

## **\*\*NEWS RELEASE\*\***

The United States District Court for the Western District of Oklahoma has granted judgment in favor of the Iowa Tribe of Oklahoma certifying the arbitrator's award holding that the use of the internet to offer certain covered games under the gaming compact between the Iowa Tribe and the State of Oklahoma is not in violation of state or federal law.

"We are extremely pleased with the decision of the federal court," Iowa Tribe of Oklahoma Chairman Bobby Walkup said. "This brings the Iowa Tribe another step closer to being the first tribe in the United States to offer igaming under an approved compact."

In November 2015, an arbitrator determined that the internet to conduct a covered game under tribal-state gaming compact was authorized under the gaming compact when the players are located outside the boundaries of the United States. The issue was submitted to arbitration consistent with the part of the gaming compact authorizing all disputes concerning interpretation of the terms of the compact to be settled in arbitration.

"At the time the arbitrator issued his decision, the Iowa Tribe could have begun offering gaming over the internet," Chairman Walkup said. "However, the Tribe elected to wait for certification of the award by the federal courts before proceeding.

"Now that the federal courts have entered judgment in favor of the Iowa Tribe, the Tribe will begin moving forward on our igaming project," the Chairman said.

The Iowa Tribe has posted on its PokerTribe.com website that it will begin offering free gaming over the website on May 17. According to the website, the Tribe will launch its play-for-money gaming on August 1, 2016. Chairman Walkup acknowledges there is still much to accomplish before August 1 but points out that the Iowa Tribe has already made it much farther down the road that most people believed was possible.

"We have always known this would be a long process to launch igaming," Walkup said. "This is not unexpected when you are breaking new ground, as the Iowa Tribe is. We have been told on numerous occasions that we could not accomplish this. There is still a ways to go but we firmly believe that we will meet our deadline to launch the site by August 1."

The process actually was initiated by another Tribe in Oklahoma who previously announced its intentions to conduct igaming from its Indian country. The state determined that such internet gaming was authorized under the compact and had entered into an agreement with

the tribe, authorizing the offering of the internet games to persons located outside the United States. The parties to that agreement submitted it to the United States Department of the Interior but the federal agency rejected the language in the settlement agreement, determining the agreement constituted an amendment to the gaming compact which would have to be approved by the Interior department. The Oklahoma tribe involved in the settlement agreement initially brought an action in federal court challenging the agency's decision but later dismissed the action.

“The Iowa Tribe reviewed the settlement agreement and concluded that that the offering of internet gaming was authorized under the compact,” Iowa Tribal Chairman Bobby Walkup said. “The Tribe's leadership decided to continue the pursuit of igaming in the form the state had authorized in the settlement agreement.”

According to Chairman Walkup, the Iowa tribe served notice upon the state that the tribe intended to pursue igaming in the same form as authorized under the settlement agreement. In its response, the state invoked the arbitration provision of the compact to resolve issues raised in the previous objections made by the Interior Department to the settlement agreements.

Arbitrator Charles Chapel, who served 17 years on the Oklahoma Court of Criminal Appeals, concluded that the “use of the Internet is merely using technology to play covered games as a way to increase Tribal revenues. It does not extend or restrict the scope of the games and does not amend the Compact in any way.”

The federal court agreed.

“The arbitrator's decision as affirmed by the federal court order and judgment, applies to all tribes in the state of Oklahoma,” Chairman Walkup said. “Every tribe has the same opportunity as the Iowa Tribe to engage in internet gaming consistent with the arbitrator's decision and certification by the federal court.”