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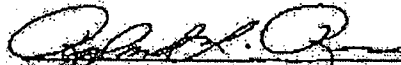
PER CURIAM.

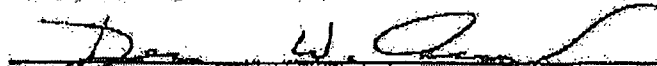
For the reasons described in our companion order issued today in *In re Execution of Casino Gaming Management Contracts ("Casino Contracts IV")*, No. CNA-SC-07-07 (Cheyenne & Arapaho S.Ct., Oct. 9, 2007), Case No. CNA-SC-07-03 is consolidated with *In re Execution of Casino Gaming Management Contracts*, No. CNA-SC-07-07, and *Williams v. Hoffman*, No. CNA-SC-07-11.

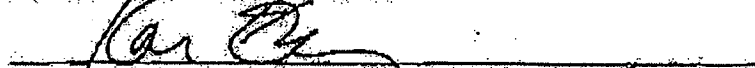
The interim appointments of Yvonne Wilson and Clinton Youngbear, Sr. as validly-serving acting Gaming Board/Commission members from the date and time of the filing of our October 1 Opinion and Order in *In re Execution of Casino Gaming Management Contracts ("Casino Contracts III")*, No. CNA-SC-07-07 (Cheyenne & Arapaho S.Ct., Oct. 1, 2007), at 13, are hereby continued in force (with all of the conditions we applied in that Opinion and Order) as an order in Case No. CNA-SC-07-03 until further order from this Court. As so qualified, that Order supersedes the Trial Court's Orders of January 5 and January 19, 2007 in Case No. CNA-CIV-07-04. We nevertheless adopt as our own Order the *gravamen* of the Trial Court's earlier orders that Defendant/Appellant Flyingman is enjoined from interfering with Ms. Wilson's and Mr. Youngbear's duties as Acting Gaming Commissioners of the Cheyenne and Arapaho Tribes until further order from this Court. Moreover, to the extent that the Trial Court's further January 19 Order directing "that a complete forensic audit occur of the Gaming Commission and gaming revenues and Lucky Star and other casinos operating for the Cheyenne and Arapaho Tribes" has not been complied with in its entirety, we also adopt that Order on a continuing basis as our own Order until further Order of this Court.


The Clerk of Court shall file this Order instantler, and shall provide copies of it to all parties to this case and their attorneys; to all parties to and intervenors in Case No. CNA-SC-07-07 and their attorneys; to all parties to *Williams v. Hoffman*, No. CNA-SC-07-11 and their attorneys; to Galila Johnson, Superintendent, Bureau of Indian Affairs; to Dan Deerinwater, Regional Director, Bureau of Indian Affairs; and to Philip Hogen, Chairman, National Indian Gaming Commission.

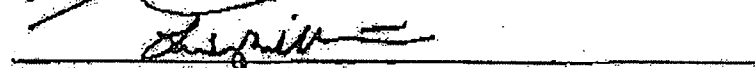
IT IS SO ORDERED.


Chief Justice Ryland L. Rivas


Associate Justice Dennis W. Arrow


Special Justice Karen Eby


Special Justice Talawagi Halton


Special Justice Lindsay G. Robertson

CERTIFICATE OF MAILING

I, Patty Bell, Court Clerk of the Supreme Court for the Cheyenne and Arapaho Tribes do hereby certify that I mailed the following document to those names who appear below in Case No: CNA-SG-07-03, Gaming Board of the Cheyenne and Arapaho Tribes vs. Darrell Flyingman, Governor of the Cheyenne and Arapaho Tribes, in his individual capacity:

ORDER FILED 10-10-07

via U.S. regular mail on the 11th day of October, 2007.

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Certificate Of Mailing
CNA-SC-07-03

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Mr. Taiawagi Helton
Special Justice, Supreme Court

Mr. Lindsay Robertson
Special Justice, Supreme Court

Ms. Karen Eby
Special Justice, Supreme Court



Patty Bell
Court Clerk
Cheyenne and Arapahó Supreme Court

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CHEYENNE-ARAPAHO TRIBES OF OKLAHOMA

GAMING ORDINANCE

Adopted by the 28th Business Committee
April 3, 1993

Amended by the 29th Business Committee
February 17, 1994

CHEYENNE AND ARAPAHO TRIBES OF OKLAHOMA GAMING ORDINANCE

TITLE I. GENERAL PROVISIONS

Section 100. Short title

This ordinance shall be known and may be cited as the Cheyenne and Arapaho Tribes of Oklahoma Gaming Ordinance.

