE FOR YAHOO FANTASY SPORTS LLC**

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission adopted Order 2021-212. The Commission granted the renewal of Yahoo Fantasy Sports LLC Game Operator License for a period of one (1) year subject to Yahoo Fantasy Sports LLC maintaining its operations in substantial compliance with all properly applicable state and local laws including, but not limited to, Commission regulations, resolutions, orders and/or other directives relating to the license or the lawful operation of paid fantasy sports games in Indiana. The renewal of Yahoo Fantasy Sports Game Operator License is valid for a period of one year from November 16, 2021, through November 15, 2022.

Sports Wagering Vendor License Matters:

ORDER 2021-213

**AN ORDER OF THE INDIANA GAMING COMMISSION CONCERNING THE
PERMANENT SPORTS WAGERING VENDOR LICENSE OF UNIBET INDIANA
LLC**

Action: Upon motion by Jason Dudich, second by Susan Williams, and unanimous vote of those present, the Commission granted a vendor's license to Unibet Indiana LLC for a period from December 21, 2021 through July 29, 2022 by adopting Order 2021-213.

Disciplinary Actions:

**ORDER 2021-214
IN RE SETTLEMENT AGREEMENT
BOYD GAMING CORPORATION
21-BOYD-01**

Order 2021-214 involved a settlement agreement with Boyd Gaming Corporation totaling \$150,000. This disciplinary action addressed the failure of the licensee to fully and properly disclose required information to the Commission.

Action: Upon motion by Susan Williams, second by Jason Dudich, and unanimous vote of those present, the Commission approved the settlement agreement by adopting Order 2021-214.

**ORDER 2021-215
IN RE SETTLEMENT AGREEMENT
INDIANA SPORTS GAMING LLC
21-BI-01**

Order 2021-215 involved a settlement agreement with Indiana Sports Gaming LLC d/b/a BetIndiana. In January of 2020, BetIndiana was granted a temporary sports wagering vendor license. Since that time, however, BetIndiana failed to employ the key persons necessary to maintain a vendor license and lacked certain sports wagering operator fundamentals. In December of 2021, Commission staff and BetIndiana reached a settlement agreement. Per the agreement, the parties agreed to a suspension of BetIndiana's temporary vendor license. Further, BetIndiana must provide the Commission with myriad items by February 1, 2022 or face the possibility of further disciplinary action. Approving Order 2021-215 ratified the Settlement Agreement.

Action: Upon motion by Susan Williams, second by Chuck Cohen, and unanimous vote of those present, the Commission approved the settlement agreement by adopting Order 2021-215.

Occupational Licensees

Felony Waiver:

ORDER 2021-216

**AN ORDER OF THE INDIANA GAMING COMMISSION REGARDING
REQUEST FOR WAIVER OF FELONY DISQUALIFICATION FOR PAUL
SALERNO**

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission approved the request by adopting Order 2021-216.

Disciplinary Actions – License Denials:

**ORDER 2021-217
AN ORDER CONCERNING YORKY MORRIS’S APPLICATION FOR
PERMANENT OCCUPATIONAL LICENSE**

**ORDER 2021-218
AN ORDER CONCERNING SHENELLE BOWERS’S APPLICATION FOR
PERMANENT OCCUPATIONAL LICENSE**

Action: Upon motion by Marc Fine, second by Chuck Cohen, and unanimous vote of those present, the Commission denied the applicants’ applications for permanent licensure by adopting Order 2021-217 and 2021-218.

Disciplinary Actions:

**ORDER 2021-219
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH JENNIFER KAVIS**

**ORDER 2021-220
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH SHIRLEY LINK**

**ORDER 2021-221
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH CHRISTA COMBS**

**ORDER 2021-222
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH LAUREN BANKS**

**ORDER 2021-223
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH SETTRA CHEY**

**ORDER 2021-224
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH DUSTIN HUSTED**

ORDER 2021-225
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING THE
SETTLEMENT AGREEMENT WITH SAVANNAH ARCHER

Action: Upon motion by Marc Fine, second by Chuck Cohen, and unanimous vote of those present, the Commission approved the settlement agreements by adopting Orders 2021-219 through 2021-225.

Casino Matters:

Casino Financings:

ORDER 2021-226
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING
SPECTACLE GARY HOLDINGS, LLC D/B/A HARD ROCK NORTHERN
INDIANA'S PROPOSED DEBT ACTIVITY

ORDER 2021-227
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING A DEBT
TRANSACTION PROPOSED BY BOYD GAMING COMMISSION

Action: Upon motion by Jason Dudich, second by Darren Root, and unanimous vote of those present, the Commission approved the proposed debt transaction by adopting Orders 2021-226 and 2021-227.

Terre Haute Matters:

ORDER 2021-228
AN ORDER OF THE INDIANA GAMING COMMISSION APPROVING
SETTLEMENT AGREEMENT AND RELEASE

Action: Upon motion by Marc Fine, second by Jason Dudich and Chuck Cohen, and unanimous vote of those present, the Commission approved the Settlement Agreement and Release with Lucy Luck Gaming, LLC by adopting Order 2021-228.


ORDER 2021-229
AN ORDER OF THE INDIANA GAMING COMMISSION CONCERNING THE
APPLICATION OF CDITH, LLC FOR A CASINO OWNER'S LICENSE
PURSUANT TO INDIANA CODE § 4-33-6.7.1

Action: Upon motion by Marc Fine, second by Susan Williams, and unanimous vote of those present, the Commission granted Churchill Downs a casino owner's license to operate an inland casino in Vigo County, Indiana by adopting Order 2021-229.

Meeting Adjournment:

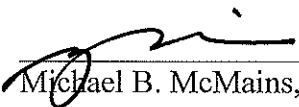
Upon motion by Jason Dudich, second by Susan Williams, and unanimous vote of those present, the meeting was adjourned at 3:02PM local time.

Respectfully submitted,

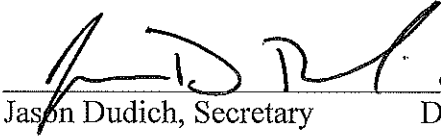


Liz Sullivan

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chairman Date

 3-8-22

Jason Dudich, Secretary Date