

Lewis Roca Rothgerber Christie Secures Partnership for Indian Tribe to Expand Economic Development

Client Issue

The Jamul Indian Village, based outside of San Diego, had a clear vision – they wanted to be self-sufficient. Revitalizing their small reservation, hidden across a six-acre space in the hills, would provide many benefits. First, it would offer opportunities for its members by creating jobs that would bolster the economy. The additional revenue would also restore much needed government and human services such as housing, education, and healthcare. Moreover, the reservation would be able to share their revenue surplus by supporting local charities. Building an entertainment center would help reach these goals.

For more than a decade the Tribe faced an intense level of difficulty meeting these objectives. Numerous obstacles were presented on their course to financial freedom, including:

- acquiring financing for the gaming project, as these developments were typically high risk, and
- identifying a suitable partner to finance, develop and manage the project if needed.

Because of these barriers, the Tribe knew they needed help and enlisted Lewis Roca Rothgerber Christie as counsel.

Our Approach

Lewis Roca Rothgerber Christie created a strategic plan to meet the Tribe's needs. Taking a comprehensive approach, the Tribal Affairs group began with an in-depth conversation, outlining the Tribe's previous history. Pulling from their knowledge and network of potential partners, the firm brokered a deal with Penn National Gaming, Inc. This was an ideal match because they met the criteria on every level, aligning with the overall goals of the Tribe.

The firm's experienced team of attorneys, utilizing over 20 years of successful negotiation for tribes throughout the U.S., secured the project. Practice Group Leader Steve Hart led the negotiation with assistance by Partner Kerry Patterson. Once details were completed, Penn National Gaming, Inc. agreed to serve as the developer and financier of the project to manage the casino once it becomes operational. Steve Hart and Kerry Patterson documented the Development Agreement and the Management Agreement and are currently working on obtaining the necessary approvals for the Management Agreement from federal authorities.



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Practice Areas

- Indian Gaming
- Interactive Gaming
- State and Federal Legislative and Administrative Practice
- Licensing Matters / State / Tribal Certification
- Real Estate and Project Development
- Intellectual Property Issues
- Litigation
- General Business Law Matters

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Partner Peter Larson, who has considerable experience drafting and implementing documents needed to comply with regulatory issues on Indian lands, obtained the necessary Gaming Ordinance. Teamed with the high risk financing experience of Partner Bryant Barber, they both handled the loan commitment and other financing issues.

Results

The experience of the firm was able to guide Jamul Indian Village through their previous financial stress and transform their future into a secured vision of economic sustainability. Upon completion, it will provide the reservation with a \$400 million resort and casino, spanning over 200,000 sq. ft. and offering over 1,700 slot machines, entertainment shows, restaurants and bars. Over 1,600 jobs would be created during construction and 1,500 permanent jobs will ensue during operation. With this agreement finalized, the Tribe expects construction to be completed over the next 24 months.