

IN THE MISSOURI GAMING COMMISSION

In Re:)
) DC-14-060
Aristocrat Technologies, Inc.)

PRELIMINARY ORDER FOR DISCIPLINARY ACTION

Comes now the Missouri Gaming Commission acting in its official capacity pursuant to 11 CSR 45-13.050, and states as follows:

1. The Missouri Gaming Commission (the "Commission" or "MGC") is a state commission created under Chapter 313, RSMo 2000, with jurisdiction over gaming activities, including riverboat gambling activities, in the State of Missouri.
2. Aristocrat Technologies, Inc. ("Company" or "Aristocrat") is a supplier of gaming machines, progressive systems, and casino management systems.
3. The Commission issued a Supplier license to Aristocrat, to provide gaming machines, progressive systems, and casino management systems, or other items directed by the Commission to a Class A, or Class B licensee or the Commission.
4. As the holder of a Supplier license, the Company is subject to the provisions of Sections 313.800 to 313.850, RSMo 2000, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

5. On May 3, 2013, Ameristar Casino St. Charles ("Ameristar"), discovered and reported to the Commission that Aristocrat shipped 50 Sentinel III flash cards with revoked software (V 2.4.16.1) into the State of Missouri.
6. Electronic Gaming Device (EGD) Slot Tech Manager, Bart Carroz informed Specialist Jennifer Casebeer that Ameristar received a shipment of 50 Sentinel III flash cards containing revoked software from Aristocrat.
7. The flash cards were brought to the MGC office and, after a verification process utilizing Gaming Laboratories Inc. (GLI) Verify 5.3, it was determined that the version of Sentinel III software (2.4.16.1) used in the flash cards had been revoked on April 15, 2011.

¹20130506002

LAW

8. Under Section 313.805(6), RSMo, the Commission may assess any appropriate administrative penalty against a licensee, including but not limited to, suspension, revocation or penalties of an amount determined by the Commission.
9. Under Section 313.812.14, RSMo, a holder of any license is subject to imposition of penalties, suspension or revocation of such license for any act or failure to act by himself or his agents or employees, that is injurious to the public health, safety, morals, good order and general welfare of the people of the state of Missouri, or that would discredit or tend to discredit the Missouri gaming industry or the state of Missouri.
10. Under Section 313.812.14(1), RSMo, a licensee may be disciplined for failing to comply with or make provisions for compliance with Sections 313.800 to 313.850, the rules and regulations of the commission or any federal, state or local law or regulation.
11. Under Section 313.812.14(2), RSMo, a licensee may be disciplined for failing to comply with any rule, order or ruling of the Commission or its agents pertaining to gaming.
12. Under 11 CSR 45-5.237(2) “Critical program storage media shall be approved for use in the state prior to shipment and shall be shipped separately from electronic gaming devices unless otherwise approved in writing by the commission.”

VIOLATIONS

13. The actions or omissions of employees or agents of the Company as described above constitutes shipping unapproved software into the state of Missouri, which is a violation of 11 CSR 45-5.237(2). The Company is therefore subject to discipline for such violations under Sections 313.805(6), and 313.812.14 (1) and (2), RSMo.

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PENALTY PROPOSED

- 14. Under Section 313.805(6), RSMo, the Commission has the power to assess any appropriate administrative penalty against the Company, as the holder of a Supplier license.
- 15. THEREFORE, it is proposed that the Commission fine Aristocrat Technologies Inc. the amount of \$25,000 for the violations set forth herein.

Dr. Barrett Hatches
Chairman
Missouri Gaming Commission

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused a true and correct copy of the foregoing to be mailed, postage prepaid, this ____ day of _____, 2014, to:

Kathleen Worley
Aristocrat Technologies, Inc.
7230 Amigo Street
Las Vegas, NV 89119

Dr. Barrett Hatches
Chairman
Missouri Gaming Commission