Section 101. Findings and Intent.

The Cheyenne and Arapaho Tribes of Oklahoma finds that:

(a) The present form of Tribal government was organized by the membership to form a more perfect union, develop our natural resources, insure our domestic tranquility, promote the general welfare, to enjoy certain rights of home rule, to provide education in schools of higher learning including vocational, trade, high schools, and colleges for our people, and to secure the opportunities offered us under the Indian Reorganization Act. . . ." [Preamble to the Constitution and Bylaws of the Tribe].

(b) The Cheyenne and Arapaho Tribes of Oklahoma desire to be self-sufficient in its internal affairs as continued reliance upon federal and other resources will adversely affect the quality of life of this Tribe.

(c) Public gaming operations have been introduced to the Cheyenne and Arapaho Tribes of Oklahoma and it is of vital interest to the public health, safety, and welfare of the Cheyenne and Arapaho people that the Tribe promote and regulate public gaming in a manner commensurate with the interests of the Cheyenne and Arapaho Tribes of Oklahoma.

(d) By virtue of the treaties between the United States of America and the Cheyenne and Arapaho Tribes of Oklahoma and federal statutes and court decisions which together have established and maintained the doctrine of Indian sovereignty, there remains the federal guarantee of the perpetual integrity of the Cheyenne and Arapaho Tribes of Oklahoma.

(e) The Cheyenne and Arapaho Tribes of Oklahoma require an economic base by which Tribe may generate revenues in order to promote its self-sufficiency and fund essential governmental services.

(f) The operation and regulation of public gaming by the Tribe is in the best interest of the Cheyenne and Arapaho Tribes of Oklahoma.

Further, the Cheyenne and Arapaho Tribes of Oklahoma Tribal Business Committee determines that the intent of this ordinance is to:

(g) Authorize, regulate and control gaming on lands over which the Cheyenne and Arapaho Tribes of Oklahoma exercise governmental authority or control;

(h) Provide revenue generated by the Tribe's licensed gaming operations, to fund tribal government operations and programs, and to promote the general welfare of the Tribe;

(i) Foster a spirit of cooperation with the National Indian Gaming Commission, and other federally recognized tribes in the regulation of Tribal gaming;

(j) Protect gaming as a means of promoting tribal economic development; and

(k) Ensure that Tribal gaming is conducted fairly and honestly both by the operator and the players as a genuine means of providing both recreation and entertainment, free from organized crime and other corrupting influences.

Section 102. Definitions.

The following words and phrases when used in this Ordinance shall have the meanings respectively ascribed to them in this section:

(a) "Tribe" shall mean the Cheyenne and Arapaho Tribes of Oklahoma, a federally recognized Indian tribe organized under Section 16 of the Indian Reorganization Act of 1934.

(b) "Business Committee" shall mean the governing body of the Tribe, duly elected in accordance with the provisions of the Constitution of the Tribe.

(c) "Compact" shall mean an agreement or other instrument concerning the operation of games of chance, entered into or approved, pursuant to Section 2710(d)(1)(c) of the Indian Gaming Regulatory Act of 1988, between the Tribe and the State of Oklahoma, or as may otherwise be approved by the Secretary.

(d) "Gambling equipment" shall mean any and all goods, materials, machines or devices used to conduct gaming activities by the tribe.

(e) "Gaming" shall mean the act of paying (wagering) for the opportunity to participate in a game or games of chance (risk) for a prize of money or something of value; to operate, carry on, conduct, maintain, or expose for play, money, property, or any representative of value wherein the outcome of a game is decided by chance or in which chance is a material element, but does not include social games played solely for consumable goods, i.e., foodstuffs or games played in private homes or residences for prizes or games operated by charitable and educational organizations which are approved by the Council.

