

Ms. Penny Coleman  
Acting General Counsel  
National Indian Gaming Commission  
Office of General Counsel

October 5, 2006

Sent via fax: 1-202-632-0045

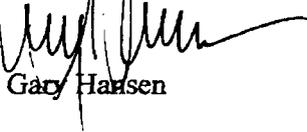
Dear Penny,

Please find on the second page of this fax an email sent to Chairman Hogen yesterday. While I anxiously await the opportunity to engage in a conversation with Chairman Hogen with the spirit of such conversation to be cooperative and productive; I also want to be sure my comments do become part of the public record, hence the reason I forward the email to you this morning.

If there are any questions or comments, please do not hesitate to call me I have noted my phone number at the bottom of the email to the Chairman.

I sincerely thank you for all of your hard and dedicated work over the years,

Sincerely,



Gary Hansen

Dear Chairman Hogen, we have met several times but I am sure you meet a bunch of folks, and I am sure all of them expect that you will remember them. I have spoken most frequently with Mr. Nelson Westrin while he served on the Commission; but my experience comes mainly in the Class II markets of Oklahoma, Alabama etc as I was the Chief Operating Officer of Diamond Game Enterprises for 11 years and during that time of course is when we sought guidance from the courts in regards to the Lucky Tab II being a Class II technological aid to the play of pull-tabs.

We of course eventually prevailed, and followed with the magical irish; and I feel a certain pride that we gave the Tribal Gaming industry a viable alternative at the time that would allow the Tribes which operated the Lucky Tab II a increased source of revenue far exceeding that of paper bingo and paper break open tabs while maintaining the integrity of the element of chance, the pull-tab.

It is unfortuate that although through Diamond as well as its Tribal partners we helped define Class II gaming at that time; the industry finds itself having the same battle again today. I have a very difficult time trying to reconcile how technology that was cutting edge back in the late 90's should be the standard of technology today as per the recent regs and technical standards.

I do not misunderstand the very difficult task you and the commission has in arriving at a line which seperates Class II and Class III. I do not believe though the answer is to set a standard (The Lucky Tab II) which in todays world just does not meet the standard of quality entertainment the patrons of the Tribal casinos expect and want. In addition as I have mentioned to everyone by setting this standard in Pull-Tabs you have created a monopoly, as the whole process from the printing of the tabs, and the way the game is formatted and played; is protected by intellectual property rights.

Diamond fought long and hard to win the case against NIGC as well as DOJ, and I am not suggesting the product should not be used; but I do believe there is a place to meet in the middle so the NIGC maintains integrity in Class II play of pull-tabs, and the Tribes can operate such devices and generate sufficient interest to compete.

There seems to be no interest by the Commission to achieve this happy medium though, as I notice your recent panel of "experts" in the manufacturing world did not have one pull-tab representative. As a matter of fact I ask to be on the panel speaking to Ms. Hemlock; and was informed I was not invited. Yet I see IGT, and others who 5 years ago or less would have no idea what a Class II device truly was.

I again offer during this extended comment period, my assistance to arrive at a place where all parties can be satisfied. Through networking with the Commission, gaming regulators, Tribal attorneys, gaming labs, manufacturers and so forth this is something very achievable. I offer this in the interest of the Class II Tribal Gaming industry; but I can not help if my help is not accepted. It is a given the past, and current procedures to achieve new regulations which satisfy all sides has not worked.

I send this to you with the sincerest respect for your position, and for all the Tribes everywhere.

Sincerely,  
Gary Hansen  
918-906-1930