



May 28, 2025

VIA EMAIL

Wade Cauliflower, Acting General Manager
Northern Winz Casino
96 Clinic Road North
Box Elder, MT 59521

Re: Review of Gaming Device Vending Agreement with Century Gaming Inc.

Dear Mr. Cauliflower:

This letter responds to your March 13, 2023, request for the National Indian Gaming Commission's Office of General Counsel to review a contract from Century Gaming, Inc. for the provision and maintenance of gaming devices for the Northern Winz Casino. Specifically, I have looked whether the Agreement is a management contract requiring the NIGC Chair's approval under the Indian Gaming Regulatory Act. I have also looked whether the Agreement violates IGRA's requirement that the Tribe have the sole proprietary interest in its gaming activity.

In my review, I considered the following submission (Agreement), which is unexecuted, but was represented to be in substantially final form: Gaming Device Vending Agreement (8 pages total).

The Agreement contains terms similar to other agreements the Office of General Counsel has already reviewed and analyzed, opinion letters for which are available on the NIGC's website. Applying the same analysis here, it is my opinion that the Agreement is not a management contract and does not require the approval of the NIGC Chair. It is also my opinion that the Agreement does not violate IGRA's sole proprietary interest requirement.

It is my understanding that the Agreement is represented to be in substantially final form, and if the Agreement changes in any material way prior to execution or is inconsistent with assumptions made herein, this opinion shall not apply. Further, this opinion is limited to the Agreement. This opinion does not include or extend to any other documents not submitted for review.

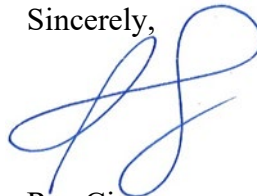
Please note that it is my intent that this letter be released to the public through the NIGC's website. If you have any objection to this disclosure, please provide a written statement explaining the grounds for the objection and highlighting the information that you believe should

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be withheld.¹ If you object on the grounds that the information qualifies as confidential commercial information subject to withholding under Exemption Four of the Freedom of Information Act (FOIA),² please be advised that any withholding should be analyzed under the standard set forth in *Food Marketing Institute v. Argus Leader Media*.³ Any claim of confidentiality should also be supported with “a statement or certification by an officer or authorized representative of the submitter.”⁴ Please submit any written objection to FOIA@nigc.gov **within thirty (30) days of the date of this letter**. After this time elapses, the letter will be made public and objections will no longer be considered.⁵ If you need any additional guidance regarding potential grounds for withholding, please see the United States Department of Justice’s Guide to the Freedom of Information Act at <https://www.justice.gov/oip/doj-guide-freedom-information-act-0>.

If you have any questions, please contact NIGC Staff Attorney Josh Proper at (202) 632-0294 or by email at joshua.proper@nigc.gov.

Sincerely,



Rea Cisneros
Acting General Counsel

¹ See 25 C.F.R. § 517.7(c).

² 5 U.S.C. § 552(b)(4).

³ 139 S. Ct. 2356 (2019).

⁴ See 25 C.F.R. § 517.7(d).

⁵ *Id.*