National Indian Gaming Commission

AMENDMENT TO SETTLEMENT AGREEMENT

This Amendment is entered into by and between the Chairman of the National Indian Gaming Commission ("NIGC Chairman"), and the Crow Tribe of Indians, a federally-recognized Indian tribe ("Tribe"). Compliance with the conditions set forth in this Amendment will modify and extend Settlement Agreement No. SA-07-CTI, dated October 12, 2007. (attached hereto)

RECITALS

1. As set forth in the settlement agreement, the Crow Tribe owns and operates a gaming facility known as the Little Bighorn Casino ("the Casino" or "the existing facility") on the Crow Indian Reservation within the State of Montana.

2. The Tribe entered into Settlement Agreement No. SA-07-CTI with NIGC Chairman, which became effective on October 12, 2007.

3. The terms of SA-07-CTI required the Tribe to either install an adequate fire alarm and suppression system or cease gaming operations at the existing facility by April 12, 2009, as detailed in paragraphs 5, 11, and 15 of the settlement agreement.

4. After discussions with the NIGC, the Tribe has made several improvements and continues to conduct gaming in the existing facility. It has not, however, installed either a fire alarm or suppression system as required by the terms of the settlement agreement.

5. On March 25, 2009, the Tribe's General Counsel, Donald "Del" Laverdure, met with the NIGC Chairman and staff and requested an extension of the agreed upon closure date stated in paragraph 11 of the settlement agreement.

6. Regional Director John Guerber conducted a site visit of the existing facility on March 31, 2009 and focused exclusively on EPHS issues and the Tribe's progress toward obtaining a new facility. At the time of his visit, Guerber noted the following:

- Tribe has established a volunteer fire department with two pump trucks and one rescue vehicle;
- Mutual aid agreements are in place with the nearby towns of Hardin and Lodge Grass;
- Fire lanes are marked;
- Fire hydrants are functional, although they have not been flow tested;
- Exit signs were present;
- Doors opened freely and were unobstructed;
- The Tribe has not yet adopted a building code;
- There were an appropriate number of fire extinguishers, but no evidence of routine inspections;
- There were many holes to and from the ceiling crawl space which would allow a fire to spread rapidly; and
- Battery operated smoke detectors are functional and located in the non-public areas of the building, but the smoke from patrons' cigarettes prevents them from being used in public areas.

7. On April 3, 2009, three days after the site visit, the Tribe emailed Director Guerber photographs of the patched holes and architectural drawings of a new facility.

8. The NIGC Chairman and the Crow Tribe wish to amend the settlement agreement to modify the agreed upon closure date of the existing facility set forth in paragraph 11 of the settlement agreement and to set forth additional obligations of the Crow Tribe beyond those contained in the settlement agreement.

TERMS OF AMENDMENT TO SETTLEMENT AGREEMENT

9. This Amendment to the settlement agreement, SA-07-CTI, shall be effective on the date that it is signed by the last party to enter the Amendment ("Effective Date"). The parties expressly agree and acknowledge that time is of the essence in this Amendment.

10. The Crow Tribe agrees that it shall continue to abide by all terms of the settlement agreement, including maintaining the completed corrective measures identified in paragraph 4 of the settlement agreement for as long as the existing facility remains open for gaming operations.

11. The Crow Tribe agrees that this amendment modifies paragraph 11 of the settlement agreement and places additional obligations beyond those set forth in the settlement agreement on the Crow Tribe, which are outlined in paragraph 13 of the Amendment, and which it will fulfill by the dates detailed therein. In accordance with this amendment, the Crow Tribe agrees that it will permanently cease all gaming operations at the existing facility on or before June 1, 2009. The NIGC Chairman may consider a further extension of the June 1, 2009 closure date of the existing facility if on or before May 15, 2009, the Crow Tribe provides to the NIGC a written comprehensive long-term construction and/or corrective action plan that addresses the issues outlined in the settlement agreement and this amendment and the NIGC Chairman finds the plan sufficient,for those purposes.

12. The Crow Tribe further agrees that it will complete the actions detailed below by the dates listed. The Tribe further agrees that it will notify the NIGC via regular or electronic mail each time it completes each listed action.

    a. April 24, 2009
    Train staff on evacuation plan and establish a schedule for periodic training of the staff on the evacuation plan for the rest of calendar year 2009.

    b. April 24, 2009
    Create a schedule for routine fire extinguisher checks and maintenance.

    c. April 24, 2009
    Identify staff responsible for monitoring and correcting minimum internal control standard issues and distribute 2007 MICS findings from Joseph Eve (2008 MICS findings, if available).

    d. April 24, 2009
    Submit requisite quarterly statements and bring all fee payments for calendar years 2008 and 2009 current in accordance with NIGC regulations, 25 C.F.R. part 514.

    e. April 24, 2009
    Meet with appropriate staff to discuss the 2007 and/or 2008 audit and MICS findings. This will prepare the team to get the most benefit from the NIGC's audit training on April 28-29, 2009.

f. April 27, 2009
Train necessary employees on the use and maintenance of fire extinguishers.

g. April 28-29, 2009
Key personnel will attend NIGC training in Rapid City, South Dakota.

h. April 30, 2009
Meet with Kennedy Wendel group to present new gaming facility site preparation package.

i. May 1, 2009
Receive updated market/feasibility study for new gaming facility for financing purposes.

j. May 15, 2009
Submit tentative financing agreement for new gaming facility to NIGC.

k. May 15, 2009
Appropriate staff will complete the MICS checklist for Cage, Bingo, and Drop and Count Tier A. (Checklists are available on the NIGC website.)

l. May 22, 2009
Staff who conducted checklists will present findings to those able to make the appropriate corrections. (This may not always be limited to management.)

ADDITIONAL COVENANTS

13. This Amendment shall be binding on the parties, their agents, heirs, representatives, successors, and assigns.

14. The parties agree that after the Effective Date of the Amendment, it shall be a public document and may be published or disclosed by either party.

15. This Amendment may be executed in one or more counterparts and each shall constitute and original. A signature produced by facsimile shall be deemed to be an original signature and shall be effective and binding for the purposes of this Amendment.

SIGNATURES

Philip N. Hogen, Chairman

National Indian Gaming Commission

Dated: 4-20-2009

Cedric Black Eagle, Interim Chairman

Crow Tribe of Montana

Dated: 4/17/09