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PARTIES FILE BRIEFS WITH THE 6TH CIRCUIT COURT OF APPEALS IN LANSING CASINO CASE

Both the Sault Ste. Marie Tribe of Chippewa Indians ("Sault Tribe") and the State of Michigan have filed respective appellate briefs with the U.S. 6th Circuit Court of Appeals in the matter involving the Sault Tribe's plans to open a tribal casino in Lansing, Michigan. The Sault Tribe is currently appealing a preliminary injunction issued by the U.S. District Court for the Western District of Michigan on March 5, 2013, which effectively froze any further meaningful development of the proposed Lansing casino. The District Court ruled that the Sault Tribe could not apply to have certain parcels of property in Lansing taken into trust by the U.S. Secretary of the Interior unless and until it obtained written revenue sharing agreements with the other federally-recognized Indian Tribes in Michigan pursuant to Section 9 of the Sault Tribe's Tribal-State Gaming Compact with the State of Michigan. Having the subject land taken into trust is one of the required steps that an Indian tribe must take in order to open a casino pursuant to the federal Indian Gaming Regulatory Act ("IGRA").

As the 6th Circuit entered an order expediting the briefing schedule in this case, the Sault Tribe filed its Appellant's Brief on May 16, 2013 (and a substitute Brief on May 31st), which argues, among other things, that the Tribe's sovereign immunity bars the State's efforts to stop its Lansing Casino plans and that, even if its sovereign immunity was abrogated by IGRA, Section 9 of the Tribal-State Gaming Compact does not apply to its efforts to have the Lansing casino parcels of land taken into trust. The State of Michigan, which is asking the 6th Circuit to affirm the preliminary injunction, filed its Appellee's Brief this past Monday, June 17th. It is expected that the Court will entertain oral argument in this matter sometime during this summer.

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The Sault Tribe is proposing to invest \$245 Million in building and operating the 125,000 square foot Kewadin Lansing Casino, which is to be located at Michigan Avenue and Cedar Street in downtown Lansing on property adjacent to the Lansing Center.

GOVERNOR SNYDER DECLINES TO CONCUR WITH KEWEENAW BAY INDIAN COMMUNITY CASINO RELOCATION PROPOSAL

On Tuesday, June 18, 2013, a press release from Governor Rick Snyder's office stated that the Governor has declined to concur with a proposal for the Keweenaw Bay Indian Community ("Tribe") to relocate its Ojibway II Casino from its current site in Chocolay Township, and build a larger casino facility on the site of the former Marquette County Airport in Negaunee Township. In 2011, the U.S. Department of the Interior reviewed and approved the Tribe's relocation proposal, subject to the approval of Governor Snyder.

In explaining the reasons for declining to concur with the Upper Peninsula casino relocation plans, the Governor's press release provides:

"The governor indicated that he was open to the relocation as part of a broader agreement between the tribe and the state. Potential points for such an agreement included: [i] Allowing local governments to have some say in the disposition of the 2 percent local casino revenue sharing payments, [ii] The tribe entering into an agreement requiring the tribal businesses to collect tax on transactions with non-Native Americans, [iii] Working out a revised revenue sharing agreement so the tribe would continue to make some level of payments to the state, even if future gaming competition develops elsewhere in the state. Currently, the KBIC is the only tribe with gaming operations in the state that has an agreement that would stop revenue payments if state-authorized gaming was expanded in Michigan. Despite invitations from the governor's office, the tribe declined to take part in discussions about a potential agreement."

The press release goes on to state that the Governor has notified the Tribe and the U.S. Department of the Interior that he has declined to concur with the relocation proposal, however, under the established procedures, the Tribe may seek to resubmit its proposal.

AGA ACCEPTING 13TH ANNUAL COMMUNICATIONS AWARDS

The American Gaming Association ("AGA") is currently accepting entries for the 13th annual AGA Communications Awards.

The Communications Awards recognize outstanding achievement in advertising, public relations, and financial and corporate communications in the global gaming industry. According to the AGA, it is the only such award of its kind and celebrates the creativity of industry's communication efforts.

All companies involved in the casino, lottery or pari-mutuel industries are eligible to submit entries in any of 15 categories, ranging from annual report and communications campaign .

