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The _____ MICHIGAN GAMING _____ Newsletter



SAULT STE. MARIE TRIBE SUES DEPARTMENT OF INTERIOR OVER PROPOSED LANSING CASINO

The Sault Ste. Marie Tribe of Chippewa Indians (“Tribe”) filed a lawsuit on August 30, 2018 against the Department of the Interior related to the Tribe’s application to take “land-in-trust” in Lansing upon which the Tribe planned a casino. In its lawsuit, the Tribe claims that the Department of Interior delayed its decision for three years and then erroneously determined that the proposed parcels would not “consolidate or enhance tribal lands or advance the tribe’s welfare”.

The Tribe started its effort to open a casino in Lansing Michigan in 2012. Shortly thereafter, the State of Michigan sued the Tribe, seeking to prevent the Tribe’s submission of its trust application. While the federal district court initially entered a preliminary injunction preventing the Tribe from moving forward with the application, the 6th Circuit Court of Appeals reversed and dissolved the preliminary injunction, remanding the case to the district court. In 2015, the district court issued an opinion ruling against the State and dismissing the case, which can be found [here](#).

In its application, the Tribe argued that the land acquisitions would be an “enhancement” of tribal lands because they would allow the Tribe to generate additional revenue as well as employment opportunities for its tribal members, of which it claimed 14,000 members live in Michigan’s lower peninsula.

In the new lawsuit, the complaint alleges that the Department of Interior exceeded its statutory authority in denying the land-in-trust application because Congress did not delegate to the Department to make the legal determination of whether a purchase is an “enhancement of tribal lands”, Alternatively, the Tribe argues that the Department’s determination was clearly erroneous, arbitrary and capricious. The lawsuit is seeking a writ of mandamus ordering the Department of Interior to approve the application. The complaint in its entirety can be found [here](#).

FOUR WINDS SOUTH BEND OPENS POKER ROOM

The Pokagon Band of Potawatomi Indians and Four Winds Casinos announced this week the opening of a poker room at Four Winds South Bend.

The poker room, which features live dealers, has a total of 10 tables. Games will include \$1 - \$2 No-Limit Hold'em, \$2 - \$5 No Limit Hold'em, \$3 - \$6 Limit Hold'em and \$1 - \$2 Pot Limit Omaha. Chief Operating Officer Frank Freedman said guests have routinely asked for live poker tables. "Now that it's ready, it's surpassed our expectations. For fans of the game, the addition of the Poker Room offers something for everyone." According to Freedman, poker table games with live dealers fall under the same Class II gaming classification currently offered at Four Winds South Bend.

SOARING EAGLE CASINO CONCLUDES \$26.5 MILLION DOLLAR UPGRADES

Eleven months after announcing the \$26.5 million dollar expansion to the Soaring Eagle Casino and Resort in Mt. Pleasant Michigan, the Saginaw Chippewa Indian Tribe opened its new sports bar and night club ASCEND on August 31st. During the last year the casino invested in non-gaming and gaming amenities to further diversify the entertainment offerings at the casino complex. In addition to ASCEND, the changes have included an updated VIP lounge; high limits area; poker room; non-smoking gaming section; and Cyber Quest Arcade. The casino originally opened in 1997, and the last major renovation occurred in 2011 with changes to the buffet and 24 hour diner.

REMINDER: MGCBC PUBLIC MEETING SCHEDULED FOR TUESDAY, SEPTEMBER 11

The Michigan Gaming Control Board will hold a regular public meeting on Tuesday, **September 11, 2018**. The meeting will begin at **9:30 a.m.** with the staff briefing, followed immediately by the

regular agenda items. [To view the Meeting Agenda please click here.](#)

The meeting is open to the public and questions, comments and suggestions from the public, regarding Board business and the licensing, regulation and conduct of casino gaming in Detroit under the Act, are welcomed and encouraged during the public comment portion of the meeting.

The meeting will be located at the MGCB Detroit office, Cadillac Place, 3062 West Grand Blvd., Suite L-700, Detroit. The Cadillac Place is in Detroit's New Center Area near the John Lodge Freeway (M-10), between Second Avenue and Cass Avenue. The Fisher Building and the Albert Kahn Building are nearby landmarks.