

ORDER 2011-49

**APPROVING THE SETTLEMENT AGREEMENT BETWEEN
THE INDIANA GAMING COMMISSION AND RODNEY L. WESTBROOK**

On November 26, 2003, Rodney L. Westbrook, was issued permanent occupational license to work as a Bar Porter at the Majestic Star Casino. Westbrook timely renewed his license with the Commission from 2004 through 2010.

On June 28, 2007, Westbrook was arrested and charged with Public Intoxication, as an A-Misdemeanor, in the East Chicago City Court. On October 19, 2007, he entered into a 6-Month Deferred Prosecution Agreement which resulted in the matter being dismissed.

On August 16, 2007, Westbrook was arrested and charged with Possession of Marijuana, as an A-Misdemeanor, in the East Chicago City Court. On October 19, 2007, he entered into a 12-month Deferred Prosecution Agreement which resulted in the matter being dismissed.

68 IAC 2-3-9.1(a)(5) requires all occupational licensees to notify the Commission in writing any time the licensee has been arrested, indicted, charged, convicted, or plead guilty to any felony or misdemeanor within ten (10) calendar days of the event. Westbrook violated this provision by failing to disclose to the Commission either arrest or entering into the Deferred Prosecution Agreements.

On November 29, 2010, Commission staff sent a letter to Mr. Westbrook. This letter offered to settle the matter in lieu of commission staff filing a complaint and pursuing disciplinary action.

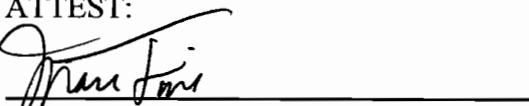
Commission staff and Mr. Westbrook have agreed to settle this matter. The terms of the settlement agreement have been reduced to writing, and in pertinent part, and provide that Westbrook's occupational licensee shall be voluntarily relinquished for two (2) working days at a time to be determined by the parties in cooperation with the Majestic Star Casino. Westbrook agrees that no vacation or paid leave time shall be used while serving this voluntary relinquishment.

Having considered the foregoing, the Commission hereby APPROVES the proposed terms of the settlement agreement.

IT IS SO ORDERED THIS THE 17TH DAY OF MARCH, 2011:

THE INDIANA GAMING COMMISSION:


Timothy Murphy, Chair

ATTEST:

Marc Fine, Secretary