

POKAGON BAND OF POTAWATOMI INDIANS



BUSINESS ENTITY DISCLOSURE FORM

GAMING SUPPLIERS

BUSINESS ENTITY DISCLOSURE FORM - GAMING SUPPLIERS

IMPORTANT: A complete copy of the entire Business Entity Disclosure Form-Gaming Suppliers, including all attachments, must be submitted with the original. The application will be deemed incomplete and not processed if a copy is not included.

NOTE: For purposes of this application, (enterprise) should be defined to include any corporation, association, operation, firm, partnership, trust or other form of business association as well as a natural person.

NAME OF BUSINESS:

NAME AS IT APPEARS ON THE CERTIFICATE OF INCORPORATION, CHARTER, BY-LAWS, PARTNERSHIP AGREEMENT OR OTHER OFFICIAL DOCUMENT.

ANY OTHER NAMES THE APPLICANT HAS DONE BUSINESS UNDER:

BUSINESS ADDRESS:

STREET LOCATION (NUMBER/STREET) CITY STATE ZIP

COUNTRY TELEPHONE: (AREA CODE) NUMBER FAX NO. (IF AVAILABLE)

Main Office Address if Different CITY STATE ZIP

FEDERAL TAX ID NUMBER OR SOCIAL SECURITY NUMBER IF A SOLE PROPRIETORSHIP OR SINGLE MEMBER LLC:

PERSON TO BE CONTACTED IN REFERENCE TO THESE FORMS:

NAME

TITLE TELEPHONE: (AREA CODE) NUMBER EMAIL

ITEM 1. PROPOSED SALE OF GAMING GOOD OR SERVICES:

Identify the specific Gaming Goods or Services the Applicant is proposing to supply to the Gaming Operation.

ITEM 2. ALL AVAILABLE GAMING GOODS OR SERVICES:

Identify all Gaming Goods and Services and any other goods or services available from the Applicant.

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 2

ITEM 3. BUSINESS AFFILIATES:

Provide the trade name(s) used in connection with gaming goods or services and the names of any wholly-owned subsidiaries or other businesses owned by the Applicant:

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 3

ITEM 4. BUSINESS DOCUMENTS:

Attach copies of documents establishing the existence of the Applicant as a business entity, such as a partnership agreement, trust agreement or articles of incorporation and label as Item 4.

ITEM 5. OWNERSHIP DOCUMENTS:

Attach copies of documents establishing the ownership and control of the Applicant business affairs sufficient to permit the identification of any and all control persons of the Applicant. Label as Item 5.

ITEM 6. AUTHORIZATION:

Attach copies of documents which designate the person(s) authorized to act on the Applicant's behalf and label as Item 6.

ITEM 7. BYLAWS:

Attach copies of bylaws or other documents that provide the day-to-day operating rules for the Applicant and label as Item 7.

ITEM 8. BUSINESS HISTORY WITH INDIAN TRIBES:

Describe any existing and previous business relationships involving Indian Tribes, particularly including ownership interests in those businesses.

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 8

ITEM 9. PRIOR GAMING APPLICATIONS:

Provide the name and address of any licensing or regulatory agency with which the Applicant or Control Persons have filed an application for a license or permit relating to gaming, whether or not such license or permit was ever granted or has ever been subject to suspension, revocation or other sanction.

NAME AND ADDRESS OF LICENSING AGENCY	DATE OF APPLICATION	DISPOSITION (GRANTED, DENIED, PENDING)	TYPE OF GAMBLING ACTIVITY	IF ISSUED, GIVE APPROPRIATE NUMBER AND EXPIRATION DATE

Should you require additional space, attach a separate sheet in the same tabular format and label it Item 9

ITEM 10. STOCK DESCRIPTION (CORPORATION)

Describe the nature, type, terms, conditions, rights and privileges of all classes of voting, non-voting and other stock issued, or to be issued, by the corporation including the number of shares of each class of stock authorized or to be authorized and the number of shares of each class of stock outstanding (if not held by or on behalf of the issuer) as of this date. If the right of holders of any class of stock may be modified otherwise than by a vote of a majority or more of the outstanding shares so affected, voting as a class, so state and explain briefly.

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 10.

