

NOTICE OF VIOLATION

Ref. No.: NOV-98-12

APR -2 1998

VIA FAX AND CERTIFIED MAIL

To: James Billie, Chairperson
Seminole Tribe of Florida
6300 Stirling Road
Hollywood, FL 33024
Fax (954) 967-3486

ENTERED

Respondent

1. Under National Indian Gaming Commission (hereinafter referred to as the "NIGC") regulations, the Chairman may issue a notice of violation to any person for violation of any provision of the Indian Gaming Regulatory Act (hereinafter referred to as "IGRA") or NIGC regulation or any provision of the tribal ordinance or resolution approved by the Chairman. 25 C.F.R. § 573.3.
2. The Chairman hereby gives notice that the Seminole Tribe of Florida (hereinafter referred to as the "Tribe" or the "Respondent") is in violation of IGRA, NIGC regulations, and its tribal gaming ordinance.
3. On December 3, 1993, the NIGC Chairman approved the Tribe's Gaming Ordinance C-02-94 (hereinafter referred to as the "Approved Ordinance"). Section 15-1(c) of this Approved Ordinance provides for the submission of audit reports to the NIGC.
4. The Respondent is in violation of IGRA, NIGC regulations and the Approved Ordinance as follows:
 - a. The IGRA states that a tribe may engage in gaming if, among other requirements, a tribe's approved gaming ordinance requires submission to the NIGC of an annual independent audit of the gaming operation. 25 U.S.C. § 2710(b)(2) and (d)(2). NIGC regulations require that a tribe cause to be conducted annual independent audits of the financial statements of each gaming operation on Indian lands and

submit a copy of the audit report(s) and any management letter(s) setting forth the results of the annual audit(s) to the NIGC within 120 days after the end of each fiscal year. 25 C.F.R. §§ 571.12-13. In addition, § 15-1(c) of the Approved Ordinance requires that the Tribe submit these annual independent audits to the NIGC.

- b. As of the date of this Notice of Violation (hereinafter referred to as "NOV"), the NIGC has not received the Respondent's audit report and management letter for Brighton Seminole Bingo for the fiscal year ended June 30, 1997. This audit report was due to the NIGC no later than October 28, 1997. Because of this failure to submit the audit report to the NIGC by the required deadline, the Respondent is in violation of IGRA, NIGC regulations and its Approved Ordinance.

5. The measures required to correct the ongoing violation are:

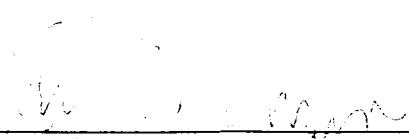
The NIGC must receive the audit report and any management letter for Brighton Seminole Bingo for the fiscal year ended June 30, 1997, within ten (10) days. The audit report should be submitted to: Chairman, National Indian Gaming Commission, 1441 L Street, NW, 9th Floor, Washington, DC 20005.

6. The violations cited in this NOV may result in the assessment of civil fines against the Respondent in an amount not to exceed \$25,000 per violation per day. Under 25 C.F.R. § 575.5(a), the Respondent may submit written information about the violations to the NIGC Chairman within 15 days after service of this NOV (or such longer period as the NIGC Chairman may grant for good cause). The NIGC Chairman shall consider any information submitted in determining the facts surrounding the violations and the amount of the civil fine, if any. Such information should be submitted to the address set forth in paragraph 5.
7. The Respondent may appeal the allegations contained in this NOV to the NIGC within 30 days after service of this NOV. 25 C.F.R. Part 577. The Respondent may appeal the allegations by submitting a Notice of Appeal to the NIGC at the address set forth in paragraph 5 above. The Respondent has a right to be represented by counsel in such an appeal. A Notice of Appeal must reference this NOV. Within ten (10) days after filing a Notice of Appeal, the Respondent must file with the NIGC a supplemental statement that states with particularity the relief desired and the grounds therefore and includes, when available, supporting evidence in the form of affidavits.

If the Respondent wishes to present oral testimony or witnesses at a hearing, the Respondent must include a request to do so with the supplemental statement. The request to present oral testimony must specify the names of the proposed witnesses and the general nature of their expected testimony, and whether a closed hearing is requested and

why. The Respondent may waive the right to an oral hearing and instead elect to have the matter determined by the NIGC solely of the basis of the written submissions.

8. A copy of the regulations cited in this NOV is attached for your information.



Tadd M. Johnson, Chairman
National Indian Gaming Commission

APR - 2 1998

Date

Richard B. Schiff, NIGC Attorney
(202) 632-7003
Fax (202) 632-7066