



August 14, 2003

JR Mathews
Quapaw Gaming Corporation
P.O. Box 765
Quapaw, OK 74363

Re: Ultimate Winner's Blackjack Tournament

Dear Mr. Mathews:

Thank you for your letter of July 14, 2003, which enclosed a proposed format for a blackjack tournament. We appreciate the Tribe's willingness to work with NIGC on this issue. However, based on the information you have provided, we cannot determine whether or not the proposed blackjack tournament would qualify as a class II gaming activity.

The legal basis for concluding that tournament blackjack play constitutes Class II gaming in Oklahoma was set forth in advisory opinions from the NIGC's Office of General Counsel in letters dated July 9, 1999, and January 15, 2003. Each letter stressed the importance of bona fide tournament play as a condition to invoking an exception to the general prohibition of gambling card games established in Oklahoma law.

The materials you provided to us only outline the tournament fees, ranking system, prize structure, and duration. For the NIGC to be able to make a determination as to whether this tournament qualifies as a class II activity we would need a more detailed description of how the tournament proceeds. Specifically, we would need to know how participants actually compete in the tournament (i.e. how they are awarded points).

Our advisory opinion of July 9, 1999, indicated that when card tournaments were first proposed, it was made clear by the tribes that the prize to be awarded would be established independently of the pool of entry fees and tournament participants would not be trying to win money from one another but would be competing instead to win the prizes offered by the tribe. Based upon the description you submitted us, it would seem that the prize being offered was directly related to the entry fees. Your description indicated that there would be a "tournament sponsor" who would determine and collect

the entry fees as well as award prizes. If the sponsor is an individual or entity other than the Tribe or the casino, we would need to know their identity.

We request that you provide us with a more detailed description of the proposed tournament. If you have any questions please contact John Hay at (202) 632-7003.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Penny Coleman", with a long horizontal flourish extending to the right.

Penny J. Coleman
Acting General Counsel