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PEORIA TRIBE
OF INDIANS OF OKLAHOMA
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CHIEF
Jenny Rampey
SECOND CHIEF
Vacant

**PEORIA TRIBE OF INDIANS OF OKLAHOMA
BUSINESS COMMITTEE MEETING
February 4, 2025**

MINUTES

CALL TO ORDER/INVOCATION:

Chief Dobbs called the meeting to order, and Jenny Rampey gave the Invocation.

DECLARATION OF QUORUM:

Secretary Jenny Rampey declared a quorum with 5 members present.

APPROVAL OF AGENDA:

Nicholas Hargrove made a motion and was seconded by Kara North to approve the agenda. Motion passed.

APPROVAL OF MINUTES:

Scott Myers made a motion and was seconded by Nicholas Hargrove to approve the Minutes of the Regular Meeting, held on January 7, 2025, and the Special Meeting, held on January 22, 2025. Motion passed.

MONTHLY TRIBAL/PROGRAM REPORTS:

Financial Reports

Nicholas Hargrove made a motion and was seconded by Kara North to approve the Financial Reports for December 2024 as presented. Motion passed.

Enterprise Reports

Chief Dobbs introduced Mary Jewett; General Manager of Buffalo Run Casino & Resort. Ms. Jewett introduced herself and thanked the committee for having her.

Ms. Jewett began her report, which included December Highlights. Ms. Jewett provided a presentation that included slots, food and beverages, hotel, and casino financials.

Ms. Jewett stated that the casino has a total of one hundred and ninety-seven employees, one hundred forty-three are full-time and fifty-four are part-time, forty-three of the one hundred and ninety-seven are tribal: Cherokee, Wyandotte, Creek, Seneca Cayuga, Shawnee, Osage Ottawa, Quapaw, Potawatomi, Navajo, Miami, Delaware, and Peoria. Ms. Jewett stated that Justin

SECRETARY
Vacant

TREASURER
Jason Dollarhide

FIRST COUNCILMAN
Nick Hargrove

SECOND COUNCILMAN
Kara D. North

THIRD COUNCILMAN
Scott Myers

Melech was promoted to IT Director. Mr. Melech started working for Buffalo Run Casino as a Entry Level Network Technician in August of 2018, became Network Technician II in February of 2019, and IT Manager in December of 2019. Ms. Jewett stated that Buffalo Run celebrated Kristen Wakefield for twenty years of service.

Ms. Jewett stated that they updated Coal Creek menu to more of a classier look. Ms. Jewett stated that the Buffalo Run Casino van was wrapped with Backwoods, Coal Creek, and Sweet Bar, they did not wrap with Bristo at this time.

Ms. Jewett gave an update on casino operations, hotel, and marketing.

- Casino
 - New Kiosk
 - Ticket Redemption
 - Bill Breaker
 - ATM
 - E-Check
 - Jackpot Payout
 - Does the job of two machines
- Hotel
 - Accent wall was created
 - Resealed windows

Ms. Jewett stated that one of the hotel floors did not have hot water on Sunday morning. The issue was resolved within thirty minutes for guests.

- Entertainment
 - BlackHawk- February 22nd
 - AKA- March 15th
 - Hunter Hayes- March 29th
 - Great White and Slaughter- April 26th

Ms. Jewett stated that the casino has been working on strategic goals:

- Team Member Benefits
 - Work and professional life balance
 - Health Fair
 - Dentists
 - Chiropractors
 - Food and Beverage Discount
 - Reduced from fifty percent to twenty-five percent
 - Holiday Bonus
 - 401K
 - Including part-time employees
- Training and Development
 - Company and Guest Service Training
 - Redesign Orientation
 - Day and half of training
 - Leadership Development
 - Companywide Training
- Finance/Owners

- Cost & Procurement Assessment
 - Continuing to track inventory
- Staffing Optimization
- Lowering Turnover Rate
- Technology
- Brand Awareness & Guest Service
 - Community Involvement
 - Enhance Brand Awareness
 - New Players Club Roll Out- July 1st

Ms. Jewett thanked the Business Committee for having her.

Chief Dobbs introduced DeMaris Rector, Director of Communications and Robert Stipp, IT Specialist, to give an update and answer questions in regard to Live Streaming the Business Committee meetings. Ms. Rector stated that she was asked to find a solution for streaming the meetings and started looking at different streaming platforms that could integrate into the Tribe's website. Ms. Rector found three she was willing to present:

- IBM-\$5,300/per month
- Vimeo-\$10,000/year
- Wowza-Executive package is \$4,025/year

Each one has password protected access, live stream, and will be able to save videos on website for future viewing and even archive them. Question and answer could be set as well with moderation. Another layer of security could be added by a login to the webpage. Ms. Rector stated that questions she would need to know would be.