ITEM 11. CONTROL PERSONS IDENTIFICATION

Please indicate all persons in your enterprise that correspond to the sub-items listed below. If any of the sub-items (A) through (F) do not apply, please indicate "Does Not Apply" directly on this form.

NOTE: A MULTI-JURISDICTIONAL PERSONAL HISTORY DISCLOSURE FORM AND SUPPLEMENT MUST BE COMPLETED BY EVERY NATURAL PERSON NOTED IN **ITEM A THROUGH F** BELOW.

- A. The chief executive officer, chief operating officer and any person with responsibility and authority to manage the contract on behalf of the gaming supplier with respect to the gaming goods and services being provided.
- B. The management employee supervising the regional or local office which employs the sales representative(s) of the enterprise.
- C. All directors or trustees of the enterprise.
- D. All partners, whether general, limited or otherwise.
- E. The sole proprietor, if the enterprise is a sole proprietorship.
- F. Any person who has the power to direct or cause direction of management and policies of the business operations, including all persons who own shares of any corporation that is not a publicly traded corporation and such person owns, controls, or holds the power to vote 10% or more of the voting securities of the corporation.

For every person or entity noted in Items 11A through 11F on the previous page, please provide the information requested in the following tabular form. Provide additional separate sheets if necessary, labeled as Attachment 11:

NAME	DATE OF BIRTH	HOME ADDRESS	TITLE, POSITION OR ASSOCIATION WITH THE ENTERPRISE	% OF OWNERSHIP**

**Include number of shares held and class of stock, if applicable.

ITEM 12. FORMER OFFICERS AND DIRECTORS

Furnish the information called for below for each person, who is not listed as a control person, who held a position as an officer or director of the enterprise during the last five years.

NAME	DATE OF BIRTH	LAST KNOWN ADDRESS	POSITION AND DATES HELD	REASON FOR LEAVING

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 12.

ITEM 13. COMPENSATION OF OFFICERS AND DIRECTORS OR PARTNERS

List the total annual compensation received during the last calendar year and the amount to be received during the calendar year subsequent thereto by each director, trustee, officer and/or partner of the enterprise whether such compensation is in the form of salary, wages, commissions, fees, stock options, bonuses, profit sharing, retirement plan, deferred compensation or otherwise.

NAME	POSITIONS HELD WITH THE ENTERPRISE	AMOUNT OF COMPENSATION	FORM OF COMPENSATION

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 13.

ITEM 14. COMPENSATION OVER \$100,000

Furnish the information called for below as to each person, other than those listed in response to Item 11, who currently receives, or who reasonably can be expected to receive from the enterprise, within one calendar year from the date of this form, compensation as described in Item 13 exceeding \$100,000 per annum.

NAME	DATE OF BIRTH	HOME ADDRESS	POSITION AND LENGTH OF TIME EMPLOYED WITH THE ENTERPRISE	AMOUNT OF COMPENSATION

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 14.

ITEM 15. INTEREST OF PARTNERS (PARTNERSHIP)

Describe the interest held by each partner, whether general or limited, in the partnership:

- A. Amount of initial investment whether in the form of cash, negotiable instruments, property or otherwise;

- B. Amount of any additional contributions made to the partnership;

- C. Amount and nature of any anticipated future investments;

- D. Degree of control of each partner over the activities of the partnership;

- E. Percentage of ownership of each partner;

- F. Method of distributing profits to each partner.

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 15.

ITEM 16. INDEBTEDNESS

Furnish the information called for in the form below as to each entity or person that the Applicant has any form of debt obligation exceeding \$100,000, including loans, bonds, mortgages, trust deeds, notes, debentures, pledges, lines of credit, securities, or other forms of indebtedness issued or executed (including loans made by shareholders), or to be issued or executed, by the enterprise.

NAME OF ENTITY OR INDIVIDUAL HOLDING	ADDRESS OF DEBT HOLDER	TYPE OF DEBT	ORIGINAL AMOUNT OF DEBT	ORIGINAL INTEREST RATE	POINTS AND OTHER DIRECT COSTS OF ISSUING DEBT

ITEM 17. SECURITIES OPTIONS* (CORPORATION)

Describe in detail any options existing or to be created with respect to securities issued by the corporation which description shall include, but not be limited to, the title and amount of securities subject to option, the year or years during which the options were or will be granted, the conditions under which the options were or will be granted, the consideration for granting the option and the year or years during, and the terms under which optionees became or will become entitled to exercise the options and when such options expire.

