

National Indian Gaming Commission

SECOND AMENDMENT TO SETTLEMENT AGREEMENT, Modifying Paragraph 11 of the Amendment to Settlement Agreement

This Second 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"), and modifies Paragraph 11 of the Amendment to Settlement Agreement, dated April 17, 2009. (attached hereto)

RECITALS

1. Through its attorney, Kathleen Burrage, the Tribe submitted to the NIGC a written comprehensive long-term construction plan for a new facility and requested that the NIGC Chairman extend the closure date beyond the June 1, 2009 deadline set forth in paragraph 11 of the Amendment to Settlement Agreement.
2. The Chairman found the written plan sufficient and, therefore, grants an extension of the agreed to June 1, 2009 closure date set forth in paragraph 11 of the Amendment to Settlement Agreement.
3. The NIGC Chairman and the Crow Tribe now modify paragraph 11 of the Amendment to the Settlement Agreement to the closure date set forth below.

TERMS OF SECOND AMENDMENT TO SETTLEMENT AGREEMENT

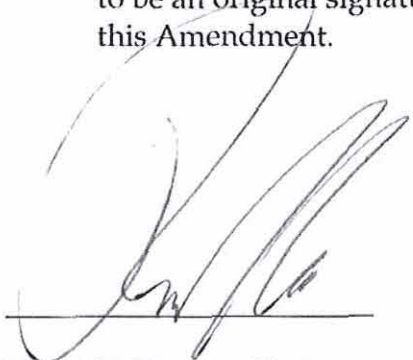
4. This Second Amendment to the Settlement Agreement, SA-07-CTI, (Second Amendment) shall be effective on the date that it is signed by the last party to enter the amendment ("Effective Date"). The parties expressly agree and acknowledge that time is of the essence in this Second Amendment.
5. The Crow Tribe agrees that it shall continue to abide by all terms and provisions of the Settlement Agreement and Amendment to the Settlement Agreement, with the exception of paragraph 11 of the Amendment to the Settlement Agreement which is changed as detailed herein.

6. The Crow Tribe agrees that it will permanently cease all gaming operations at the existing facility on or before September 15, 2009. The NIGC Chairman may consider a further extension of the September 15, 2009 closure date of the existing facility if on or before August 28, 2009, the Crow Tribe provides to the NIGC a written timeline for completion of the new facility and documentation demonstrating that it has made significant progress in constructing the new facility and the NIGC Chairman finds that the written timeline and documentation adequately show tangible progress in that regard.

ADDITIONAL COVENANTS

13. This Second Amendment shall be binding on the parties, their agents, heirs, representatives, successors, and assigns. Any modification or waiver of any term or provision of the Settlement Agreement, the Amendment to the Settlement Agreement, and this Second Amendment must be made in writing and signed by both parties.
14. The parties agree that after the Effective Date of this Second Amendment, it shall be a public document and may be published or disclosed by either party.
15. This Second 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



Cedric Black Eagle, Interim Chairman

Crow Tribe of Montana

Dated: 6/1/09

Dated: 6/06/09