

ORDER 2015-40
AN ORDER OF THE INDIANA GAMING COMMISSION
IN RE SETTLEMENT AGREEMENT
ARISTOCRAT TECHNOLOGIES, INC.
15-ATI-01

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

APPROVES

the proposed terms of the Settlement Agreement.

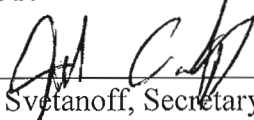
IT IS SO ORDERED THIS 19th DAY OF MARCH, 2015.

THE INDIANA GAMING COMMISSION:



Cris Johnston, Chair

ATTEST:



Joseph Svetanoff, Secretary

**STATE OF INDIANA
INDIANA GAMING COMMISSION**

IN RE THE MATTER OF:)
)
ARISTOCRAT TECHNOLOGIES, INC.) **SETTLEMENT**
) **15-ATI-01**
)

SETTLEMENT AGREEMENT

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Ernest E. Yelton and Aristocrat Technologies, Inc. (“ATI”) (collectively, the “Parties”) desire to settle this matter prior to the initiation of a disciplinary proceeding. The Parties stipulate and agree to the following:

FINDINGS OF FACT

1. 68 IAC 17-1-1(f) states EPROMs shall be transported separately from the shipment of electronic gaming devices. If an electronic gaming device:
(1) is not being used by a casino licensee; and
(2) is being stored outside the casino;
the EPROM shall be stored separately in a locked safe or the equivalent.
2. On November 10, 2014, a Gaming Agent worked on a slot move with a Slot Technician. The Agent noted that the communication board located inside an Aristocrat machine already had an SPC EPROM installed but not taped to the board. The SPC EPROM serves as a communication port between the electronic gaming device and the casino’s main computer system and is considered secured software. On September 9, 2014, Aristocrat had shipped twenty (20) machines to Tropicana and all of them contained a board with the SPC EPROM. The Agent reviewed the request sent by Tropicana to Aristocrat and in the comment section it was requested that the machines be sent without secured software. Once the machines arrived at Tropicana, the Slot Technician Supervisor and Slot Bench Technician failed to notice the SPC EPROM when they inspected the interior of the machines. The machines were placed in the warehouse until November 10th when the machines were transferred to the casino floor.

TERMS AND CONDITIONS

Commission staff alleges that the acts and omissions of ATI by and through its agents as described in this Settlement Agreement (“Agreement”) constitute a breach of the Commission's statute located at Indiana Code 4-33 and/or its rules located at 68

Indiana Administrative Code. The Commission and ATI hereby agree to a monetary settlement of the alleged violations in lieu of the Commission pursuing formal disciplinary action against ATI. This agreement is being entered into to avoid the potential expense and inconvenience of disciplinary action.

ATI shall pay to the Commission \$3,000 in settlement of the violations set forth in this Agreement. This Agreement extends only to violations and findings of fact specifically alleged in this Agreement. If the Commission subsequently discovers facts that give rise to additional or separate violations, which are not described in this Agreement, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in this Agreement.

Upon execution and approval of this Agreement, Commission staff shall submit this Agreement to the Commission for review and final action. Upon approval of the Agreement by the Commission, ATI agrees to promptly remit payment in the amount of \$3,000 and waive all rights to further administrative or judicial review.

This 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 Agreement. This Agreement may not be modified, supplemented, or amended, in any manner, except by written agreement signed by all Parties.

This Agreement shall be binding upon the Commission and ATI.

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



Ernest E. Yelton, Executive Director
Indiana Gaming Commission

3.9.15

Date



Kathleen Worley
Director of Regulatory Compliance
Aristocrat Technologies, Inc.

3/04/15

Date