

**ORDER 2024-29  
IN RE SETTLEMENT AGREEMENT**

**BLUE SKY CASINO, LLC  
d/b/a FRENCH LICK RESORT • CASINO  
24-FL-01**

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

**APPROVED**

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APPROVES OR DISAPPROVES

the proposed terms of the Settlement Agreement.

**IT IS SO ORDERED THIS THE 21<sup>st</sup> DAY OF MARCH, 2024.**

**THE INDIANA GAMING COMMISSION:**

  
Milton Q. Thompson, Chair

ATTEST:

  
Jason Dudich, Secretary

**STATE OF INDIANA  
INDIANA GAMING COMMISSION**

<b>IN RE THE MATTER OF:</b>	)	
	)	<b>SETTLEMENT</b>
<b>BLUE SKY CASINO, LLC d/b/a</b>	)	<b>24-FL-01</b>
<b>FRENCH LICK RESORT•CASINO</b>	)	

**SETTLEMENT AGREEMENT**

The Indiana Gaming Commission (“Commission”) by and through its Executive Director Greg Small and Blue Sky Casino, LLC d/b/a French Lick Resort•Casino (“French Lick”), (collectively, the “Parties”) desire to enter into this settlement agreement (“Agreement”) 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. IC 4-33-9-12(a) provides a person who is less than twenty-one (21) years of age may not be present in the area of a riverboat where gambling is being conducted.
2. 68 IAC 1-11-1(c) states a person under twenty-one (21) years of age shall not be present in a casino.
3. On October 12, 2023, Surveillance notified Gaming Agents that a Security Officer scanned a suspected fake identification (“ID”) and allowed the patron to enter the gaming floor before the ID scanner returned a failure. Gaming Agents proceeded to the casino floor to meet with the patron. Gaming Agents were handed the fake ID and requested to see the patron’s real ID. The patron provided that his real ID was in his parent’s hotel room. His parents went to retrieve his real ID which provided that the patron was only twenty (20) years old.
4. On October 14, 2023, Security notified Gaming Agents that a possible underage person was on the casino floor. A female patron presented an ID to the Security Officer working at the turnstiles which passed the ID scan. As the patron walked through the turnstiles, the Security Officer thought there might be an issue, so he looked at the picture from the scanner again. The Security Officer called a Security Supervisor to inform him that he did not think the patron matched the ID presented. Gaming Agents located the patron on the casino floor, and she admitted to using her mother’s ID to enter the casino. The female patron also admitted to being nineteen (19) years of age.
5. A review of surveillance coverage determined that the Security Officer did not make an attempt to stop the female patron from entering the casino when he recognized that she did match the ID presented. As a result, the underage patron gained access to the casino floor and was allowed to play an electronic gaming device.

6. On November 28, 2023, Security notified Gaming Agents that a possible underage person was on the casino floor and had used a fake ID to enter the casino. Gaming Agents identified the male patron on the casino floor drinking a beer at a blackjack table. Gaming Agents questioned if he used a fake ID to enter the casino. The male patron attempted to say his ID was real but eventually produced his real ID which provided that he was nineteen (19) years of age.
7. A review of surveillance coverage determined that the male patron provided an ID to the Security Officer working the turnstiles. The ID was dipped in the scanner and failed three (3) times. A Security Supervisor then dipped the ID into the scanner two (2) additional times, and it failed both times. The Security Supervisor then allowed the male patron to enter the casino floor. The underage patron was able to purchase alcohol while on the casino floor.

### **TERMS AND CONDITIONS**

Commission staff alleges that the acts or omissions of French Lick by and through its agents as described herein constitute a breach of IC 4-33, IC 4-38, 68 IAC, and/or French Lick's approved internal control procedures. The Commission and French Lick hereby agree to a monetary settlement of the alleged violations described herein in lieu of the Commission pursuing formal disciplinary action against French Lick.

French Lick shall pay to the Commission a total of \$9,000 in consideration for the Commission foregoing disciplinary action based on the facts specifically described in the Findings of Fact contained in this Agreement. This Agreement extends only to those violations and findings of fact specifically alleged in the findings above. If the Commission subsequently discovers facts that give rise to additional or separate violations, the Commission may pursue disciplinary action for such violations even if the subsequent violations are similar or related to an incident described in the findings above.

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, French Lick agrees to promptly remit payment in the amount of \$9,000 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 may be executed in multiple counterparts, each of which shall be deemed an original agreement and both of which shall constitute one and the same agreement. The counterparts of this Agreement may be executed and delivered by electronic mail, facsimile, or other electronic signature by either of the parties and the receiving party may rely on the

receipt of such document so executed and delivered electronically as if the original had been received.

This Agreement shall be binding upon the Commission and French Lick.

IN WITNESS WHEREOF, the Parties have signed this Agreement on the date and year as set forth below.

*Greg Small*

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Greg Small, Executive Director  
Indiana Gaming Commission

2/26/24

\_\_\_\_\_  
Date

*Chris Leininger*

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Chris Leininger, General Manager  
Blue Sky Casino, LLC

2/21/24

\_\_\_\_\_  
Date