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ATTORNEY GENERAL'S FIGHT FOR INTEGRITY OF ILLINOIS GAMING UPHELD BY FEDERAL APPEALS COURT

Seventh Circuit Court Says Gaming Board Had Power to Revoke Emerald Casino License

Chicago – The Federal Appeals Court in Chicago yesterday upheld the Illinois Gaming Board's (IGB) authority to revoke the casino operator's license of the Emerald Casino in Rosemont. The Appeals Court decision upheld earlier rulings by the Federal District Court rejecting all arguments made by Emerald Casino, Inc. and the Village of Rosemont that the Board did not have the regulatory power to revoke Emerald's license. In addition, the Court affirmed the Attorney General's independent right to pursue revocation of Emerald's license.

Affirming the dismissal of the suits, the Appellate Court compared Emerald's suit to an attempt by someone who filed bankruptcy to stop a criminal prosecution against him. The Court said that if "a group of rogues and thieves could seize control of a gambling license . . . the state would have every reason to investigate and, if need be, to revoke the license."

"This has been a long fight to restore and ensure the integrity of the gaming industry for the people of Illinois," said Attorney General Lisa Madigan, who defended the Gaming Board in these cases. "I am pleased by yet another court decision that affirms the IGB's right to revoke the operator's license of Emerald Casino, thus continuing to protect the interests of Illinoisans against unsuitable individuals operating casinos."

Both Emerald and the Village of Rosemont challenged the Gaming Board's regulatory power to revoke Emerald's casino operator's license after Emerald went into bankruptcy. They also argued that discussions between Emerald and the Board about alternatives to revoking the license prevented the Board from exercising that power. The Federal Appeals Court's decision yesterday upheld the dismissal of these arguments. It added, though, that Emerald may continue its efforts in State court to overturn the Gaming Board's December 2005 order revoking the license. The Attorney General is defending that order in the Illinois Appellate Court in Springfield, which Emerald has asked to reverse the revocation of its license.

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