

ORDER 2021-10

AN ORDER OF THE INDIANA GAMING COMMISSION PROSPECTIVELY RENEWING THE CASINO OWNER'S LICENSE AND WRITTEN POWER OF ATTORNEY FOR AMERISTAR CASINO EAST CHICAGO, LLC

In accordance with and subject to Ind. Code art. 4-33 and Title 68 of the Indiana Administrative Code, the Indiana Gaming Commission ("Commission") issued a casino owner's license to Showboat Marina Casino Partnership ("Showboat") effective April 15, 1997. By Resolution 1999-8, the Commission granted Harrah's Operating Company, Inc.'s application to acquire Showboat. By Resolution 2005-25, the Commission approved RIH Acquisition IN, LLC's ("RIH") purchase of substantially all assets of Showboat.

Further, by Resolution 2007-90, the Commission approved the request of Ameristar East Chicago Holdings, LLC to acquire the interests of RIH, including the riverboat that is the subject of this license. In Order 2008-61, the Commission approved a request to change the name of the license holder from RIH to Ameristar East Chicago, LLC ("Ameristar").

By Order 2003-120, the Commission approved Pinnacle Entertainment, Inc.'s acquisition of Ameristar Casinos, Inc., the parent company of the license holder, Ameristar. Finally, by Order 2018-122, the Commission approved the transfer of ownership interests of Pinnacle Entertainment, Inc., including Ameristar, to Penn National Gaming, Inc. Pursuant to Ind. Code § 4-33-6-12, the Ameristar license has been renewed annually since inception. Most recently, the license was renewed through April 14, 2021. On February 25, 2021, Ameristar requested renewal and submitted payment of its annual renewal fee. Ameristar's casino owner's license was scheduled to expire on April 14, 2021.

On July 10, 2020, by Order 2020-21, the Commission approved a modification of the power of attorney identifying Larry Kinser as trustee-in-waiting for Ameristar. Mr. Kinser's trustee-in-waiting status expires "upon effectiveness of a subsequent Commission order that either: (1) addresses renewal of the licenses; or (2) modifies or withdraws its approval of the written power of attorney as approved herein." In its request for renewal, Ameristar confirmed that it would maintain Mr. Kinser as its trustee-in-waiting.

COMMISSION ACTION

Pursuant to Ind. Code § 4-33-6-12, the Commission has found that Ameristar has substantially complied with the directives of Ind. Code art. 4-33 and Title 68 of the Indiana Administrative Code; therefore, Ameristar is suitable to hold a casino owner's license. The Commission **GRANTS** renewal of the casino owner's license for a period of one year, subject to Ameristar maintaining its casino gambling operation, riverboat, hotel, and pavilion, in substantial compliance with all 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 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 April 15, 2021 through April 14, 2022.

Furthermore, the Commission **GRANTS** renewal of its approval of the written power of attorney identifying Larry Kinser as trustee-in-waiting for Ameristar. The renewal expires upon the effectiveness of a subsequent Commission order that either: (1) addresses the renewal of Ameristar's casino owner's license; or (2) modifies or withdraws the renewal of the power of attorney approved herein.

According to Ind. Code ch. 4-21.5-3, this order is effective fifteen days after the order is served.

IT IS SO ORDERED THIS 23rd DAY OF MARCH, 2021.

THE INDIANA GAMING COMMISSION:



Michael B. McMains, Chair

ATTEST:



Jason Dudich, Secretary