



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 05-0810-383

*Authorizing Release of Certain Financial Records Pertaining to the September 11, 2004
Financial Statement Audit (Management Agreement Close-Out)
to Manistee Gaming LLC*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, pursuant to Tribal law and the Indian Gaming Regulatory Act, the Tribal Council previously authorized execution of a Second Amended and Restated Management Agreement with Manistee Gaming, LLC, authorizing Manistee Gaming to manage the day-to-day operations of the Tribe's gaming enterprise in consideration for payment of a management fee based on "net revenues" earned by the Tribe's gaming enterprise; and

WHEREAS, the term of the Management Agreement with Manistee Gaming concluded on September 11, 2004; and

WHEREAS, the Tribal Council arranged to have the independent accounting firm McGladrey & Pullen, LLP, conduct a financial audit to close out the financial arrangements between the Tribe and Manistee Gaming for the period ending September 11, 2004; and

WHEREAS, representatives of Manistee Gaming have requested certain additional financial records necessary to permit their representatives to accept the results of the financial audit and close-out being conducted by McGladrey & Pullen; and

WHEREAS, McGladrey & Pullen representatives have represented that the information requested by Manistee Gaming is reasonable and that releasing the financial information requested by Manistee Gaming will promote the resolution of any remaining financial matters existing between the Tribe and Manistee Gaming pertaining to the Management Agreement.

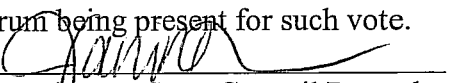
NOW THEREFORE BE IT RESOLVED, the Tribal Council of the Little River Band of Ottawa Indians does hereby authorize the release of the following information pertaining to the financial audit of the financial statements of Little River Casino Resort for the period ending September 11, 2004, prepared by McGladrey & Pullen:

- a. Detail for the calculation of capitalized interest, including the capitalization policies as of September 11, 2004;
- b. Fixed asset additions through September 11, 2004, including supporting approvals;
- c. Depreciation life for fixed assets, including fixed asset detail supporting the financial statements as of September 11, 2004;
- d. Depreciation schedules for fixed assets, including fixed assets analysis supporting reasonableness of depreciation schedules Audited financial statements as of September 11, 2004;
- e. Audit work papers of McGladrey & Pullen as McGladrey & Pullen representatives determine may reasonably be necessary to respond to specific requests or inquiries from Manistee Gaming concerning the financial statements and minutes for the period ending September 11, 2004.


IT IS FURTHER RESOLVED THAT the Tribal Council authorizes representatives of McGladrey & Pullen and management of Little River Casino Resort to provide authorized representatives of Manistee Gaming with access to the above records.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 2 AGAINST, 0 ABSTAINING, 1 ABSENT, and 1 VACANT, at a Closed Meeting portion of a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on August 10, 2005, at the Little River Band's Council Conference in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records, Tribal Ogema, Gaming Commission, Little River Casino Resort (ATTN: James LaPorte, General Manager), McGladrey & Pullen, LLP