



INSTITUTIONAL INVESTOR

State Form 54342 (R2 / 5-21)

INDIANA GAMING COMMISSION

Definition:

'Institutional investor' means any of the following:

- (1) A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees.
- (2) An investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a).
- (3) A collective investment trust organized by banks under Part Nine (9) of the rules of the Comptroller of the Currency.
- (4) A closed end investment trust.
- (5) A chartered or licensed life insurance company or property and casualty insurance company.
- (6) A banking, chartered, or licensed lending institution.
- (7) An investment adviser registered under the Investment Advisors Act of 1940 (15 U.S.C. 80b).
- (8) Any other entity the commission determines constitutes an institutional investor.

Instructions:

1. Pursuant to 68 IAC 5-1 and 68 IAC 5-2, this form must be submitted by an institutional investor, as defined above, who, individually or in association with others, acquires, directly or indirectly, beneficial ownership of:
 - (1) Five percent (5%) or more of any class of voting securities of a publicly traded corporation that is required to contain the charter provisions set forth in 68 IAC 4-1-8 (copy attached); or
 - (2) Five percent (5%) or more of the beneficial interest in a casino licensee, casino license applicant, or supplier licensee through any class of voting securities of any holding company or intermediary company of a casino licensee, casino license applicant, or supplier licensee.
 - (3) Five percent (5%) or more of the beneficial interest in a casino licensee, casino licensee applicant, or supplier licensee where the licensee is not a publicly traded corporation.
2. An institutional investor shall within forty-five (45) days after acquiring the above stated interest, or thirty (30) days in the case of a licensee that is not a publicly traded company, submit one (1) electronic version of this application and all exhibits on a CD or USB flash drive to the IGC office, or via secure file share to Occllc@igc.in.gov.
 - a. All files should be provided in portable document format (PDF) in a minimum resolution of 200-300 dots per inch (DPI). **The application and each exhibit should be saved on CD/USB or submitted via file share as separate and distinct files.**
 - b. Do not submit documents in hard copy format.
3. The Institutional Investor shall have a continuing duty to disclose information to the Commission subsequent to filing the Institutional Investor form.
4. The Institutional Investor or any entity required to provide information to the Commission must accept any risk of adverse public notice, embarrassment, criticism, or other action, or financial loss which may result from action with respect to any documents provided to the Commission, and expressly waives any claim for damages as a result thereof.
5. The commission may require an Institutional Investor to apply for a finding of suitability, regardless of the percentage acquired, in accordance with 68 IAC 5-1 if the Commission deems it necessary.

I am <i>(Check one)</i>				
<input type="checkbox"/> Public		<input type="checkbox"/> Private		
Full legal name of Institutional Investor				
Address <i>(number and street)</i>				
City	State/Province	Country	ZIP/Postal Code	Telephone Number ()
Federal Tax Identification Number		Website Address		
Name of Contact Person / Title		Address <i>(number, street, city, state, ZIP/Postal code)</i>		
Telephone Number ()		E-mail Address		
Entity in which interest is held – Name and Business Address <i>(number, street, city, state, ZIP/Postal code)</i>				
Percentage of Ownership			As of <i>(month, day, year)</i> :	
<p>1. (a) Check the category below that describes why the institutional investor is within the definition set forth in 68 IAC 1-1-52. “Other” must be indicated for any institutional investor which is not one of the specific categories listed. If “Other” is checked, an explanation of the business entity is required; if the space provided is insufficient submit the explanation as Exhibit 1(a).</p> <p style="margin-left: 40px;">_____ A retirement fund administered by a public agency for the exclusive benefit of federal, state, or local public employees.</p> <p style="margin-left: 40px;">_____ An investment company registered under the Investment Company Act of 1940 (15 U.S.C. 80a).</p> <p style="margin-left: 40px;">_____ A collective investment trust organized by banks under Part Nine (9) of the rules of the Comptroller of the Currency.</p> <p style="margin-left: 40px;">_____ A closed end investment trust.</p> <p style="margin-left: 40px;">_____ A chartered or licensed life insurance company or property and casualty insurance company.</p> <p style="margin-left: 40px;">_____ A banking, chartered, or licensed lending institution.</p> <p style="margin-left: 40px;">_____ An investment adviser registered under the Investment Advisors Act of 1940 (15 U.S.C. 80b).</p> <p style="margin-left: 40px;">_____ Other _____</p> <p style="margin-left: 40px;">_____</p> <p>(b) Submit as Exhibit 1(b) a detailed description of the institutional investor’s business.</p> <p>(c) Submit as Exhibit 1(c) a statement explaining the purpose of its holdings in the casino licensee, casino license applicant, or supplier licensee.</p>				
2. Submit as Exhibit 2 the name and the percentage of ownership of each person who beneficially owns five percent (5%) or more of the institutional investor’s voting securities or other equivalent.				

3. (a) Submit as **Exhibit 3(a)** the name, business telephone number and business address of the officers and directors, or their equivalent, of the institutional investor.

(b) Submit as **Exhibit 3(b)** the name, business telephone number and business address of those persons who have direct control over the institutional investor's holdings of voting securities of the casino licensee, casino license applicant, supplier licensee, or affiliate.

4. Submit as **Exhibit 4** a list of all securities of the casino licensee, casino license applicant, or supplier licensee that are or were, directly or indirectly, beneficially owned by the institutional investor or its affiliates within the preceding one (1) year period, setting forth a description of the securities, the amount of the securities, and the date of the acquisition, sale, or both.

5. Submit as **Exhibit 5** a copy of any filing made under 15 U.S.C. 18a with respect to the acquisition or proposed acquisition of voting securities of the casino licensee, casino license applicant, supplier licensee, or affiliate.

6. (a) Submit as **Exhibit 6(a)** a list of all regulatory agencies with which the institutional investor or any affiliate that beneficially owns voting securities of the casino licensee, casino license applicant, supplier licensee, or affiliate files periodic reports.

(b) Submit as **Exhibit 6(b)** the name, business address, and business telephone number of the person, if known, to contact at each regulatory agency listed in **6(a)** regarding the institutional investor.

7. Submit as **Exhibit 7** a list of the institutional investor's affiliates.

8. (a) Submit as **Exhibit 8(a)** a list of institutional investor affiliates or funds that hold an ownership interest in the entity in which interest is held.

(b) Submit as **Exhibit 8(b)** a list of all casino licensees, casino license applicants, or supplier licensees in which the institutional investor, its affiliates and/or funds, hold any ownership interest.

9. Submit as **Exhibit 9** the name, business telephone number, business address and federal tax identification number of each person who has the power to direct or control the institutional investor's exercise of its voting rights as a holder of voting securities of the casino licensee, casino license applicant, supplier licensee, or affiliate.

10. (a) State whether the institutional investor has had any criminal sanction imposed (except for arrests which have been sealed or convictions which have been expunged by a court) during the preceding ten (10) years.

Answer: _____.

If the answer is "yes," submit as **Exhibit 10(a)** a complete disclosure of the criminal sanctions.

(b) State whether the institutional investor, its affiliates, any current officer or director, or any former officer or director whose tenure ended within the preceding twelve (12) months:

(1) Has had any regulatory sanctions imposed during the preceding ten (10) years.

Answer: _____.

If the answer is "yes," submit as **Exhibit 10(b)(1)** a complete disclosure of the regulatory sanctions.

(2) Has had any administrative or court proceedings filed by any regulatory agency in the preceding five (5) years.

Answer: _____.

If the answer is "yes," submit as **Exhibit 10(b)(2)** a complete disclosure of the administrative or court proceedings filed by any regulatory agency.