- Login Options
 - Roll numbers
 - Date of Birth
 - Email list
 - Sign up through website-login portal
- Live Streaming or just posting videos

Ms. Rector stated that her team could mass-import everyone's information and manually create user profiles. Everyone could sign up through the website and still do manual approval. This could be vetted through Enrollment. Ms. Rector stated that she would be able to work with Shane from Resonation. He would be able to video it, and it can plug right into it. Ms. Rector stated that some security concerns would be with roll numbers, private numbers, and personal information. Ms. Rector stated that the Tribe's website has been updated and all certificates, plug-ins, and all links are up to date. Ms. Rector stated that a report was sent over showing that there is no security risk to the website at this time. Ms. Rector agrees that roll numbers are not the best idea for logging in, she would recommend emailing directly to the citizens and giving them a secure login. This way roll numbers, and personal information stays internal and is not uploaded to the website or have it in dialogue anywhere. This would give it another level of security and give her team control over who can log in. Mr. Stipp recommended that for any future security concerns vendoring this instead of doing it internally since costs could rise significantly with servers and licensing. The Business Committee agreed that they would prefer just to view only and not have questions and answer. Ms. Rector stated that her team could do a manual process to where every citizen would generate a password and be emailed a link to view the meeting and then that link would expire. This would not be affected by numerous viewers at one time however the Peoria

website would not be able to handle this, it would have to be sourced out to one of the three recommendations above. Ms. Rector and Mr. Stipp thanked the Business Committee.

ADMINISTRATIVE REPORT:

UNFINISHED BUSINESS:

NEW BUSINESS:

R-02-04-25-A “Resolution Authorizing Submittal of Grant Application to the Tribal Heritage Grant”: Motion was made by Nicholas Hargrove and seconded by Kara North to approve Resolution R-02.04-25-A as presented. Motion Passed.

R-02-04-25-B “Resolution to The Oklahoma Department of Human Services, Child Care Licensure” Motion was made by Jason Dollarhide and seconded by Scott Myers to approve R-02-04-25-B as presented. Motion passed.

R-02-04-25-C “Certifying Officer to Sign CDIB 8x 10” Motion was made by Nicholas Hargrove and seconded by Jenny Rampey to approve R-02-04-25-C as presented. Motion passed.

R-02-04-25-D “Authorization of Tribal Officials to Conduct Business with Office of the Special Trustee for American Indians” Motion was made by Scott Myers and seconded by Kara North to approve R-02-04-25-D as presented. Motion passed.

Discussion/Approval of Changes for Bank Signatures: Motion was made by Scott Myers and seconded by Kara North to approve R-02-04-25-E, R-02-04-25-F, R-02-04-25-G, R-02-04-25-H, and R-02-04-25-I as presented. Motion passed.

R-02-04-25-J “Authorization for Signatures on Capital Expenditure Account with Arvest Bank for Account Entitled Buffalo Run Casino” Motion was made by Nicholas Hargrove and seconded by Jenny Rampey to approve R-02-04-25-J as presented. Motion passed.

R-02-04-25-K “Request and Assistance of the Election Committee to be Responsible for Performing the Duties Necessary for a Referendum Vote” Motion was made by Kara North and seconded by Scott Myers to approve R-02-04-25-K as presented. Motion passed.

Discussion/Approval of Donations: Donation to Miami Baseball Booster Club in the amount of \$450. Motion was made by Scott Myers and seconded by Nicholas Hargrove to approve donations. Motion passed.

Discussion/Approval of Employee Wage Change Recommendations (was held in Executive Session): No wage recommendations were presented.

Discussion/Approval of Procedures to Sell Steers: Motion was made by Scott Myers and seconded by Jenny Rampey to Sell Steers as presented. Motion passed.

Discussion/Approval of Election Ordinance Revision: Motion was made by Nicholas Hargrove and seconded by Kara North to approve revision as presented. Motion passed.

Chief Dobbs introduced Mike McBride with Crowe & Dunlevy. Mr. McBride stated that he is a shareholder with the firm's Tulsa Office. He is Chair of the Indian Law & Gaming Practice Group. Mr. McBride has been practicing law for thirty-two years, a former Tribal Supreme Court Justice, Adjunct Law Professor, and Adjunct Settlement Judge. Mr. McBride is here to give litigation updates on Holden, Qualls, Campbell & Firms. Mr. McBride stated there have been seven legal actions in the past seven years:

- 1) NIGC Investigation/Disapproval 3rd term (NIGC Chairman 2017)
- 2) Peoria Tribal Gaming Comm. Investigation/Suspension/Fine (2017)
- 3) NIGC-Nov-19-03 (NIGC 2019)
- 4) Qualls v. Mathews, et. al. (Miami CFR 2018)
- 5) Holden v. Ellis, et. al. (Miami CFR 2019)
- 6) Peoria v. Qualls & Holden (Pottawatomie Co., OK 2019)
- 7) Peoria v. Campbell & his law firms (Ottawa Co., OK 2019)

Status of Filings for the following legal actions:

- Peoria v. Qualls & Holden (Pottawatomie CO. CJ-2019-00395)
 - 112 Filings
- Peoria v. Qualls & Holden (OK Sup. Ct. Case No. 121512)
 - 31 Filings
- Peoria v. Campbell & his law firms (Ottawa Co. CJ-2019-116)
 - 161 Filings
- Peoria v. Campbell & his law firms (NDOK 19-cv-00581-GKF-JFJ)
 - 63 Filings
- Peoria v. Campbell & his law firms (OK Sup. CT. Case No. 121547)
 - 11 Filings
- Qualls v. Mathews, et. al. (Miami CFR 2018)
 - 111 Filings
- Qualls v. Mathews, et. al. (Court of Indian Appeals 2022 re: Miami CFR 2018)
 - 15 Filings
- Qualls v. Mathews, et.al. (Court of Indian Appeals 2024 re: Miami CFR 2018)
 - 32 Filings
- Qualls & Holden v. Mathews, et. al. (Tulsa County CV-2024-1721)
 - 10 Filings
- Holden v. Ellis, et.al. (Miami CFR 219)
 - 65 Filings
- Holden & Qualls v. Ellis, et. al. (Court of Indian Appeals re: Miami CFR2019)
 - 19 Filings