*For the purpose of this application, option shall mean right, warrant or option to subscribe to or purchase any securities issued by the corporation.

ITEM 17A.

Identify all persons holding the options described in Item 17 and include the market value of the option at the time of issuance.

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 17A.

ITEM 18. FINANCIAL INSTITUTIONS

Furnish the information called for in the table below with respect to each bank, savings and loan association or other financial institution, whether domestic or foreign, in which the enterprise has or has had an account over the last ten year period regardless of whether such account was held in the name of the enterprise, a nominee of the enterprise or was otherwise under the direct or indirect control of the enterprise:

NAME AND ADDRESS	TYPE OF ACCOUNT(S)	ACCOUNT NUMBER(S)	TIME PERIOD ACCOUNT HELD	
			FROM:	TO:

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 18.

ITEM 19. CONTRACTS AND SUPPLIERS

Furnish the information called for by the table below with respect to all persons with whom the enterprise has contracts or agreements of \$100,000 or more in value or from whom the enterprise has received \$100,000 or more in goods or services in the past six months.

Employment contracts need only be listed if, by their terms, they exceed one year in duration.

NAME	ADDRESS	NATURE OF CONTRACT OR GOODS OR SERVICES SUPPLIED

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 19.

ITEM 20. STOCK HELD BY ENTERPRISE

Furnish the information called for in the table below with respect to each company in which the enterprise holds stock:

NAME AND ADDRESS OF COMPANY	TYPE OF STOCK HELD	PURCHASE PRICE PER SHARE	NUMBER OF SHARES HELD	PERCENTAGE OF 5% OR MORE OF THE OWNERSHIP

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 20.

ITEM 21. INSIDER TRANSACTIONS (CORPORATION)

Furnish the information called for by the table below of each change within the last five (5) years preceding this application in the beneficial ownership of the equity securities of the corporation on the part of any person who is indirectly or directly a beneficial owner of more than ten per centum (10%) of any class of an equity security of the corporation or who is or was within that period a director or officer of the corporation. [Include changes resulting from (a) gift, (b) purchase, (c) sale, (d) exercise of an option to purchase, (e) exercise of an option to sell, (f) grant or receipt of a put or (g) grant or receipt of a call.]

DATE OF TRANSACTION	NATURE OF TRANSACTION	PARTIES TO TRANSACTION (INCLUDE POSITIONS)	NUMBER OF SECURITIES INVOLVED

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 21.

ITEM 22. CRIMINAL HISTORY

The next question asks about any charges or offenses the enterprise may have committed. Prior to answering this question, carefully review the definitions and instructions which follow.

- DEFINITIONS: For purposes of this question:
- A. "Charge" includes any indictment, complaint, information, summons, or other notice of the alleged commission of any "offense."
 - B. "Offense" includes all felonies, crimes, high misdemeanors, disorderly persons offenses, and petty disorderly offenses.

- INSTRUCTIONS:
- 1 Answer "yes" and provide all information to the best of your ability EVEN IF:
 - A. The enterprise did not commit the offense charged;
 - B. The charges were dismissed;
 - C. The enterprise was not convicted;
 - D. The charges or offenses happened a long time ago.
 - 2 Answer "no" IF:
 - A. The records relating to the charges have been expunged or sealed by court order; **AND**
 - B. Attached to this application is a copy of the expungement or sealing order labeled as Item 22.

"Has the enterprise or any of its subsidiaries ever been indicted, charged with or convicted of a criminal or disorderly persons offense or been a party to or named as an unindicted co-conspirator in any criminal proceeding in this State or any other Jurisdiction?"

Yes No

If yes, complete the chart below:

NAME OF CASE AND DOCKET NUMBER	NATURE OF CHARGE OR COMPLAINT	DATE OF CHARGE OR COMPLAINT	NAME AND ADDRESS OF LAW ENFORCEMENT AGENCY OR COURT INVOLVED	DISPOSITION (ACQUITTED, CONVICTED, DISMISSED, ETC.)	SENTENCE

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 22.