(f) "Gaming enterprise" shall mean any commercial business owned by the Tribe and operated, in part or in whole, for the conduct of Class II or Class III gaming as delineated by the Indian Gaming Regulatory Act of 1988, 25 USC §2701 et. seq. and/or by virtue of the Tribe's exercise of its governmental powers and authority as a sovereign nation.

(g) "Gaming Manager" shall mean a person, organization or entity that conducts the management of gaming at a Tribe gaming enterprise; including an entity entering into a management contract with the Tribe or the Tribe itself including any subdivision thereof.

(h) "Gaming test laboratory" shall mean, a laboratory designated as competent and qualified to conduct scientific tests and evaluations of games of chance and related equipment; and/or a laboratory operated by or under contract

with the States of Minnesota, Nevada, New Jersey, Connecticut, Colorado, or South Dakota.

(i) "Indian Gaming Regulatory Act of 1988" shall mean the Act of the United States Congress adopted on October 17, 1988, as Public Law 100-597, 102 Stat. 2467, codified at 25 U.S.C. §2701 et. seq.

(j) "Key Employee" shall mean

(1) a person who performs one or more of the following functions:

- (i) Bingo caller;
- (ii) Counting room supervisor
- (iii) Chief of security
- (iv) Custodian of gaming supplies or cash
- (v) Floor manager
- (vi) Pit boss
- (vii) Dealer
- (viii) Croupier
- (ix) Approver of credit; or
- (x) Custodian of gambling devices including persons with access to cash and accounting records within such devices

(2) If not otherwise included, any other person whose total cash compensation is in excess of \$50,000 per year; or

(3) If not otherwise included, the four most highly compensated persons in the gaming operation.

(k) "License" shall mean the permission by authority of the Tribe to do any act, which without such permission, shall be illegal. License, with respect to real property of the Tribe, is a privilege to go on the premises for a certain purpose, but does not operate to confer on, vest in, or license any title, interest, or estate in such property.

(l) "Licensee" shall mean any person, entity or organization granted a license pursuant to the provisions of this Ordinance.

(m) "Primary Management Official" shall mean

(1) The person having management responsibility for a management contract;

(2) Any person who has authority:

- (i) To hire and fire employees; or

(ii) To set up working policy for the gaming operation; or

(3) The chief financial officer or other person who has financial management responsibility.

(n) "Other compact" shall mean such agreements as may in the future be entered into between the Tribe and the State of Oklahoma, governing Class III gaming, as that term is defined by the Indian Gaming Regulatory Act of 1988, codified at 25 U.S.C. §2703(8).

(o) "Other games of chance" shall mean games similar to traditional bingo in which prizes are awarded on the basis of a designated winning number or numbers, color or colors, symbol or symbols determined by chance. Such games may be played using pull tabs, raffles, paddlewheels, tipboards, punchboard, tip jars, paddlewheels, gaming tables, tokens, or satellite television transmission, all of which shall have the same meaning as the term Class II gaming as defined by the Indian Gaming Regulatory Act of 1988, codified at 25 U.S.C. §2703(7)(A). Any such games as are permitted to be played in the State of Oklahoma by any person for any purpose, shall be included in this definition.

(p) "Shall" as used in this Ordinance imposes an obligation to act:

(q) "Traditional bingo" shall mean that game in which each player is supplied a card or board containing five adjoining horizontal and vertical rows with five spaces in each row each containing a number or figure therein and the word "free" marked in the center space thereof, or in which such a card or board is represented on a video screen. Upon announcement by the person conducting the game or the appearance on the video screen of any number or figure appearing on the player's card or board, the space containing said figures or number is covered by the player. When a player shall have covered all five spaces in any horizontal and vertical row, or shall have covered four spaces and the "free" space in a five space diagonal row, or shall have covered the required combination of spaces in some other preannounced pattern of arrangement, such combination of spaces covered shall constitute "bingo." The player or players to first announce "bingo" are awarded money, merchandise, or some other consideration by the person or persons conducting the game.

(r) "Video game of chance" shall mean electronic or electro-mechanical video devices that simulate games commonly referred to as poker, blackjack, craps, hi-lo, roulette line-up symbols and numbers, or other common gambling forms,