Mr. McBride stated that on September 28, 2017, NIGC Chair letter was issued and the legal crisis began. The Business Committee members learned for the first time that the Casino Managers overpaid themselves by more than two million dollars and more than one million dollars were paid

to the company owned by the Tribe's lawyer, that was undisclosed to the Business Committee and Peoria Tribal Gaming Commission (Conflict of Interest).

Mr. McBride went back to 2003 when Holden and Qualls contacted the Tribe about setting up a casino. They created DED LLC and received a cut of about eight million dollars of the Tribe's profits through a development agreement. This agreement allowed him to bring in his own people, a lawyer whose personal friend with Holden-Stuart Campbell and they create and represent DED, Holden. Campbell's secret firm "Baxcase" provided legal and other services to the casino for five percent of net revenue. In June of 2005 after making millions, they started the process to seek federal government National Indian Gaming Commission's approval of a Management Agreement. This is highly regulated by IGRA and Tribal Gaming Commission; it requires licensing and background checks that will take several years of submissions and approvals. In July of 2005 Campbell starts billing the Tribe's Casino through Sneed Lang. NIGC catches wind of Campbell's Baxcase and its financial interest in the casino. On February 20, 2007, Mr. Holden submitted an affidavit to the NIGC in which he stated that DED would pay Baxcase a flat fee instead of a percentage of DED's management fee. His affidavit further stated that Baxcase provided legal services to DED. It avoided a background check for Campbell and had hid disclosure of additional legal income. The government tells Holden, Qualls, and Campbell that the contract requires them to include all depreciation when the casino's profits are calculated before the NIGC Chairman will approve the Management Contract. This means that all depreciation must be included in the calculation of the management fee. On February 22, 2007, DED responded to the NIGC's February 16th letter, agreeing to make the requested changes to the management fee calculation in the business plan. On May 4, 2007, NIGC reiterates that the Business Plan calculated net gaming revenue without deducting depreciation, reminding them that depreciation was legitimate operating expense. Campbell received this letter at his law firm. In October of 2007, after many changes and promises by DED, finally NIGC Chairman approves. Holden and Qualls begin formally managing the casino. The first few months go very well, but revenues begin to drop in the summer of 2008. The opening of Quapaw Downstream and Banking Crisis creates what was called the Great Recession. This creates cash flow problems for the casino. The accountant brings this to the attention of Qualls and Holden. During this time all the casino's profits are being calculated with all depreciation included, as NIGC required. In October of 2008 the casino's revenue continues to decline. Qualls circulated language in the Management Contract to accountant McNeil, Holden and lawyer Campbell that he believes will help with cash flow problems. Accountant McNeil, a casino contracted accountant with ties to Qualls and Holden, thinks the contract might allow some depreciation to be excluded from the profit's calculation, with concern, McNeil wanted a lawyer's opinion to confirm since he did not know about the NIGC requirements. Qualls contacts lawyer Campbell about McNeil's requirement for a legal opinion and Campbell sends Qualls and Holden a memo stating that the Management Contract allows for some depreciation to be excluded from the profit calculation. Nobody tells McNeil that Campbell's opinion is contrary to NIGC rules. Neither Qualls nor Campbell ask the NIGC about it. Neither Holden nor Qualls check with the Tribe's lawyer Morrow about it. They don't ask anyone on the Business Committee about it. Nobody on the Business Committee is involved in any of these discussions. The only thing Qualls does is send a copy of Campbell's memo to the Tribe's Chief Froman, but he testifies he has no memory of receiving the memo. Nobody tells the Tribe that lawyer Campbell is also being paid by DED for "consulting services" that he provides to Holden. The money is paid to a company that Campbell owns called Baxcase. Holden decides by himself

