



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Konami Synkros System Purchase and License Agreement between Hon-Dah Resort Casino and Konami Gaming Inc. for Usage of Progressive Meter Reporting Software and Approving Limited Waiver of Sovereign Immunity for the Same)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or [the] constitution, with any person, association, or corporation... ”; and

WHEREAS, Hon-Dah Resort-Casino (“Hon-Dah”) is a wholly-owned economic enterprise of the Tribe; and

WHEREAS, Hon-Dah plans to purchase a system and licensesoftware from Konami Gaming Inc. (“Konami”) that will help Hon-Dah operate and manage its operations; and

WHEREAS, Hon-Dah’s usage of the system and software will be governed by the Konami Synkros System Purchase & License Agreement, Maintenance and Support Agreement, and the Master Services Agreement, (attached and incorporated herein); and

WHEREAS, The agreement requires a limited waiver of the Tribe’s sovereign immunity intothe courts of Clark County, Nevada for any and all disputes arising thereunder; and

WHEREAS, Hon-Dah management, this day, presents this agreement for approval by the Council; and

WHEREAS, The Council has reviewed the agreement and finds that approving it will assist Hon-Dah in efficiently managing its operationsis in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Konami Synkros System Purchase & License Agreement, Maintenance and Support Agreement, and the Master Services Agreement, between Hon Dah and Konami is hereby approved.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached the Konami Synkros System Purchase & License Agreement, Maintenance and Support Agreement, and the Master Services Agreement, and its limited waiver of sovereign immunity, as to Hon Resort-Casino only, is hereby approved.

Resolution No. 04-2022-87

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairwoman, or in her absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on APRIL 14, 2022 duly adopted by a vote of ELEVEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

 4/21/22  4-21-2022
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date