

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

**IN THE MATTER OF
AMERISTAR CASINO VICKSBURG, INC.**

MATTER No. CAS-99-003

AGREEMENT

I.

This AGREEMENT is by and between the United States Department of the Treasury, Financial Crimes Enforcement Network (“FinCEN”) and Ameristar Casino of Vicksburg, Inc. (“Ameristar”) 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 February, 1994 through December 31, 1995, Ameristar failed to file at least 24 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, Ameristar willfully violated the currency reporting provisions of the Bank Secrecy Act. Therefore, the Director of 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 statements in Paragraphs II and III above, or admitting or denying liability under the Bank Secrecy Act, Ameristar consents to payment of a civil money penalty in the amount of \$160,000.

V.

Ameristar agrees to pay the amount of \$160,000 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.

Each party 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 Ameristar to enter into this AGREEMENT, except for those specified in this Agreement.

VII.

Ameristar understands and agrees that this AGREEMENT embodies the entire agreement between Ameristar and FinCEN relating to the assessment of civil money penalties under the Bank Secrecy Act. Ameristar further understands and agrees that there are no express or implied promises, representations, or agreements between Ameristar 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 Ameristar for any reporting violations of the Bank Secrecy Act, and the regulations promulgated thereunder, which were identified by FinCEN in its letter to Ameristar 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.

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

Ameristar Casino Vicksburg, Inc.

BY: //signed// Thomas Steinbauer

TITLE: Vice President

DATED: February 25, 2000

On this 25th day of February, 2000, a duly authorized officer of Ameristar Casino Vicksburg, Inc., 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// Joyce M. King
Notary Public-Nevada

FINANCIAL CRIMES ENFORCEMENT NETWORK

BY: //signed// James F. Sloan
Director

3/6/00
Date