

August 4, 2021

The Honorable Bob Heaton, Indiana State Representative
The Honorable Terri J. Austin, Indiana State Representative
The Honorable Beau Baird, Indiana State Representative
The Honorable Steve Bartels, Indiana State Representative
The Honorable Michelle Davis, Indiana State Representative
The Honorable Jeff Ellington, Indiana State Representative
The Honorable Alan Morrison, Indiana State Representative

VIA E-mail

RE: July 26, 2021 Correspondence Concerning Lucy Luck Gaming

Dear Legislators:

Thank you for your letter and the support you offer regarding the actions of the Indiana Gaming Commission (“Commission”) in its efforts to regulate the gaming industry under difficult and unprecedented circumstances. As you know, the Commission takes very seriously the charge to maintain the public’s confidence in gaming as outlined by statute. Every action taken by the Commission to date has been to address specific threats to the integrity of the industry and the Commission stands by its actions.

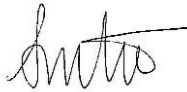
Many of the statements made in your correspondence are similar to those made by litigants who are engaged in legal action against the Commission. Because it is not advisable to discuss matters of pending litigation outside of court filings, I regret that I am unable to engage in detailed discussion that would provide further explanation and support for the Commission’s position with regard to Lucy Luck. Because the Commission is constrained in this regard, I have attached a copy of a recent judicial opinion not only affirming the Commission’s authority, but which also discusses the underlying integrity concerns that are served in ensuring strict and comprehensive regulation.

The emergency rules referenced in your letter were adopted as the result of a public corruption investigation that led to charges in federal court against one former Indiana legislator and one Indiana casino executive who is also a former Indiana legislator. Indiana casino licensees, with the notable exception of Lucy Luck and associated individuals, have indicated support for the rules and the efforts of the Commission to maintain the public’s confidence in the industry. Because integrity and reputation standards apply across gaming jurisdictions both here in the United States and internationally, casino licensees risk harm from associations with scandals and illegal

activity. Ensuring Indiana maintains a reputation as a clean and strict gaming jurisdiction is a benefit to all stakeholders.

It is unfortunate that Lucy Luck failed to make progress toward opening an operational casino during the year the company held a gaming license. Any claim that the failure to progress was caused by requirements placed upon minority shareholders is not supported by information provided to the Commission. Should a time come when all facts become known publicly, we have a high level of confidence that you will agree that the Commission has acted in a measured and reasonable manner.

Sincerely,



Sara Gonso Tait
Executive Director

cc: The Honorable Todd Huston, Speaker, Indiana House of Representatives
The Honorable Rodric Bray, President Pro Tempore, Indiana State Senate
The Honorable Phil GiaQuinta, Minority Leader, Indiana House of Representatives
The Honorable Greg Taylor, Minority Floor Leader, Indiana State Senate
The Honorable Ben Smaltz, Public Policy Chairman, Indiana House of Representatives
The Honorable Ron Alting, Public Policy Chairman, Indiana State Senate
Wayne Turner, Counsel to the Commission, Hoover Hull Turner LLP
Jennifer Reske, Deputy Director, Indiana Gaming Commission
Greg Small, General Counsel, Indiana Gaming Commission