



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

**HO-CHUNK NATION LEGISLATURE  
PROHIBITING THE HO-CHUNK NATION ENGAGING TOM SCHRADER,  
OR ANY DIRECTORS, OFFICERS, EMPLOYEES OR AGENTS OF  
GOLDEN NICKEL CASINO'S, INC., GAMING CORPORATION OF AMERICA  
AND DELLS DEVELOPMENT CORPORATION IN ANY BUSINESS INVOLVING  
THE HO-CHUNK NATION**

**RESOLUTION 11-06-12M**

- WHEREAS,** on November 01, 1994, the United States Secretary of Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Business Committee; and
- WHEREAS,** the Ho-Chunk Nation is a federally-recognized Indian Tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** the Legislature of the Ho-Chunk Nation is the duly constituted governing body of the Ho-Chunk Nation pursuant to the Constitution of the Nation; and
- WHEREAS,** Article I, Section 2 states that the jurisdiction of the Ho-Chunk Nation shall extend to all territory set forth in Section 1 of this Article and to any and all persons or activities therein, based upon the inherent sovereign authority of the Nation and the People or upon Federal law; and
- WHEREAS,** Article V, Section 2 (a) of the Ho-Chunk Nation Constitution authorizes the Legislature to make laws, including codes, ordinances, resolutions and statutes; and
- WHEREAS,** Article V, Section 2 (h) of the Ho-Chunk Nation Constitution authorizes the Legislature to enact all laws prohibiting and regulating conduct, and imposing penalties upon all persons within the jurisdiction of the Nation; and
- WHEREAS,** On July 9, 1994, the Nation's Gaming Commission gave notice that it denied entity licenses to GCA and GNC (94-02) (94-03) and issued a decision and findings explaining the basis of its denial after holding hearings through May 31, 1994; and

**Executive Offices**

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615  
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

**WHEREAS,** Wisconsin Winnebago Gaming Commission through Resolution 7-8-94B authorized that Attorneys Process Investigation Services, Inc. ("API) to bar Tom Schrade and all officers, directors, employees, consultants, and agents of Golden Nickel Corporation (GNC) and Gaming Corporation of America (GCA) as well as all persons acting in concert with them from the premises of the Ho-Chunk Casino located on Highway 12, Baraboo [Sauk County] Wisconsin; and

**WHEREAS,** on July 22, 1994 the Dells Development Corporation (DDC), initiated an action in Sauk County Court to evict the Nation from the parking lots adjacent to the Casinos and said lawsuit was later dismissed;

**WHEREAS,** on October 14, 1994, Harold Monteau, Chairman of the Nation Indian Gaming Commission (NIGC) requested that the barriers around the parking lot be removed. The barriers were not removed as requested at that time; and

**WHEREAS,** on February 9, 1995 a Settlement Agreement and Release was entered into between GCA, GNC, DDC and the Nation in order to avoid the time and expense of protracted litigation, including the appeal that was pending of the Gaming Commission's denial and controversy over the rights and remedies of the parties under the Casino Agreement; and

**WHEREAS,** as part of the 1995 Settlement Agreement the Nation agreed to pay to GNC, GCA and DDC, collectively, the sum of Forty-two Million Dollars (\$42,000,000); and

**WHEREAS,** also as part of the Settlement Agreement the Nation received all rights and options to purchase the land around the casino; and

**WHEREAS,** the history involving Tom Schrade and officers, directors and affiliates of GCA, GNC and DDC with the Nation was contentious and nothing the Ho-Chunk Nation wishes to repeat by involving Mr. Schrade in any business whatsoever conducted by the Nation.

**NOW THEREFORE BE IT RESOLVED,** that the Ho-Chunk Nation Legislature, pursuant to its constitutional authority, hereby prohibits any business conducted by the Nation and/or its officials to involve Tom Schrade or any directors, officers, employees or agents of Golden Nickel Casino's, Inc., Gaming Corporation of America and Dells Development Corporation

**CERTIFICATION**

I, the undersigned, as Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom 8 constituting a quorum were present at a meeting duly called and convened and held on the **6<sup>th</sup> day of November, 2012**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 members, 0 opposed, and 0 abstaining**, pursuant to the authority of Article V, Section 2(a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

*Hope B. Smith*  
Hope B. Smith, Tribal Secretary

*November 6, 2012*  
Date