how much DED will pay Baxcase every month. DED is making these payments to Campbell's Baxcase while Campbell does legal work for the Tribe's casino and the Tribe, but neither Holden nor Campbell tell the Tribe about them. After Campbell provides the memo to Holden and Qualls, the profit calculation changed. Then only some of the depreciation is included. The accounting device used to do this is called "Depreciation Add-Back". This change happens, the only month ever that the casino operates at a loss. Holden and Qualls LLC got no payment, and they had to pay the Tribe a guaranteed minimum monthly payment of five thousand dollars. It makes the profit numbers go up and increases the money that goes to Holden and Qualls and beyond the percentage allowed by IGRA and NIGC rules. After the add-back, the amount of money going to the Reserve Account went down. The money would have otherwise gone into the Reserve Account but instead went to increase the payout to the Tribe and the payout to Holden and Qualls, but because the Reserve Account and the Tribe's pay out are both the Tribe's money, the only ones who got more money from the depreciation add-back was DED. These funds boosted DED's profits more than NIGC requirements. On November 3, 2008, DED reverted to paying Baxcase a percentage of its management fee instead of a flat fee. On November 4, 2008, at DED's direction, the casino issued a check to DED for one hundred eleven thousand six hundred thirty-six dollars and ninety-five cents to retroactively account for the increased management fees DED would have received had the add-back been in place from April to August of 2008. Nobody tells the Business Committee about this payment. If they went back further, they would have to redo prior audits, potentially raising scrutiny. Between 2008 and 2017 the depreciation add-back scheme continued until the Management Contract ended in October of 2017, after NIGC inquiry. In November of 2008 when the depreciation add-back starts being used in profit calculations, Accountant McNeil starts including it as a line item in monthly financial reports to the Tribe's Business Committee. Neither Accountant McNeil, Holden, Qualls, nor Campbell explains how the add-back works or why it is there. In 2012 NIGC Chairwomen reviews and approves a five-year renewal of DED Management Contract for DED, but at a twenty-five percent net gaming revenue fee. The NIGC sees financials but does not flag the depreciation add-back. While first term capped the net gaming revenue fee to DED at thirty percent the max under IGRA Management Agreements, DED receives over thirty-eight percent from 2008 to 2012 (Violation of IGRA). By April 2014, because of the effect of losing so much money needed for the Tribe's Reserve Account and instead diverted to DED's profits, the accountant stops using depreciation add-back as a part of the Tribe's calculation of the monthly pay out. Between 2017 to October 2017 Depreciation add-back is only used to increase the payout to Holden and Qualls DED until the second contract term ended. While relatively small increments, from 2008 to 2017 this added up to approximately two point one million dollars over the fee authorized under the Management Contract, IGRA, and NIGC regulations. In 2017 Holden and Qualls Management DED contract is up for third renewal with the NIGC and this time the NIGC takes a closer look. They review financials and meet and interview people working at the casino and question Accountant McNeil, who cease serving the casino in 2013. On September 28, 2017, after the NIGC investigates further the big reveal happens and NIGC tells DED, Peoria Tribe (All Business Committee Members are included) that the depreciation add-back caused DED to be overpaid by two point one million dollars and DED paid Campbell's Baxcase more than one million dollars since 2007. Holden and Qualls violate contracts and law by having the casino pay them part of their fees directly instead of DED more than seventy times. In October of 2017 the Business Committee votes not to renew the DED contract and Holden & Qualls stop managing the casino. The Tribe manages the casino on its own. While there are initial growing pains the Tribe's casino makes even more money than it had before, even with COVID-19.

Holden and Qualls receive approximately twenty-six million in fees under the Management Contract and eight million under the Development Agreement for the casino from 2004-2017 total approximately thirty-four million dollars.

In October of 2017 Federal NIGC and Peoria Tribal Gaming Commission continue their investigations. In March of 2018, DED Management Contract is withdrawn from NIGC review and approval in an attempt to cancel and void their non-expired gaming licenses with the Peoria Tribal Gaming Commission. In February of 2018 NIGC Regional Director send letter to expand investigation DED, Holden and Qualls. On September 24, 2018, Peoria Tribal Gaming Commission temporarily suspends Holden and Qualls gaming licenses and calls them in for a hearing a week later. On October 4, 2018, Holden and Qualls refuse to cooperate or answer questions. On October 4, 2018, the Gaming Commission continue hearing to allow Holden and Qualls more time and to provide them with more specific issues of concern. On November 1, 2018, Qualls and Holden sue Peoria Tribal Gaming Commissioners Ellis, Walther, Rabel and ED Mathews in CFR Court declaratory and injunctive relief, thwart the investigations and stop disciplinary proceedings. Qualls or Holden lock the Tribe's casino out of its Buffalo Run website (Cyber-squatting).

December 4, 2018, in the Qualls v. Mathews case the Judge denies Holden and Qualls an injunction; orders the Peoria Tribal Gaming Commission investigation to continue and a PTGC hearing to proceed. On January 31, 2019, Peoria Tribal Gaming Commission holds all day evidentiary hearing with documents and witnesses including Holden and Qualls as well as others. Lawyer Campbell refuses to cooperate with subpoena to appear or produce documents related to DED, Qualls and Holden or his secret law firm/company Baxcase. On March 15, 2019, Peoria Tribal Gaming Commission issues interim decision finding Holden and Qualls depreciation add-back scheme violated IGRA, NIGC regulations, the Peoria Gaming Code and the Management Agreement. PTGC continued the license suspension, gave Holden and Qualls sixty days to either repay the two point one million dollars and reinstate their gaming licenses, or it would issue a fine for the exact amount of their overpayment. The deadline of May 14, 2019, came and Holden and Qualls do not repay the overpayments to the Gaming Commission, and which issues a fine for two point one million dollars and permanently revokes their privileged gaming licenses. Qualls and Holden do not seek judicial review of this fine and revocation in Qualls v. Mathews. The decision becomes final thirty days later.

