

## **FIRST AMENDMENT TO SETTLEMENT AGREEMENT AND STIPULATION**

**WHEREAS, the STATE OF FLORIDA, FLORIDA DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION (collectively "the State") and the SEMINOLE TRIBE OF FLORIDA (the "Tribe") entered into a SETTLEMENT AGREEMENT AND STIPULATION (the "Agreement") dated July 5, 2017, to resolve litigation between the Tribe and the State concerning the Tribe's right under the 2010 Gaming Compact to continue offering banked card games.**

**WHEREAS, as part of the Agreement, a copy of which is attached hereto, the Tribe agreed that it would not suspend its Revenue Sharing payments to the State until the last day of the month in which the Florida Legislature adjourns its 2018 session (the "Forbearance Period"), provided that certain conditions were satisfied, including the State taking aggressive enforcement action against the continued operation of banked card games at State-regulated cardrooms.**

**WHEREAS, the Tribe recognizes that the State has taken enforcement action against several facilities offering such banked card games and has started the process to develop new regulations.**

**WHEREAS, the Tribe believes the progress to date justifies an extension of the Forbearance Period until the last day of the month in which the Florida**

Legislature adjourns its 2019 session, subject to the same conditions found in the Agreement, and provided that the State does not enact legislation to expand gaming during the Forbearance Period.

WHEREAS, the State and Tribe agree that an extension of the Forbearance Period would serve the interests of both parties.

NOW THEREFORE, the Tribe and the State agree to amend the Agreement by substituting the following for paragraphs 3 and 4 of the Agreement:

3. During the time period beginning on the Effective Date through and including the last day of the month in which the Florida Legislature adjourns its 2019 session (the "Forbearance Period"), the Tribe will not suspend Revenue Share Payments or begin making Revenue Share Payments into an escrow account pursuant to the procedures set forth in Part XII of the 2010 Compact; nor will the Tribe initiate an action asserting that it is entitled, based on the continued operation of Designated Player Games or Electronic Table Games in the State of Florida, to begin making Revenue Share Payments into an escrow account pursuant to the procedures set forth in Part XII of the 2010 Compact, provided that the State takes aggressive enforcement action against the continued operation of banked card games, including Designated Player Games that are operated in a banked game manner, as described in the opinion on the merits entered in the consolidated cases, no other violations of the Tribe's exclusivity occur during the

Forbearance Period, and provided the State does not enact legislation to expand gaming subject to exclusivity under the Compact during the Forbearance Period. If a new violation of the Tribe's exclusivity occurs during the Forbearance Period due to a court decision or administrative agency ruling or decision, the Tribe will follow the process set forth in Part XII.A of the Compact.

4. The Tribe will continue to make, and the State may continue to deposit into the General Revenue Fund, pursuant to § 285.710(9), Florida Statutes, all of the Revenue Share Payments for the Forbearance Period, provided that the State takes aggressive enforcement action against the continued operation of banked card games, including Designated Player Games that are operated in a banked game manner, as described in the opinion on the merits entered in the consolidated cases, no other violations of the Tribe's exclusivity occur during the Forbearance Period, and provided the State does not enact legislation to expand gaming subject to exclusivity under the Compact during the Forbearance Period. The State will be entitled to the unencumbered use of such payments, and the Tribe will not seek the return of such payments.

**APPROVED:**

**STATE OF FLORIDA and FLORIDA DEPARTMENT OF BUSINESS  
AND PROFESSIONAL REGULATION**



Date: 4/18, 2018

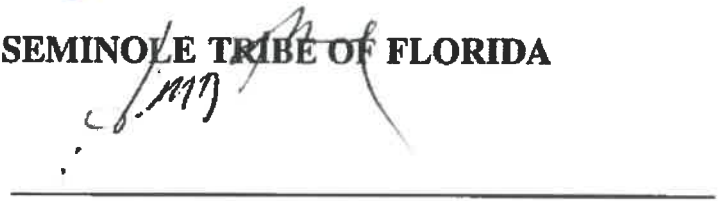
Bob Enhardt  
Director of the Florida Division of Pari-Mutuel  
Wagering



Date: 4/18, 2018

Jason Maine  
Counsel for Florida Department of Business and Professional Regulation

**SEMINOLE TRIBE OF FLORIDA**



Date: April 18, 2018

Jim Shore  
General Counsel



Date: April 18, 2018

Barry Richard  
Counsel for Seminole Tribe of Florida