

CITIZEN POTAWATOMI NATION



RESOLUTION # 99-1

CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA INCORPORATED

A RESOLUTION BY CORPORATE BOARD OF DIRECTORS AUTHORIZING CORPORATE OFFICERS TO EXECUTE AGREEMENTS WITH RACE HORSES, INC. AND GRANTING A LIMITED WAIVER OF IMMUNITY FROM SUIT IN CONNECTION THEREWITH.

WHEREAS, the Citizen Band Potawatomi Indian Tribe of Oklahoma Incorporated (“Corporation”), is a Federal Tribal Corporation authorized under the Oklahoma Indian Welfare Act of June 26, 1936 (49 Stat. 1967) as the corporate entity of the Citizen Potawatomi Nation, a federally recognized Indian Tribe formerly known as the Citizen Band Potawatomi Indian Tribe of Oklahoma; and

WHEREAS, the Corporation is duly authorized and empowered by the corporate charter and by laws to sue and be sued and to waive sovereign immunity; and

WHEREAS, the Corporation is negotiating agreements with Race Horse, Inc., d/b/a Blue Ribbon Downs (“BRD”), to provide certain services related to pari-mutuel wagering and simulcasting which agreement is captioned “Firelake Intrastate Common Pool Pari-Mutuel Wagering Agreement” requiring contract reciprocity and the resolutions of contractual disputes in the United States District Court for the Western District of Oklahoma; and

WHEREAS, the Board of Directors has determined that said agreement is in the best interest of the Corporation and that a limited waiver of sovereign immunity from suit for contractual issues is fair, equitable and necessary for conducting business with BRD; and

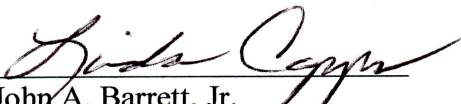
WHEREAS, The Board of Directors may by resolution authorize officers to execute contracts in the name of, for and on behalf of the Corporation;


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NOW THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS FOR THE CITIZEN BAND POTAWATOMI INDIAN TRIBE OF OKLAHOMA INCORPORATED THAT Corporate Officers John A. Barrett, Jr., and Gene Bruno are hereby authorized to negotiate and execute , for and on behalf of the Corporation FireLake Intrastate Common Pool Pari-Mutuel Wagering Agreement with BRD including provisions waiving suit immunity and authorizing suit in a federal court in Oklahoma for disputes arising under said agreement, and to do all things necessary and proper to effectuate this authorization and THAT the Citizen Band Potawatomi Indian Tribe of Oklahoma Incorporated hereby waives immunity from suit by Race Horse, Inc., in a federal court in Oklahoma for the amount of money agreed to in said contract plus reasonable attorney fees subject to all conditions contained in the Charter of Incorporation issued by the Assistant Secretary of the Interior. The sovereign immunity waiver authorized herein is not intended and shall not be construed as affecting the sovereign immunity of the Citizen Potawatomi Nation.

AUTHENTICATION

The undersigned Board Chairman does hereby certify and authenticate that the above and foregoing is a true and correct copy of Resolution CBPITO, Inc. # 99-1, as approved at a duly held meeting of the Board of Directors on the 15th day of July, 1998, with 4 voting for, 0 opposed, and 1 absent or abstaining.


John A. Barrett, Jr.
Board Chairman


Gene Bruno
Board Secretary/Treasurer

[Corporate seal]