In April of 2019 Holden v. Bud Ellis: A new lawsuit is filed to seek judicial review of Peoria Tribal Gaming Commission interim order and claim civil rights violations against the Gaming Commissioners. In June 2019 Qualls and Holden file motion for new trail. The Gaming Commission makes application for attorney fees and expenses of two hundred eleven thousand dollars. In April of 2020 CFR Court Judge Douthitt signs detailed findings of fact and conclusions of law in court grants PTGC costs. May 10, 2019, the NIGC issued Notice of Violation 19-03 against the Tribe primarily on Holden, Qualls conduct overstating net gaming revenue by seven point three million dollars with seventy-seven counts, potential fines of up to four point one million dollars. NIGC Chairman Casino closure power under IGRA. Does not go against them because they are not currently managing the casino. On October 19, 2020, NIGC-SA-19-03: Peoria Tribe appeals NOV-19-03 and begins briefing before the Federal Administrative Law Judge. Peoria and

NIGC negotiate, and any fines would be paid to U.S. Treasury and could not go back as restitution to Peoria. NIGC encourages Peoria to seek civil actions and collect fines against Holden, Qualls, Campbell, Baxcase, and firms to make Tribe whole. They settled for twenty-six thousand dollars in fine, NIGC training for Peoria Business Committee. Another twenty-six thousand suspended fine is forgiven after successful training and avoid casino closures.

Judge Parker is appointed to Qualls v. Mathews and Holden v. Ellis after Judge Reavis recuses. On November 28, 2022, Qualls: Judge Parker denies Qualls's motion for a new trial on and takes Peoria attorneys fee motion under advisement. Qualls and Holden seek more delays and stays throughout awaiting another appellate ruling. Court denies them granting Peoria's request to move forward. In June of 2023 Qualls and Holden post a ten-thousand-dollar cash bond. The court releases the bond to Peoria on October 17, 2023. On November 20, 2023, Peoria makes a supplemental motion for fees. February 23, 2024, Qualls v. Mathews (CFR Court) the court awards Peoria all fees prior to 2021 but denies supplemental fees. The court holds additional hearings on briefing and issues judgement for Peoria on fees. On April 11, 2024, for two hundred eleven thousand dollars plus accruing interest under Oklahoma law. Qualls and Holden appeal again and seek a protective order but they do not post a bond for attorney's fees; seek emergency relief from the appellate court denied. Qualls and Holden object to judgement payment discovery. In 2024 Qualls v. Mathews Peoria domesticates the CFR Court foreign judgement in Tulsa County, OK and placed judgment lien on former home of Tony Holden that is for sale for approximately one million dollars. Holden reportedly is on the island of Bali. The Tribe's judgment has grown to about two hundred forty thousand dollars with interest. Qualls and Holden fought aggressively, over one hundred eleven filings were made in District Court and fifty filings in the appellate court. Qualls and Holden filed over two thousand three hundred pages in district and appellate courts. Qualls v. Mathews alone including numerous motions for rehearing and en banc review. The Appellate Court finally wrote that it would accept no more filings.

Holden v. Ellis (CFR District Court) over seventy-five filings. Initially, the District Court granted Peoria's motion to dismiss all claims on sovereign immunity grounds on December 2, 2019. Holden and Qualls immediately appealed. On December 13, 2019, Peoria made an application for attorney's fees, can seek additional attorney's fees and established law in Qualls v. Mathews. On April 13, 2020, CFR Court Judge Douthitt signs detailed findings of fact and conclusions of law in Qualls v. Mathews after remand from the Appellate Court. In June of 2020 Judge Douthitt retires and CFR Court does not readily replace him. Peoria files numerous notices of matters under advisement for over two years seeking rulings. Court Clerk failed to send orders to parties for several years. On August 14, 2020, Appellate Court reverses and remands to trial court but again Court Clerk does not serve any party. The ruling is not discovered until a hearing on November 2022, some eight hundred and nine days later when Judge Reavis recused from serving as District Judge because he served on the appellate panel. Even with the numerous notices of matters under advisement with the District Court and Appellate Court. In October of 2022 the court appoints a conflicts magistrate Judge Reavis, then Judge Parker. On July 12, 2023, Peoria files a motion for prompt hearing and Court lifts a stay on August 16, 2023, after appellate court rules in Qualls v. Mathews. May 15, 2024, Holden v. Ellis the court grants Peoria motion to limit scope of review to administrative record and deny Holden and Qualls civil rights claims. In May of 2024 Judge Parker leaves to take US DOJ position and no conflict judge is appointed. BIA Superintendent resigns and a new one is appointed.

Peoria v. Campbell and Firms (Ottawa County)-Bullock Law Firm and Michael Salem:
On September 26, 2019, Petition (Judge Barry Denney)

Five counts: Legal Malpractice, breach of fiduciary duty, deceit/fraudulent concealment and failure to disclose, money had and received, unjust enrichment. November 19, 2019, remove to Federal Court, N.D. OK Tulsa by defendants. On July 28, 2020, Federal Court order granting Peoria's dismissal, U.S. District Judge Terence Kern. July 30, 2020, Remand to Ottawa County District Court. June 15, 2022, U.S. District Court order of payment of fees of approximately fifty thousand by defendants to Tribe. On November 29, 2022, order granting Tribe's motion for partial summary judgement on "nullum tempus"- no statute of limitations for Tribe as a sovereign landmark ruling first time ever for state court to apply to Indian Tribe. In the winter of 2023 Judge Denney retires, Judge Jennifer McCaffrey takes over. May 3, 2023, motion to reconsider partial summary judgement order. On July 19, 2023, Judge denies reconsideration but permits Interlocutory appeal to OK Supreme Court. On November 20, 2023, Oklahoma Supreme Court denies defendants/appellants interlocutory appeal review on nullum tempus. In December of 2024 a letter from Campbell's counsel demanding dismissal claiming Tribe had abandoned litigation with October Business Committee motion to end all litigation.

