

2445



File No. SD-087

BEFORE THE NEVADA GAMING COMMISSION
AND THE STATE GAMING CONTROL BOARD

In the Matter of
BOOMTOWN, INC.
(Registration)

REVISED ORDER OF REGISTRATION

THIS MATTER came on regularly for hearing before the State Gaming Control Board ("Board") on May 4, 1994, and before the Nevada Gaming Commission ("Commission") on May 19, 1994, at Las Vegas, Nevada; and

THE BOARD AND COMMISSION having considered all information pertinent hereto;

IT IS HEREBY ORDERED BY THE NEVADA GAMING COMMISSION UPON THE RECOMMENDATION OF THE STATE GAMING CONTROL BOARD:

1. THAT the following applications, as amended and supplemented, have been filed:
 - a. The application of Blue Diamond Hotel & Casino, Inc. for a nonrestricted gaming license;
 - b. The application of Edward Phillip Roski, Jr. and Boomtown, Inc. for licensure as 50% stockholders of Blue Diamond Hotel & Casino, Inc.;
 - c. The application of Edward Phillip Roski, Jr. to transfer 50% of the equity securities of Blue Diamond Hotel & Casino, Inc. to Boomtown, Inc. and

for a finding of suitability as a controlling stockholder of Boomtown, Inc.

d. The applications of Boomtown, Inc. for licensure as manager of Blue Diamond Hotel & Casino, Inc.; for finding of suitability as the sole stockholder of Blue Diamond Hotel & Casino, Inc.; and to amend its Order of Registration.

2. THAT the Order of Registration of Boomtown, Inc., dated October 19, 1992, and the Amendments Number 1 and 2 thereto, dated December 12, 1992 and May 21, 1993, respectively, are hereby amended and restated, in their entirety, by this Revised Order of Registration.

3. THAT Boomtown, Inc. is registered as a publicly traded corporation and found suitable as the sole stockholder of Boomtown Hotel & Casino, Inc.

4. THAT Boomtown Hotel & Casino, Inc., dba Boomtown Reno, is licensed to conduct nonrestricted gaming operations at 2200 I-80 West, Verdi, subject to such conditions or limitations as may be imposed by the Commission.

5. THAT Boomtown Hotel & Casino, Inc., dba Boomtown Reno Truckstop, is licensed to conduct nonrestricted gaming operations (slot machines only) at I-80 West, Verdi, subject to such conditions or limitations as may be imposed by the Commission.

6. THAT Boomtown Hotel & Casino, Inc., dba Boomtown Reno RV Park, and Boomtown Reno Mini-Mart, respectively, is licensed to conduct restricted gaming operations at 125 North Garson Road, Verdi, and I-80 West, Verdi, respectively, subject to such conditions or limitations as may be imposed by the Commission.

7. THAT Boomtown, Inc., and Edward Phillip Roski, Jr. are each licensed as 50% stockholders of Blue Diamond Hotel & Casino, Inc. and Boomtown, Inc. is licensed as the manager of Blue Diamond Hotel & Casino, Inc.

8. THAT Edward Phillip Roski, Jr. is hereby granted approval to transfer his 50% equity position in Blue Diamond Hotel & Casino, Inc. to Boomtown, Inc., pursuant to the "Stockholders and Affiliates Agreement by and among Blue Diamond Hotel & Casino, Inc., Edward P. Roski, Sr., Edward P. Roski, Jr., Boomtown, Inc., IVAC and Majestic Realty Co.," dated June 30, 1993. Such transfer hereby approved must be completed and effective within six months from the date of this Revised Order of Registration.

9. THAT, upon the completion and effectiveness of the transfer approved by Paragraph 8, Boomtown, Inc. shall be found suitable as the sole stockholder of Blue Diamond Hotel & Casino, Inc., and paragraph 7 will be rendered null and void.

10. THAT Blue Diamond Hotel & Casino, Inc., dba Boomtown Las Vegas, is licensed to conduct nonrestricted gaming operations at 3333 Blue Diamond Road, Las Vegas, subject to such conditions or limitations as may be imposed by the Commission.

11. THAT Blue Diamond Hotel & Casino, Inc., dba Boomtown Las Vegas RV Park and Sundries Store, is licensed to conduct restricted gaming operations at 8255 Industrial Road, Las Vegas, subject to such conditions or limitations as may be imposed by the Commission.

12. THAT Timothy J. Parrott and Edward P. Roski, Jr. are each found suitable as a controlling stockholder of Boomtown, Inc.

13. THAT Boomtown, Inc. shall fund and maintain with the Board a revolving fund in the amount of \$10,000 for the purpose of funding investigative reviews by the Board for compliance with the terms of this Revised Order of Registration. Without limiting the foregoing, the Board shall have the right,

without notice, to draw upon the funds of said account for the payment of costs and expenses incurred by the Board and its staff in the surveillance, monitoring and investigative review of all activities of Boomtown, Inc., its subsidiaries, and their affiliated entities.


14. THAT pursuant to NRS 463.625, Boomtown, Inc. is exempted from compliance with NRS 463.585 through NRS 463.615, inclusive, and shall instead comply with NRS 463.635 through NRS 463.645, inclusive.

15. THAT Boomtown, Inc. is exempted from NGC Regulation 15 and shall instead comply with the provisions of NGC Regulation 16.


16. THAT the Commission hereby expressly finds that the exemptions hereinabove granted are consistent with the State policy set forth in NRS 463.0129 and NRS 463.489.

ENTERED at Las Vegas, Nevada, this 19th day of May, 1994.

FOR THE COMMISSION:


Bill Curran, Chairman

Submitted by:


Mark A. Clayton, Chief
Corporate Securities Division

APPROVED AS TO FORM:

FRANKIE SUE DEL PAPA
ATTORNEY GENERAL

By 
Deputy Attorney General
Gaming Division