

IN THE MISSOURI GAMING COMMISSION

In Re:)
IOC-Boonville, Inc.) DC-25-011
d/b/a Isle of Capri Casino, Boonville)

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, with jurisdiction over gaming activities, including riverboat gambling activities, in the state of Missouri.
2. The Commission issued a Class A gaming license to Caesars Entertainment, Inc. to develop and operate Class B gaming licensees in the State of Missouri.
3. Caesars Entertainment, Inc. is the parent organization or controlling entity of IOC-Boonville, Inc.
4. The Commission issued a Class B riverboat gambling license to IOC-Boonville, Inc., to conduct games on and operate the excursion gambling boat known as Isle of Capri Casino, Boonville (the “Casino”).
5. As the holder of a Class B license, IOC-Boonville, Inc., d/b/a Isle of Capri Casino, Boonville, is subject to the provisions of Sections 313.800 to 313.850, RSMo, and the regulations promulgated thereunder by the Commission.

STATEMENT OF FACTS¹

6. On March 23, 2024, the Casino held a promotional event called “OTP – The Big Pull.” The event lasted from 8:00 a.m. to 9:59 p.m., during which patrons earned one (1) free entry upon activation and additional entries at the rate of one (1) entry per twenty-five (25) tier credits earned within the earning timeframe. During the promotion, one (1) winner was drawn every fifteen (15) minutes from 6:00 p.m. until 10:00 p.m. The winner was allowed a number of free spins ranging from five (5) to twenty-five (25) spins on a Blazing 7s Electronic Gaming Device (EGD). At approximately 7:00 p.m., a Marketing Supervisor was informed by a patron that earned entries were not included in the promotional drawings. The Supervisor contacted Sgt. W. L. Laughlin with the Missouri State Highway Patrol, assigned to the Gaming Division, who opened an investigation.

¹ GR 20240326002, 20240422002, 20240530001

- a. Through the investigation, it was discovered that there were four (4) drawings completed with only the free entry given upon activation included in the drawings. None of the earned entries were included in the drawings, thus depriving patrons of additional entries that they earned through play. The error was due to the promotion being set up wrong in the system. The time for earnings collection was set at 8:00 p.m. instead of 8:00 a.m., as stated in the promotional rules.
 - b. There were two hundred eleven (211) patrons eligible for the 6:00 p.m. drawing, two hundred fifty (250) patrons eligible for the 6:15 p.m. drawing, two hundred seventy-two (272) patrons eligible for the 6:30 p.m. drawing, and three hundred eleven (311) patrons eligible for the 6:45 p.m. drawing.
7. On April 19, 2024, the Casino Marketing Supervisor contacted Trooper D. C. Belardo of the Missouri State Highway Patrol, assigned to the Gaming Division, and reported a violation of the rules and regulations of a Casino promotion. Trooper Belardo opened a regulatory investigation.
 - a. During the month of April, the Casino held a promotional event called "Petals That Pay Drawing." Every Friday in the month of April, eligible patrons could receive one (1) free entry each drawing day when they activated at a kiosk during the check-in timeframe. Additional entries were earned at the rate of one (1) entry per twenty-five (25) tier credits earned within the earning timeframe. The promotion provided that, starting at 6:00 p.m., every fifteen (15) minutes, one (1) name would be drawn to pluck a petal from a board and win between one hundred fifty dollars (\$150) and one thousand dollars (\$1,000) in free slot play.
 - b. Through the investigation, Corporal Martin discovered that on April 19, 2024, at approximately 7:25 p.m., a patron reported that some of her earned entries were not included in the drawings. The drawings were halted, and the promotion was delayed for two (2) hours until the issue was resolved. This issue was caused by an error in the activation time frame in the promotion build. Upon further investigation, it was determined that twelve (12) patrons received fewer entries into the drawing drum over the course of the promotional period. Two (2) more patrons were not present at drawing times due to the delay in the promotion.
8. On May 24, 2024, the Casino Marketing Supervisor contacted Corporal A. D. Martin of the Missouri State Highway Patrol assigned to the Gaming Division and reported a violation of the rules and regulations of a Casino promotion. Corporal Martin opened an investigation.
 - a. During the month of May, the Casino held a promotional event called "Love Our Locals." Each week, eligible patrons could earn between two hundred (200) and ten thousand (10,000) tier credits each promotional earning day to redeem

between five dollars (\$5) free slot play and two hundred fifty dollars (\$250) free slot play on Friday of that same week.

