

**UNITED STATES OF AMERICA  
DEPARTMENT OF THE TREASURY  
FINANCIAL CRIMES ENFORCEMENT NETWORK**

**IN THE MATTER OF  
GRAND CASINOS OF MISSISSIPPI, INC. BILOXI**

**MATTER No. CAS-99-007**

**AGREEMENT**

**I.**

This AGREEMENT is by and between the United States Department of the Treasury, Financial Crimes Enforcement Network (“FinCEN”) and Grand Casinos of Mississippi, Inc. Biloxi, (“GCBM”) pursuant to 31 U.S.C. § 5321(a)(1) of the Bank Secrecy Act and 31 C.F.R. § 103.47(f), thereunder.

**II.**

Between January 17 through December 31, 1994, GCBM failed to file at least 28 Currency Transaction Report by Casinos (“CTRC”) forms for currency transactions in an amount greater than \$10,000 within the time required by 31 C.F.R. § 103.22, promulgated under § 5313 of the Bank Secrecy Act.

**III.**

FinCEN has determined that in failing to file the CTRCs as described in Paragraph II, above, GCBM willfully violated the currency reporting provisions of the Bank Secrecy Act. Therefore, FinCEN has determined to assess a civil money penalty pursuant to 31 U.S.C. § 5321 and 31 C.F.R. § 103.47(f).

**IV.**

In order to resolve this controversy between the parties, and without admitting or denying the facts in Paragraph III, above, or admitting or denying liability under the Bank Secrecy Act, GCBM consents to payment of a civil money penalty in the amount of \$160,500.

## V.

GCBM agrees to pay the amount of \$160,500 within five (5) business days of the date of final and complete execution of this AGREEMENT in order to comply with the civil money penalty assessment by FinCEN. Such payment shall be:

- a. made by certified check, bank cashier's check or bank money order;
- b. made payable to the United States Department of Treasury;
- c. hand-delivered or sent by overnight mail to Nicholas A. Procaccini, Assistant Director, Office of Management and Chief Financial Officer, FinCEN, P.O. Box 39, Vienna, Virginia 22183;  
and
- d. submitted under a cover letter, which references the caption and file number in this matter.

## VI.

GCBM recognizes and states that it enters into this AGREEMENT freely and voluntarily, and that no offers, promises, or inducements of any nature whatsoever have been made by FinCEN or any employee, agent, or representative of FinCEN to induce GCBM to enter into this AGREEMENT, except for those specified in this Agreement.

## VII.

GCBM understands and agrees that this AGREEMENT embodies the entire agreement between GCBM and FinCEN relating to the assessment of civil money penalties under the Bank Secrecy Act. GCBM further understands and agrees that there are no express or implied promises, representations, or agreements between GCBM and FinCEN other than those expressly set forth or referred to in this document and that nothing in this document is binding on any other agency of government, whether federal, state, or local.

This Agreement constitutes a complete settlement of civil liability of GCBM for any reporting violations of the Bank Secrecy Act, and the regulations promulgated thereunder, which were identified by FinCEN in its letter to GCBM dated June 24, 1998.

Nothing in this Agreement shall preclude any proceedings brought by FinCEN to enforce the terms of this Agreement, nor shall it constitute a waiver of any right, power, or authority of any other representatives of the United States or agencies thereof, including the Department of Justice, to bring other actions deemed appropriate.

VIII.

GCBM waives any claim of double jeopardy or estoppel based upon this AGREEMENT, including the payment of any civil money penalty.

Grand Casinos of Mississippi, Inc. Biloxi.

BY: //signed// Bernard E. DeLury, Jr.

TITLE: Vice President/Secretary

DATED: Sept. 24, 1999

On this 24<sup>th</sup> day of September, 1999, Bernard E. DeLury, Jr., a duly authorized officer of Grand Casinos of Mississippi, Inc. Biloxi, ("GCMB"), being known to me and who executed the foregoing AGREEMENT personally appeared before me and did duly acknowledge to me that he executed the same. Witness by hand and official seal.

//notarized// Cynthia Frazier  
Notary Public of New Jersey

Notary Public

FINANCIAL CRIMES ENFORCEMENT NETWORK

BY: //signed// James F. Sloan

TITLE: Director

DATED: 9/30/99