

ORDER 2008-104
IN RE SETTLEMENT AGREEMENT
GRAND VICTORIA CASINO & RESORT LP
08-GV-03

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

Approves
APPROVES OR DISAPPROVES


the proposed terms of the Settlement Agreement.

IT IS SO ORDERED THIS THE 28th DAY OF AUGUST, 2008.

THE INDIANA GAMING COMMISSION:


William Barrett, Chair

ATTEST:


Thomas Swihart, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)	
)	SETTLEMENT
GRAND VICTORIA CASINO)	08-GV-03
& RESORTS LP)	

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Grand Victoria Casino & Resorts LP (“Grand Victoria”) (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. 68 IAC 15-6-4 (e) states the vendor and visitor log shall contain the following information:
 - (1) The name of the vendor or visitor.
 - (2) The company or organization the vendor or visitor represents.
 - (3) The date and time the vendor or visitor boards the riverboat.
 - (4) The purpose that necessitates the vendor or visitor boarding the riverboat.
 - (5) The date and time that the vendor or visitor exits the riverboat. The riverboat licensee is responsible for instituting a policy that ensures all vendor and visitor badges are returned to the security department and accounted for when the vendor or visitor exits the riverboat.
 - (6) If the person is a visitor, the individual who authorized the visitor's presence on the riverboat.
 - (7) Any other information deemed necessary by the executive director or the commission to ensure compliance with the Act and this title.

2. 68 IAC 12-1-8(c) states a visitor's log must do the following:
 - (1) Include the signature of anyone other than surveillance employees on duty who access the surveillance room.
 - (2) Identify all visitors.
 - (3) State the following:
 - (A) The department or agency the visitor represents.
 - (B) The reason for access to the room.
 - (4) Provide the date and time of arrival and departure from the room.
 - (5) Be retained a minimum of ninety (90) days.

3. On May 8, 2008, a Gaming Agent was checking the Security Vendor and Visitor logs for compliance and noticed that badges had been logged out, but not logged in. The Agent

received logs dating back to May 7, 2008, and there were 4 vendor badges that had been logged out but not logged in.

4. On May 8, 2008, a Gaming Agent entered the surveillance room and noted that two vendors who were in the room installing new digital equipment had not signed the Surveillance Entrance Log.

TERMS AND CONDITIONS

Commission staff alleges that the acts or omissions of Grand Victoria by and through its agents as described herein constitute a breach of the Riverboat Gambling Act, Title 68 of the Indiana Administrative Code and Grand Victoria's approved internal control procedures. The Commission and Grand Victoria hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against Grand Victoria. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

Grand Victoria shall pay to the Commission a total of \$5,000 in consideration for the Commission foregoing disciplinary action based on the facts specifically described in each count of this agreement. This agreement extends only to those violations and findings of fact, specifically alleged herein. If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described herein, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or 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, Grand Victoria agrees to promptly remit payment in the amount of \$5,000 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 Grand Victoria.

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

8.25.08

Date



Steven Jimenez, General Manager
Grand Victoria Casino & Resort

8/11/08

Date