ITEM 23. ANTITRUST TRADE REGULATION AND SECURITIES
JUDGMENTS; STATUTORY AND REGULATORY VIOLATIONS

- A. Has the enterprise ever had a judgment, order, consent decree or consent order pertaining to a violation or alleged violation of the federal antitrust, trade regulation or securities laws, or similar laws of any state, province or country entered against it?
 Yes No
- B. In the past ten years has the enterprise had a judgment, order, consent decree or consent order pertaining to any state or federal statute, regulation or code that resulted in a fine of \$50,000 or more entered against it:
 Yes No

If yes to either question, provide the following information for each judgment, order, consent decree or consent order:

DATE OF OFFENSE	NATURE OF OFFENSE	TITLE OF CASE AND DOCKET NUMBER	NAME AND ADDRESS OF COURT OR AGENCY	NATURE OF JUDGMENT, DECREE OR ORDER	DATE ENTERED

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM

ITEM 24. INSOLVENCY PROCEEDINGS & APPOINTED RECEIVER, AGENT OR TRUSTEE

- A. Has the enterprise, its parent or any intermediary company had any petition under any provision of the Federal Bankruptcy Act or under any state insolvency law filed by or against it in the last ten year period? Yes No

- B. Has the enterprise, its parent or any intermediary company sought relief under any provision of the Federal Bankruptcy Act or under any state insolvency law in the last ten-year period? Yes No

- C. Has any receiver, fiscal agent, trustee, reorganization trustee, or similar officer been appointed, in the last ten year period, by a court for the business or property of the enterprise or its parent, holding, intermediary or subsidiary companies? Yes No

If the response to Item 24C is in the affirmative, complete the chart below:

NAME OF PERSON APPOINTED	DATE APPOINTED	COURT	REASON

Should you require additional space, attach a separate sheet in the same tabular format and label it ITEM 24.

ITEM 25. CIVIL LAWSUIT

List the civil lawsuits, excluding divorce or child custody proceedings, to which the applicant or a control person has been a defendant within the previous ten years, including the name and address of the court involved, the date and disposition.

Should you require additional space, attach a separate sheet and label it ITEM 25.

ITEM 26. LICENSES

A. During the last ten-year period, has the enterprise ever had any license or certificate issued by a government agency in this state or any other jurisdiction, denied, suspended or revoked?

Yes No

If the response to Item 26A is in the affirmative, complete the chart below:

TYPE OF LICENSE OR CERTIFICATE	NAME AND LOCATION OF GOVERNMENTAL AGENCY	ACTION TAKEN	DATE	REASON

Should you require additional space, attach a separate sheet and label it ITEM 26.

ITEM 27. FINANCIAL STATEMENTS

- A. Attach as an appendix to this form an audited financial statement which shall include but not be limited to an income statement, balance sheet, statement of sources and application of funds and all notes to such statements and related financial schedules, for the last fiscal year.
- B. Attach as an appendix to this form copies of all financial statements prepared in the last five years with respect to the enterprise and any exceptions taken to such statements by any management response thereto.
- C. If the enterprise does not normally have its financial statement audited, attach as an appendix to this form all unaudited financial statements prepared in the last three years with respect to the enterprise. (If the enterprise has neither audited nor unaudited financial statements prepared, please note same below this paragraph.)

ITEM 28. REPORTS OF ACCOUNTANTS

Submit as an appendix to this form a copy of all reports and correspondence, other than those previously included in this application, submitted in the last three years, by independent auditors for the enterprise which pertain to the issuance of financial statements, managerial advisory services, or internal control recommendations.

ITEM 29. ORGANIZATIONAL CHART

Provide as an appendix hereto an organizational chart of the enterprise which includes position descriptions and the names of persons holding such positions.

ITEM 30. FEDERAL TAX RETURNS

Provide as an appendix to this form, a copy of all 1120 Forms (U.S. Corporate Income Tax Return), or all 1065 Forms (U.S. Partnership Return), or 1040 Forms (personal tax returns) for the last three years. Be sure to include all schedules and attachments for these returns.

ITEM 31. AFFIDAVITS AND SIGNATURES

Pursuant to the regulations of the Commission, this form must be sworn to or affirmed, signed and dated before a person legally competent to take an oath or affirmation who shall himself date the signature of the affiant and indicate the basis of his authority to take oaths and affirmations.

