



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving the Online Event Wagering Designee Agreement Between the White Mountain Apache Tribe and CG Arizona, LLC)

- WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the tribe and act in all matters that concern the welfare of the Tribe, and to make decisions not inconsistent with or contrary to this constitution”; and
- WHEREAS,** On April 15, 2021, the Tribe signed the 2021 Amended and Restated Tribal-State Gaming Compact (“Compact”) with the State of Arizona (“State”) while Arizona Governor Doug Ducey concurrently signed the associated event wagering legislation, AZ-House Bill 2772, into law; and
- WHEREAS,** The Compact supports the event wagering legislation and further authorizes event wagering off tribal lands within the State of Arizona for licensed Native American tribes and professional sports leagues; and
- WHEREAS,** The number of licenses are limited to ten licenses for tribes and ten licenses for the professional sports organizations within the State of Arizona; and
- WHEREAS,** Any tribe located within the State of Arizona that would like to obtain a license must submit an application to the Arizona Department of Gaming, after which selection of licensees will be conducted via a lottery selection; and
- WHEREAS,** Today, the Tribe’s Attorney General and Hon-Dah Resort-Casino (“Hon-Dah”) Management presented the Online Event Wagering Designee Agreement (“Agreement”)(attached and incorporated herein) between the Tribe and CG Arizona, LLC, operating as the “MaximBet” brand, in order to submit an online event wagering designee application for an event wagering license and subsequently participate in event wagering off-reservation, within the State of Arizona, should a license be granted; and
- WHEREAS,** The Agreement contains a limited waiver of sovereign immunity for the purposes of the implementation of Arizona law, dispute resolution, and judicial remedies for the sole intent of enforcing said Agreement; and
- WHEREAS,** In the event that a license to operate event wagering is granted to the Tribe, Hon-Dah Management requests that the revenues obtained from this Agreement be directed for the

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use and benefit of Hon-Dah Resort-Casino, at Management's discretion, for improvements, expansion, administrative needs, and community outreach; and

WHEREAS, The Council has reviewed the Agreement and finds that approving it, with the limited waiver of sovereign immunity, is in the best interest of the Tribe and its members in order to pursue an event wagering license and partnership with CG Arizona, LLC.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves the Online Event Wagering Designee Agreement, with the limited waiver of sovereign immunity, between the Tribe and CG Arizona, LLC for the purpose of submitting an application for an event wagering license and subsequent operation of off-reservation event wagering within the State of Arizona.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe it hereby directs that should an event wagering license be granted, the revenues received from event wagering shall be utilized by Hon-Dah Resort-Casino, at the discretion of Hon-Dah Casino Management, for purposes including, but not limited to: improvements to the property, expansion efforts, administrative needs, and community outreach.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

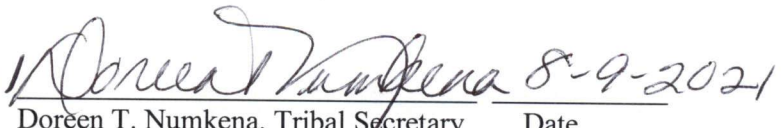
The foregoing resolution was on AUGUST 9, 2021 duly adopted by a vote of SEVEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Gwendena Lee-Gatewood, Chairwoman

8-9-2021

Date



Doreen T. Numkena, Tribal Secretary

8-9-2021
Date