



Dennis J. Whittlesey
Editor

The State of Indian Gaming 30 Years After Legalization

BY DENNIS J. WHITTLESEY

Welcome to that what we think is a special issue of *Indian Gaming Lawyer*. The Supreme Court decision in *Cabazon* was rendered on February 25, 1987 and that decision led to enactment of the Indian Gaming Regulatory Act on October 17, 1988.

With what essentially is a 30-year history for the Indian Gaming industry, it seems appropriate to report on where the industry stands at this time. And so we are doing just that.

This issue reports on the State of Indian Gaming in selected states and it is clear that the development of what was a non-existent industry 30 years ago has become robust and successful. The selection of the states covered and authors for each article was made by this Editor alone, so if readers don't see their favorite jurisdictions represented let us know because reporting on other states would make for another good issue of *Indian Gaming Lawyer*.

The states for which articles are published and their writers are, in the order of appearance, as follows.

THE STATE OF GAMING IN WASHINGTON AND OREGON (IN TWO SEPARATE ARTICLES)

A regular contributor to this magazine is the noted ethnohistorian Stephen Dow Beckham, who was a tenured Professor of History at Lewis & Clark College in Portland, Oregon. He has been honored for his work many times, including earlier this year by the college where he taught for many years.

Dr. Beckham and this writer have worked on Indian Law issues continuously for more than 40 years, and virtually all of that work has involved matters associated with Indian Law and Indian Gaming projects. He not only knows the history of the development for each of these three articles, he has reported in great detail the current of gam-

ing for the respective states and the facts are simply stunning that the tribal gaming industry has come so far in those large rural areas in which the tribes reside.

THE STATE OF GAMING IN ARIZONA

This article is written by our friend and colleague Heidi McNeil Staudenmaier who is the partner for the Native American Affairs and Gaming Law Practice Group at Snell & Wilmer. She is a Past President of the International Masters of Gaming Law and has written extensively throughout her career. Most important for us is that she has been a regular contributor to this magazine and this article is another outstanding product coming to us from her computers.

Heidi has been intimately involved in the development of the Indian gaming industry in Arizona. It is appropriate that she is reporting on The State of Indian Gaming in Arizona, for she has been a major force in bringing the Arizona industry to where it is today.

THE STATE OF INDIAN GAMING IN OKLAHOMA

The author of the article is Mike McBride III and it is safe to say that he needs no introduction to our readers. Mike chairs the Indian Law and Gaming Partner Group for the Oklahoma law firm of Crowe & Dunlevy. He is resident in his firm's Tulsa office. And he has been an active and important member of IMGL for years, as reflected by the fact that he is IMGL's current First Vice President.

Mike has written a comprehensive article on The State of Gaming in Oklahoma and in the process also assembled a number of photographs that dramatically underscore his written words. His article is easily the longest single article published in this magazine to date, but once you have read this article, you will understand the need for such a detailed report.

MEMBERS IN THE NEWS

Heidi McNeil Staudenmaier, Partner with Snell & Wilmer in Phoenix, AZ, was named *2018 Phoenix Lawyer of the Year for Gaming* by *Best Lawyers in America*. Heidi previously earned similar honors in 2011 and 2016, and also was named *Phoenix Lawyer of the Year for Native American Law* in 2015 and 2017. Heidi is Past President of the IMGL and currently is serving a three-year term as the Chair of the American Bar Association Business Law Section's Business & Corporate Litigation Committee.



"Learning TUgether" Webinar — Crowe & Dunlevy attorney **Mike McBride III** '89, chair of the firm's Indian Law & Gaming Practice Group, discussed David Grann's best-seller, *Killers of the Flower Moon: The Osage Murders and the Birth of the FBI*. In the 1920s, oil discoveries made citizens of the Osage Nation the richest people per capita in the world. One by one, the Osage began to be killed off. Grann utilizes years of research and startling new evidence to revisit the shocking series of crimes in which dozens of people were murdered, and serves up a searing indictment of the callousness and prejudice toward American Indians that allowed the murderers to operate with impunity for so long.



Butler Snow is pleased to announce that **Sean M. McGuinness** has joined the firm. McGuinness will be a part of the firm's gaming industry team and business services practice group. He regularly practices before the Nevada Gaming Control Board and the Nevada Gaming Commission. He can be reached at Sean.mcguinness@butlersnow.com.



Bob Stocker has established his own firm Robert Stocker PLLC. He continues to specialize in gaming law on both a national and an international level, business transactions including business formation, merger and acquisitions and general business matters and captive insurance company formation and representation, as well as teaching all of these subjects as an adjunct professor at the Thomas Cooley Law School. He notes that in his new setting he has much greater flexibility in regard to client representation and pricing of legal services, which his clients have greeted with great enthusiasm. His business phone is 517-881-7687 and email is stockerpllc@robertstocker.com.



THE STATE OF INDIAN GAMING IN FLORIDA

The lead author for this is Marc Dunbar, a gaming law partner in the Tallahassee office of the law firm of Jones Walker, which has offices across the South. His co-author is Will Hall, who we first met when he was working as an attorney for the Florida Department of Business and Professional Regulation while we were representing the State of Florida in critical gaming negotiations with the Seminole Tribe. The Florida report is important to this issue for the reason that The Seminole Tribe is one of the preeminent gaming tribes in the country, with major casinos in a number of cities within Florida. Marc and his colleagues are intimately familiar with the development of a new gaming compact between the Seminole Tribe and the State which is in progress as this issue goes to press.

THE STATE OF INDIAN GAMING IN MINNESOTA

It was natural for us to turn to Kevin Quigley and his colleague Tom Foley for this article, for they are among the most widely-recognized and honored Indian Law attorneys in the country. Moreover, they both have Minnesota roots and connections that are personal and professional. Theirs is an important article for many reasons, not the least is the compelling writing they bring to the table.

And, this writer owes Kevin Quigley a special thanks and recognition, for he stepped in and produced the Autumn issue of *Indian Gaming Lawyer* when professional obligations necessitated that we find someone to "pinch hit" at a late hour. Kevin's and Tom's willingness to do so resulted in an issue that was outstanding and memorable.

THE STATE OF INDIAN GAMING IN NEW ENGLAND

New England is home of two of the largest casinos in the country. They are the Foxwoods Resort Casino in Mashantucket, CT (which is owned by the Mashantucket Pequot Nation) and the Mohegan Sun in Uncasville, CT (which is owned by the Mohegan Tribe of Connecticut). For this article, we sought the assistance of one of the leading Indian Law and Indian Gaming Law attorneys in the country, Robert L. Gipps. Rob and his colleague Michael-Corey F. Hinton are attorneys in the law firm of Drummond Woodsum and work together on Indian issues.

CONCLUSION

We know you will find this issue to be a real guide to Indian Gaming across the country. Not only are the facts impressive, but the articles provide comprehensive information that almost certainly will be of both value and use to our readers. Enjoy learning about the State of Indian Gaming in 2018. ✨