To access category information as well as the entry form, please visit <http://www.americangaming.org/events-and-programs/communications-awards>.

SIGN UP FOR RMC'S DAILY GAMING NEWS FEED

Regulatory Management Counselors, P.C. (RMC Legal), authors of *The Michigan Gaming Newsletter*, would like to extend to you an invitation to sign up for the complimentary *RMC Daily Gaming News Feed*. The Daily News Feed delivers Michigan and gaming-industry specific news links directly to you each morning.

To sign up to receive the RMC Daily Gaming News Feed, simply visit: <http://rmclegal.com/media-publications> and complete the form.

Should you have any questions or concerns, feel free to contact Blaine DeGracia at 517-507-3857 or degracia@rmclegal.com.

INTERVIEW WITH GEOFF FREEMAN, THE NEXT PRESIDENT AND CEO OF THE AGA

The following interview was featured in the May, 2013 issue of the American Gaming Association's Inside the AGA and is being republished in the Michigan Gaming Newsletter with the permission of the AGA.

For more information on the American Gaming Association or its publications, please visit <http://www.americangaming.org/>. Mr. Geoff Freeman will officially begin his tenure as AGA President on July 1, 2013. For a more extensive outline of Mr. Geoff Freeman's experience and background, please visit: <http://michigangaming.com/publications/newsletter-archive/56-volume-19/issue-11/209-american-gaming-association-announces-new-ceo>

Q: What experiences from your time at US Travel (or previous jobs) do you think are most applicable/instructive in terms of what you'd like to do at the AGA?

A: Three of the most important lessons we can take from the travel industry's success are: (1) a dogged focus on a small set of key priorities, (2) the power of partnerships with likely and unlikely allies to break through the clutter and attract greater attention to your cause, and (3) positioning the industry as a solution to problems that policymakers are already trying to solve (e.g., creating good jobs at a time of high unemployment). Each of these approaches can be adopted or strengthened by the AGA in the months ahead to help advance our agenda.

Q: What are some of your key goals for your first three months at the association?

A: It is an understatement to say that I have a lot to learn. I look forward to gathering the views of the talented AGA team, the AGA board and broader membership and key stakeholders in Washington, Las Vegas and other communities around the country. Over the first 100 days, we'll conduct a full 360 degree assessment of the industry's strengths, weaknesses, opportunities and threats. This analysis will be a critical first step in producing a strategic plan that the industry can rally behind.

Q: What do you think are the biggest strengths of the gaming entertainment industry?

A: As an outsider looking in, there are several tremendous gaming assets that have stood out to me: (a) brand names that policymakers and opinion leaders instantly recognize, (b) proud employees that are willing to promote and defend what it is that they do, (c) passionate customers that are willing to engage in the industry's efforts to grow, (d) a culture of innovation that is always looking to provide our customers with the next great experience, and (e) the dedication of the corporate leaders to advance the interests of not just their company, but the industry as a whole. As surprising as it may sound, many of these assets are relatively unique to gaming and present great opportunities moving forward.

Q: What do you see as some of the industry's biggest challenges?

A: As a heavily regulated industry with a colorful history and modest but motivated set of critics, I expect that we'll have no shortage of challenges. The challenge that excites me most is to build on Frank and the AGA's efforts to "mainstream" gaming — to further establish the industry as the incredible form of entertainment that it is and the enormous economic generator that it can become. We're definitely moving in the right direction — the challenge is to increase the pace and pave the way for expansion commensurate with the great consumer demand that exists.

Q: How do you think the AGA can build on the value it provides to all its diverse members?

A: This is a great question and one that we'll be exploring in the first 100 days and throughout my tenure — always looking to provide greater member value.

Q: What do you like to do for fun?

A: My wife and I have two tremendous kids, ages 6 and 5, that keep us plenty busy. Sports tend to bring us all together for great times — watching the Washington Capitals or Nationals, rooting for

my home-state Green Bay Packers, or shedding tears over another lost football or basketball season by the University of California.

Q : Anything else you'd like to add?

A: I'm humbled and excited about this extraordinary opportunity. The AGA deserves tremendous accolades for empowering the growth that gaming has enjoyed in the United States. This next chapter in the industry's growth is certain to be exhilarating, and I'm looking forward to playing a small part in the industry's continued success.