- b. Through the investigation, it was discovered that there was a typo in one of the builds for one group. Earning was entered as 2500 – 300 tier credits instead of 2500 – 3500 Tier Credits. This error affected two (2) guests that should have received free slot play and didn't. Additionally, it was discovered that the build was only accounting for tier credits earned through EGD play and not for table game play. These errors caused patrons to not receive their earned free slot play. In total, one hundred thirty-four (134) patrons were impacted.

LAW

- 9. Section 313.805, RSMo, states, in pertinent part, as follows:

The Commission shall have full jurisdiction over and shall supervise all gambling operations governed by sections 313.800 to 313.850. The Commission shall have the following powers and shall promulgate rules and regulations to implement sections 313.800 to 313.850:

* * *

(5) To investigate alleged violations of sections 313.800 to 313.850 or the Commission rules, orders, or final decisions;

(6) To assess any appropriate administrative penalty against a licensee, including, but not limited to, suspension, revocation, and penalties of an amount as determined by the Commission up to three times the highest daily amount of gross receipts derived from wagering on the gambling games, whether unauthorized or authorized, conducted during the previous twelve months as well as confiscation and forfeiture of all gambling game equipment used in the conduct of unauthorized gambling games. Forfeitures pursuant to this section shall be enforced as provided in sections 513.600 to 513.645;

* * *

(19) To take any other action as may be reasonable or appropriate to enforce sections 313.800 to 313.850 and the Commission rules.

- 10. Section 313.812, RSMo, states, in pertinent part, as follows:

14. A holder of any license shall be subject to imposition of penalties, suspension or revocation of such license, or if the person is an applicant for licensure, the denial of the application, for any act or failure to act by such person or such person's 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 of the state of Missouri unless the licensee

proves by clear and convincing evidence that it is not guilty of such action. The Commission shall take appropriate action against any licensee who violates the law or the rules and regulations of the Commission. Without limiting other provisions of this subsection, the following acts or omissions may be grounds for such discipline:

(1) Failing to comply with or make provision 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;

(2) Failing to comply with any rule, order or ruling of the Commission or its agents pertaining to gaming[.]

11. 11 CSR 45-5.181 states, in pertinent part, as follows:

(2) Class B licensees may provide promotional activities such as promotional giveaways, promotional coupons, promotional games, player reward programs, or similar activities for patrons without the prior approval of the commission, provided the promotional activity is not structured or conducted in a manner that reflects negatively on the licensee, the commission, or the integrity of gaming in Missouri and complies with the following:

(A) No false or misleading statements, written or oral, shall be made by a licensee or its employees or agents regarding any aspect of any promotional activity;

* * *

(D) All prizes offered in the promotional activity shall be awarded according to the Class B licensee's rules governing the event;

VIOLATIONS

12. The acts or omissions of employees or agents of the Casino, as described above, constitute a failure of the Casino to follow its own rules for three different promotional giveaways, thereby violating 11 CSR 45-5.181(2)(A).

13. IOC-Boonville, Inc., d/b/a Isle of Capri Casino, Boonville, is therefore subject to discipline for such violations pursuant to Sections 313.805 and 313.812.14(1) and (2), RSMo.

PENALTY PROPOSED

14. Under Section 313.805, RSMo, the Commission has the power to assess any appropriate administrative penalty against IOC-Boonville, Inc., as the holder of a Class B license.

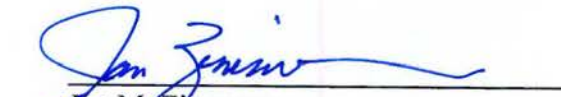
15. THEREFORE, it is proposed that the Commission fine IOC-Boonville, Inc., d/b/a Isle of Capri Casino, Boonville, the amount of fifteen thousand dollars (\$15,000.00) for the violations set forth herein.


Jan M. Zimmerman
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 27th day of February, 2025, to:

Kathryn Schuster, GM
Isle of Capri Casino, Boonville
100 Isle of Capri Boulevard
Boonville, MO 65233


Jan M. Zimmerman
Chairman
Missouri Gaming Commission