
IN RE: Amendment to Metlakatla
 Indian Community's
 Gaming Ordinance

APPEAL OF THE CHAIRMAN'S DISAPPROVAL
OF THE METLAKATLA INDIAN COMMUNITY'S
PROPOSED AMENDMENT TO ITS CLASS II
GAMING ORDINANCE

DECLARATION OF BRIAN FOSTER

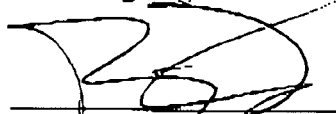
1. My name is Brian Foster. I currently am the manager of the Otoe Casino in Oklahoma. However, I have been involved with Native American gaming since before the Indian Gaming Regulatory Act was enacted in 1988. My previous positions include Vice President of Native American Operations at Southwest Casino and General Manager of the Lucky Star Casinos of the Cheyenne and Arapaho Tribes of Oklahoma.

2. I have extensive experience with all aspects of Native American gaming operations, including bingo, electronic gaming, NIGC compliance and tribal relationships. I also assisted with the implementation and development of electronic gaming, both pull tabs and bingo, as part of the Class II gaming permitted to Native American tribes under federal law. As President of the Oklahoma Indian Gaming Association, I was instrumental in the enactment of Oklahoma legislation permitting the state to enter into Class III gaming compacts with Native American tribes.

3. Electronic bingo gaming systems (i.e. Game Tech, FortuNet, Electro Bingo and others) have been used for many years. Many of these bingo games used technologic aids to the game of bingo which automatically daub a player's card after numbers or other designations are determined and displayed to the player. The use of electronic bingo gaming systems with auto-daub is still in widespread use today in many Native and non-Native bingo halls.

4. The auto-daub feature merely assists the player with tracking and covering bingo numbers. The availability of this feature is especially important when a player is playing multiple bingo cards, as is common in both Native and non-Native bingo halls. It is also important when the bingo numbers are displayed quickly, in groups or for players who have physical impairments that make it difficult or impossible to cover a card quickly.

I declare under penalty of perjury that the foregoing is true and correct.



Brian Foster

Dated: July 7, 2008