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May 15, 2007

The Honorable Phil Hogen  
Chairman  
NATIONAL INDIAN GAMING COMMISSION  
1441 I Street, N.W. - Suite 9100  
Washington, D.C. 20005

The Honorable Carl Artman  
Assistant Secretary - Indian Affairs  
UNITED STATES DEPARTMENT OF THE INTERIOR  
1849 C Street, N.W.  
Washington, D.C. 20240

Re: *Shab-eh-nay Reserve in DeKalb County, Illinois –  
Proposed Gaming by Prairie Band of Potawatomi.*

Gentlemen:

The Prairie Band of Potawatomi Nation is pursuing the development of a gaming project on the referenced land pursuant to the Indian Gaming Regulatory Act, 25 U.S.C. § 2701, *et seq.* ("IGRA"). The Tribe contends that the land is a "reservation" and, as such, qualifies for gaming under IGRA Section 4(4)(A), 25 U.S.C. § 2703(4)(A). However, there apparently has been no determination by either the National Indian Gaming Commission or the Department of the Interior that the land so qualifies.

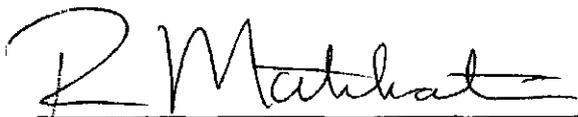
The legal status of this land has been the subject of two separate letters from the Department of the Interior: (1) letter to Congressman J. Dennis Hastert and Illinois Governor George Ryan written by Interior Solicitor John D. Leshy, dated January 18, 2001; and (2) letter to Congressman Hastert from Principal Deputy Assistant Secretary for Indian Affairs Michael D. Olsen, dated September 22, 2006. However, neither of those letters concluded that the land is "reservation" land that qualifies for gaming under IGRA.

This proposed gaming development was the subject of a meeting in the Village of Shabbona, Illinois, on May 14, 2007, hosted by Congressman Hastert. NIGC Acting General Counsel Penny Coleman attended that meeting and answered questions from the audience which consisted of residents near the subject land and interested members of the community. During the meeting, Ms. Coleman stated that local governments had standing to request gaming land determinations. DeKalb County wishes to submit such a request.

Accordingly, on behalf of DeKalb County, this letter formally requests a land determination as to whether the land within the former Shab-eh-nay Reserve does or does not qualify for gaming under IGRA Section 4(4)(A). The foundation of the Tribe's claim is the set-aside of the land for Shab-eh-nay and his band in the Treaty of Prairie du Chien of July 29, 1829 (7 Stat. 320).

We look forward to receiving a prompt response to this letter, However, if you have questions about the land or its history, please do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to read "R Matekaitis", written over a horizontal line.

Ronald Matekaitis  
DeKalb County State's Attorney