Peoria v. Qualls and Holden (Pott. Co., OK)-On September 25, 2019 Petition (Judge Canavan):
Nine counts: conspiracy, aiding and abetting, fraud, embezzlement, unjust enrichment, money had and received, breach of fiduciary duty, constructive trust, chose in action and enforcement of tribal judgement. On September 10, 2020, MSJ actual damages-Gaming Commission Tribal Judgement Enforcement

Peoria v. Qualls and Holden (Pott. Co., OK)- December 22, 2022, MSJs by defendants on all counts/objections. On December 23, 2022, MSJs by Peoria Tribe-Contractual interpretations under IGRA and Statute of Limitations Defenses. On July 17, 2023, the order denying Peoria MSJs and granting defendants MSJ, not ruling on several issues as moot. On December 18, 2023, Tax costs for defendants Qualls six thousand nine hundred ninety-one dollars and forty-three cents and Holden nine thousand six hundred seventy-eight dollars and forty nine cents. On June 18, 2024, OK Court of Civil Appeals decision affirming District Court. On December 9, 2024, Oklahoma Supreme Court denies hearing appeal.

December 30, 2024, Holden v. Ellis (CFR Court); After OK Court of Appeals decision becomes final, Holden and Qualls file decision in CFR Court and seek to limit this tribal case they filed.

Fees for Litigation:

Qualls v. Mathews, et.al. (Miami CFR 2018)
Crowe & Dunlevy \$630,072.55 (December 2018- December 2024)

NIGC-NOV-19-03 & SA-19-03 (NIGC 2019)
Crowe & Dunlevy \$102,625.1 (May 2019- September 2023)

Holden v. Ellis, et.al. (Miami CFR 2019)
Crowe & Dunlevy \$351,521.04 (April 2019 – October 2024)

Peoria v. Qualls & Holden (Pottawatomie Co., OK 2019)
Peoria v. Campbell & his law firms (Ottawa Co., OK 2019)
Crowe & Dunlevy \$2,856,762.37 (May 2018- December 2024)
Bullocks & Salem: Blended hourly contingency approximately \$1 million plus 10% (August 2018 to 2024)

Moving forward would be a pure contingency fee available (means percentage of whatever is recovered). Mr. McBride thanked the Business Committee and answered questions from citizens.

PUBLIC COMMENTS:

Chief Dobbs began “Public Comments” by asking if there were any questions so that each Tribal Citizen had the opportunity to address the Business Committee or ask questions.

Citizen John Froman:

Mr. Froman stated that the directive that was at General Council was not a go or a no. The directive was to succeed or to dismiss all the litigation. It wasn't saying go ahead. The vote went to a voice vote, which was too close to call. The forethought of our elected officials at that time was not to ask nontribal members to leave. There were numerous people in that room that could have said yay or nay and held their hands up. With what was outlined was about four million dollars spent on legal fees for this lawsuit. I am here to defend the expenditure of Tribal funds. I don't think anyone in this room would let somebody take twenty dollars out of their pocket and spend eight dollars trying to get those twenty dollars back.

Citizen Anna Johnson:

Ms. Johnson asked if Mr. McBride agreed that the legal fees were four million dollars and asked how much the Tribe lost in this deceit. Was it thirty-four million dollars like the gentleman commented? Ms. Johnson stated that her opinion is that if someone does something wrong, they should pay for it. Ms. Johnson understands that four million dollars is a lot for legal fees, however there's a lot more involved here than just money. Ms. Johnson doesn't believe there are not enough checks and balances in place at Buffalo Run. Ms. Johnson asked if the tribe has absentee ballots for the election.

Citizen Shanon Buckingham:

Ms. Buckingham stated thank you so much for explaining that in such a way that I can understand it. I appreciate you so much taking the time. I am so sorry for your loss, and I appreciate you making the time to be here and helping us learn about this because we don't know. The people who are members and citizens of the tribe, we have no idea. Last year when we voted on this at General Council, I'm going to admit I voted ignorantly because I had no idea what was going on. My question is because we are speaking confidentially now and we cannot pick up the phone and call my sister, or my kids. Then how are we going to present this to the citizens of the Peoria Nation so that they can make an informed decision before we have a referendum? How are we going to educate our people about what's going on?

Citizen Isabella Clifford:

Ms. Clifford asked for clarification on the exact amount of money that was cheated from the tribe. Ms. Clifford stated that the amount that was criminally taken by misrepresenting depreciation is two point one million dollars and one million dollars from Baxcase. Ms. Clifford stated that the total seeking was three point one million dollars, and we have not received it but have spent over four million dollars trying to receive it and as of date we have only received fifty thousand dollars back. Ms. Clifford stated that she believes in this case and was in Scott's position when this case started. Ms. Clifford would like to know what the risk of seeking this amount is and what the potential costs are. Ms. Clifford stated that people need to take those financial issues into account. I think thing that our financial situation is greatly different than it was when we started and I get what we're saying about we want to morally stand our ground, but at what price to what program are you guys wanting to morally stand your ground because is it the elder care, the disabled care or the scholarships. This is general funds not grant money. This is our pocket money, and this lawsuit is taking our pocket money. Is the loss greater than the gain. It's time to say we fought a good fight, and we were in the right and we did everything we were supposed to.

