

FIRST MODIFICATION TO THE PRE-OPENING AGREEMENT

On December 12, 2003, the Seminole Nation of Oklahoma (Nation), through its duly authorized representative, and the National Indian Gaming Commission (NIGC or Commission), by its Chairman, entered into a Pre-Opening Agreement as a condition to the Commission's decision to modify the Permanent Order of Closure of the Nation's gaming facilities issued by the Commission on May 7, 2002. On March 5, 2003, the NIGC Chairman issued a letter authorizing the Nation to reopen its I-40 Travel Plaza gaming facility, after determining that the Nation had complied with the relevant terms and conditions of the Pre-Opening Agreement. The Nation, through its authorized representative, and the Commission, by its Chairman now agree to modify the terms of the Pre-Opening Agreement to facilitate the play of additional games in the I-40 Travel Plaza gaming facility.

In addition to the games specified in paragraph 22 of the Pre-Opening Agreement, the Nation proposes to operate other games played with technologic aids that have been voluntarily submitted to the Commission's Office of General Counsel by gaming machine companies for an advisory opinion on whether the game meets Class II gaming criteria. These games are: Cadillac Jack Triple Threat Bingo, Rocket Games Fast Play Bingo System, NOVA Games LiveWire Bingo, and IGT Reel Touch Bingo (Version 1.2). It is hereby agreed that for a period of six months beginning on September 15, 2004, through March 15, 2005, or until the Nation operates Class III gaming under a Tribal-State Compact approved by the Secretary of the Interior, whichever is sooner, the Nation may operate the games specified above that are pending review for Class II advisory game classification opinion. Any electronic bingo game from the list above that

2004 SEP 27 PM 2:39

NO
RE
CLASSIFICATION

98704-25

is placed in operation in the Nation's gaming facilities must generally conform to the description provided as part of the request for advisory opinion, and specifically must provide for at least two releases of numbers or other designations in each individual bingo game before any winning pattern becomes eligible for a prize and must be configured to play without a so-called "auto-daub" or "bingo-minder" feature. The Nation agrees that should the Commission's Office of General Counsel issue an advisory classification for any of the games specified above confirming that it is a Class II game, it will offer the game in the version approved as soon as that version becomes commercially available. The Nation further agrees that it will remove any of the games specified above upon notice of a determination by the Commission's Office of General Counsel that the game does not meet Class II requirements. All other provisions of the Pre-Opening Agreement remain applicable.

For the Seminole Nation of Oklahoma

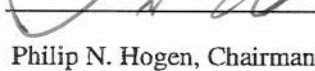


Kenneth Chambers, Principal Chief

09/16/04

Date

For the National Indian Gaming Commission


Philip N. Hogen, Chairman

9/28/04

Date