Each of the following persons must complete an affidavit attesting to the truth of the information in this form:

- A. if the enterprise is a corporation, the president or any officer so authorized to affirm;
- B. if the enterprise is a partnership, each of the partners; if a limited partnership, only by each of the general partners;
- C. if the enterprise is any other business form, organization or association, the president or any officer so authorized to affirm;
- D. if the enterprise is a sole proprietorship, the natural person who is the proprietor.

Each required affidavit must be identical to the model that appears on the next page of this form.

AFFIDAVIT

STATE OF _____:

COUNTY OF _____: SS:

I, _____, hereby acknowledge
(NAME)

that I am aware that the Commission may deny a license to any applicant which supplies information to the Commission which is untrue or misleading as to a material fact pertaining to the qualification criteria.

Further I, _____, hereby swear
(NAME)

(or affirm) that the foregoing statements made by me on behalf of _____
(NAME OF ENTERPRISE)

_____ are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

(SIGNATURE)

(TYPE, STAMP OR PRINT NAME)

(TITLE OR POSITION)

Subscribed and sworn to

before me this _____ day

of _____, 20_____.

NOTARY

SEAL OR AUTHORITY OF NOTARY

ITEM 32. RELEASE AUTHORIZATION, NOTICE, JURISDICTION NOTICE

Each enterprise must have the attached "Release Authorization" properly signed, dated and notarized. The attached "Notice" and "Acknowledgment of Jurisdiction" must also be acknowledged by a proper signature and date.

Each document must be signed by the following person:

- a. if the enterprise is a corporation, the president or any officer so authorized to execute such a document and bind the corporation;
- b. if the enterprise is a partnership, a partner;
- c. if the enterprise is a limited partnership, a general partner;
- d. if the enterprise is any other business form, organization or association, the president or any officer so authorized to execute such a document and bind the enterprise;
- e. if the enterprise is a sole proprietorship, the natural person who is the proprietor.

RELEASE AUTHORIZATION

To All Courts, Probation Departments, Selective Service Boards, Employers, Educational Institutions, Banks, Financial and Other Such Institutions, and All Governmental Agencies — federal, state and local, without exception, both foreign and domestic.

On behalf of _____
(NAME OF ENTERPRISE)

I, _____, have
(NAME OF PRESIDENT, OFFICER, PARTNER OR SOLE PROPRIETOR)

authorized the Pokagon Band of Potawatomi Indians Commission (Commission) to conduct a full investigation into the background of the said enterprise.

Therefore, you are hereby authorized to release any and all information pertaining to the said enterprise, documentary or otherwise, as requested by any employee or agent of the Commission, provided that he or she certifies to you that said enterprise has an application pending before the Commission or that said enterprise is presently a licensee or registrant required to be qualified under the provisions of the Gaming Regulatory Act.

This authorization shall supersede and countermand any prior request or authorization to the contrary.

A photostatic copy of this authorization will be considered as effective and valid as the original.

(SIGNATURE)

Subscribed and sworn to

before me this _____ day

of _____, 20_____.

NOTARY

SEAL OR AUTHORITY OF NOTARY

NOTICE

1. Information supplied to the Commission or otherwise obtained by the Commission is confidential and shall not be revealed except in the course of the necessary administration of the Gaming Control Act.
2. An applicant for or holder of a license under the Gaming Control Act is subject to inspections, searches and seizures as authorized by the Act and by the regulations of the Commission.
3. The filing fee which must accompany the submission of a gaming supplier license is not refundable once the application is accepted for filing.

Receipt of Notice

Acknowledged on Behalf Of: _____

On: _____
(DATE)

(SIGNATURE)

(TYPE, STAMP OR PRINT NAME)

(TITLE OR POSITION)

ACKNOWLEDGEMENT OF JURISDICTION

On behalf of _____,
(NAME OF ENTERPRISE)

I, _____ hereby acknowledge
(PRINT NAME)

that _____ consents to the personal jurisdiction
(NAME OF ENTERPRISE)

of the Pokagon Band of Potawatomi Indians, its Gaming Commission and the tribal court and I
hereby waive all available defenses against such jurisdiction.

DATED: _____ (LEGAL SIGNATURE)
(Signature of Applicant)

Subscribed and sworn to

before me this _____ day

of _____, 20____.

NOTARY PUBLIC

STATE