Citizen Mark Glades:

Mr. Blades stated that he has been a tribal member for 64 years and he has attorneys in his family, so he appreciates all the input. Mr. Glades questioned whether we have reached the point of diminishing returns, and he believes the real victim is our trust as a tribe. Trust in our leadership. The other day he spoke to a friend of his about Chief Berry of Quapaw's and in a mess with millions of dollars and he is not in prison however that is the Quapaw Tribe, and we have recently had some issue with our tribe. I have my haircut by a Choctaw gal, and they have mistrust in their leadership. Now, I'm an old deacon and whenever we have our meetings and people get upset, I'd look at them and say, well, either you don't have trust in your leadership, or you do, and I guess the only thing left is a congregational vote. In all fairness I think that those are policy decisions that we all must weigh. We have fought hard against well-funded opponents that have a lot of resistance. We are not making any progress and there is nothing wrong with a good fight, but it comes to a point where you must stop and moving forward is the trust with the tribe for this to never happen again.

Citizen Darcie Shultz:

Ms. Shultz stated that for the live streaming she would suggest using Dugo. She is employed through the city of Pittsburg and the university uses that authentication. Ms. Shultz asked if the tribe ever used a consent agenda. A consent agenda is used to pass everything in one motion and not make motions for every single item. If a consent agenda was used these items could have been passed in two seconds and moved on to the presentation. Items can be pulled from the consent agenda if committee members requested it. This could be a way to move the meeting along.

Citizen Shelby Betsey:

Ms. Betsey asked if there would be an option for the tribe to make a link on the website that gives access to our own portal. There are several tribes that have this for their citizens, and it gives them access to applications, and you can have live streaming on there and basically any

enrollment stuff or any other programs all on one portal. You would have been vetted through the enrollment process.

Citizen Alan Goforth:

Mr. Goforth stated that the issue he has is trust in our leaders and that one way that the Business Committee could increase trust in the leaders is to be quick in executive session. You guys spend more time in executive sessions than one meeting. For the past six years, almost all the tribe's decisions have been made behind closed doors. You've been in executive session longer than I was the whole 13 years I was on the Business Committee. I think you're behind closed doors and I think you have been for six years, and I would appreciate it if you would quit doing it. I think ten to fifteen minutes in executive session should take care of everything you need to do.

EXECUTIVE SESSION:

Motion was made by Scott Myers and seconded by Kara North to move into Executive Session at 8:30 p.m. Motion passed.

ADJOURNMENT:

Motion to adjourn was made by Jenny Rampey and seconded by Nicholas Hargrove. Motion carried unanimously and the meeting was adjourned at 9:53 pm.

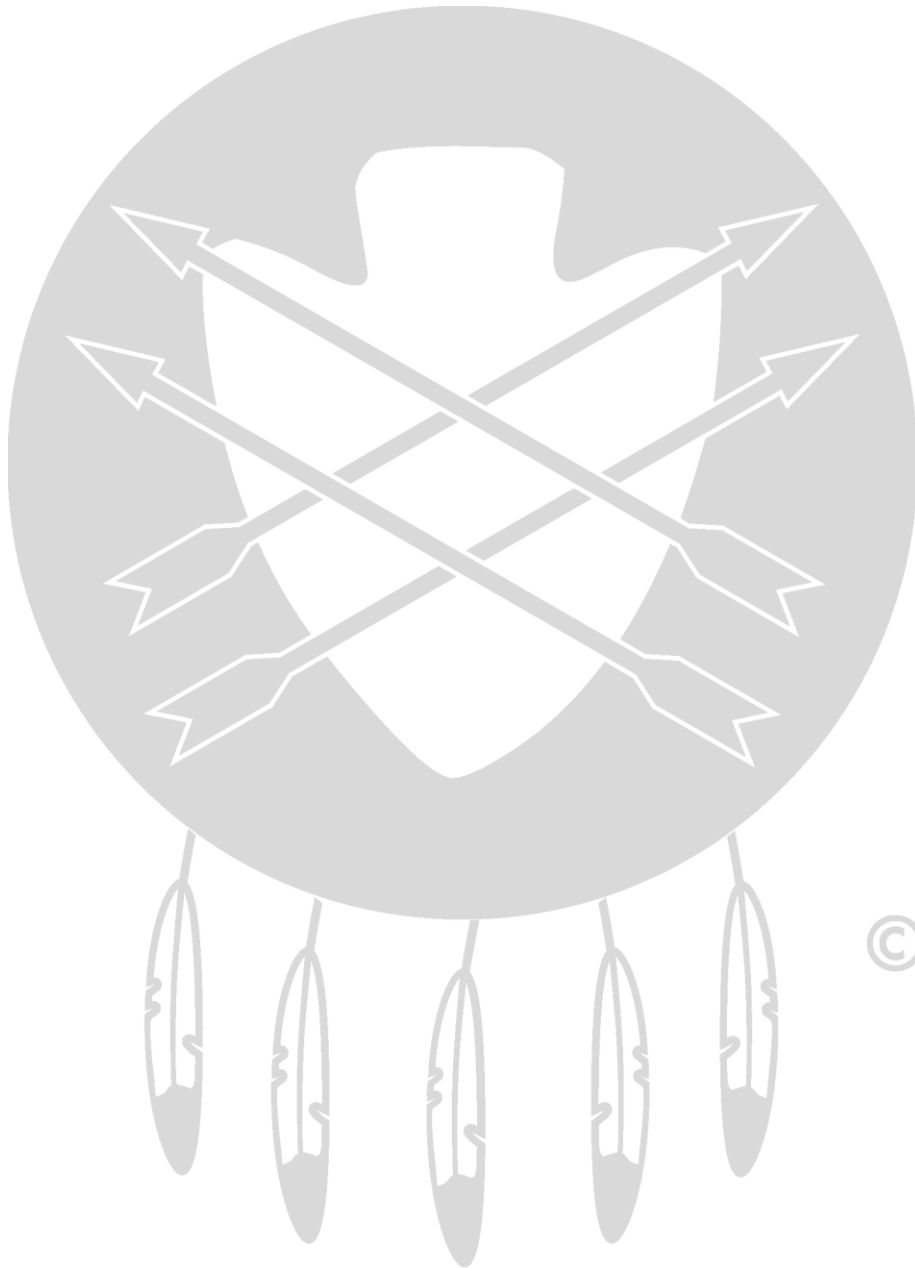
Jenny Rampey
Jenny Rampey (Feb 20, 2025 09:53 CST)

