

Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

Phone: (920) 869-2214



Oneida, WI 54155



UGWA DEMOLUM YATEHE
Because of the help of
this Oneida Chief in
cementing a friendship
between the six nations
and the colony of
Pennsylvania, a new
nation, the United States
was made possible.

Oneida Business Committee Resolution 05-13-09-H

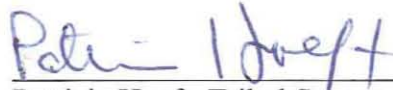
*Authorizing a Limited Waiver of Sovereign Immunity for a
Hardware and Software Purchase and License Agreement
with Bally Gaming, Inc. d/b/a/ Bally Technologies*

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally-recognized government and Treaty Tribe recognized by the law of the United States; and
- WHEREAS,** the Oneida General Tribal Council is the duly-recognized governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Oneida Tribe of Indians of Wisconsin engages in Class III gaming authorized by federal, state and tribal law, and desires to purchase certain computer equipment, peripherals, and devices; to purchase and use Bally computer software and embedded firmware in or downloaded into devices manufactured by Bally and other third parties; and to be granted a license to use the Bally software for the casino management system; and
- WHEREAS,** the Oneida Tribe conducted due diligence in selecting a casino management system vendor and determined that Bally Gaming Inc. d/b/a Bally Technologies would best meet the Oneida Bingo & Casino gaming operation system needs; and
- WHEREAS,** the Bally Purchase and License Agreement contains a limited waiver of sovereign immunity for the purpose of enforcing the Purchase and License Agreement, limited to the amount of Five Million Dollars (\$5,000,000.00) for enforcement of any judgment award under the Purchase and License Agreement; and
- WHEREAS,** all waivers of sovereign immunity shall be made in accordance with the Oneida Nation Sovereign Immunity Ordinance; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee hereby approves the limited waiver of sovereign immunity as provided in the Purchase and License Agreement between the Oneida Tribe of Indians of Wisconsin and Bally Gaming, Inc. d/b/a Bally Technologies.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 constitute a quorum. 6 members were present at a regular meeting duly called, noticed, and held on 13th day of May 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 5 members for; 0 members against, 0 members abstaining; and that said resolution has not been amended or rescinded in any way.



Patricia Hoeft, Tribal Secretary
Oneida Business Committee

*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."