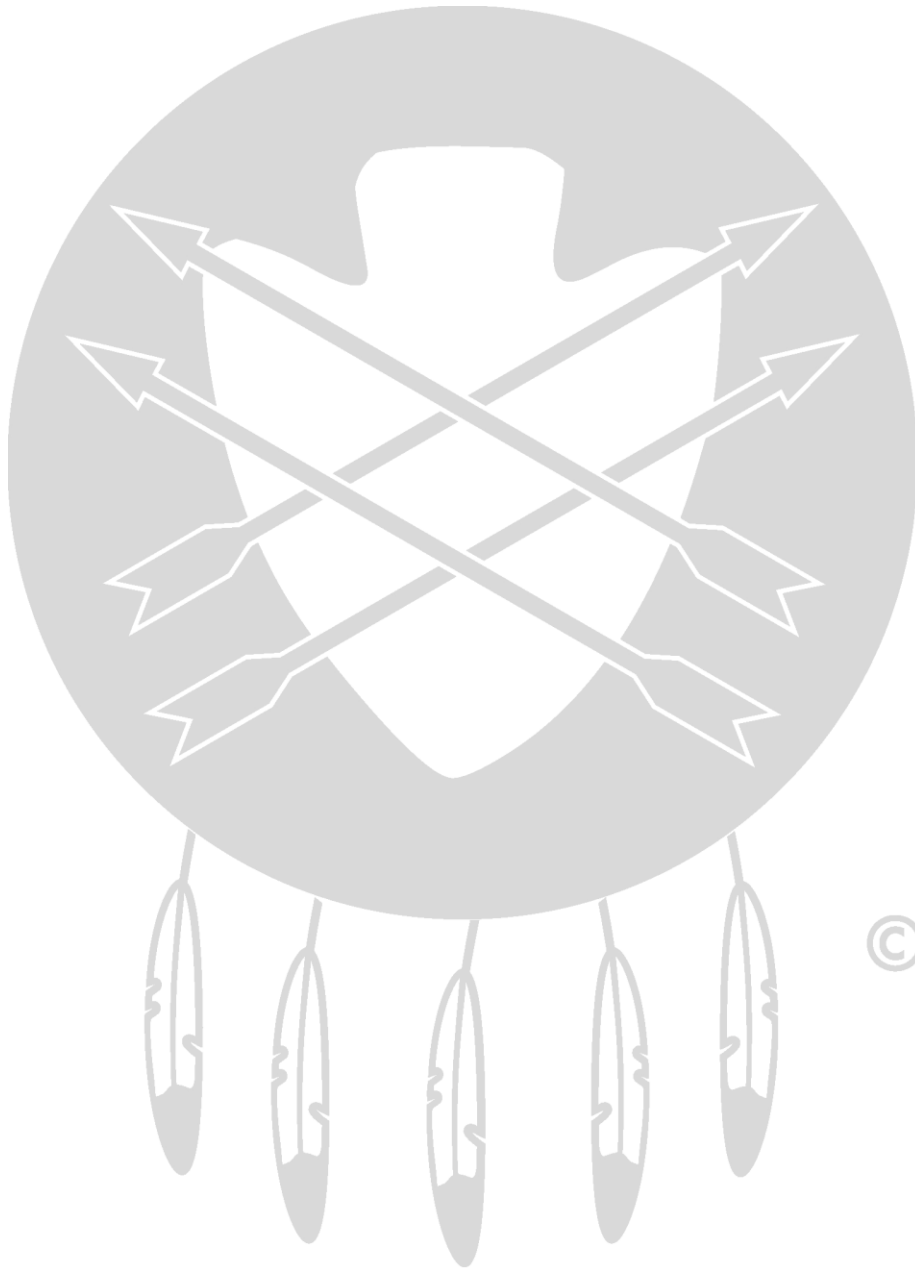
Authorized Signature

02/20/25

Date Approved












02.04.25 BC MinutesJRApproved.1

Final Audit Report

2025-02-20

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