

## KALAMAZOO GAZETTE

### Odds improve for Gun Lake tribal casino

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By Chris Knappe

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WAYLAND -- The federal government apparently has cleared the way for a casino here, but a judge could issue an injunction to block the move while a court case continues.

The federal government has said that as of Jan. 5, it will clear the way for a casino.

That change in stance forces U.S. District Judge John Penn to decide whether to issue an injunction to halt the move pending a decision on the lawsuit.

The U.S. Interior Department's deadline is in a letter filed as part of the case challenging the government's 2005 decision to take into trust 146 acres where the Gun Lake Band of Pottawatomi plans to open a casino here in Allegan County.

Unless Penn issues an injunction, the move by the government would set up a sovereign nation for the tribe's casino.

Up to now, the Interior Department voluntarily had held off taking the land into trust. But with the case languishing for months in the U.S. District Court in Washington, D.C., the department has set the deadline, forcing Penn's hand.

Michigan Gambling Opposition, the Dorr-based anti-casino group that sued in 2005 to block the government's plan to take the land into trust, will request such an injunction.

"This is nothing more than a heavy-handed legal maneuver in an attempt to force the court to take action," said John Helmholtz, a spokesman for MichGO and 23 Is Enough, an anti-casino lobbying group.

Tribal Treasurer John Shagonaby said the letter is a huge step toward the goal of tribal self-determination.

"What the federal government is telling MichGO in their letter is every day this drags out there is irreparable harm done to the tribe," Shagonaby said. "The onus is on MichGO to convince the court that they can win. If not, this case has gone on long enough. We need resolution of it."

U.S. Rep. Peter Hoekstra, R-Holland, said he will continue his efforts to slow or stop gambling operations. He has raised objections in the past to a drain on the local economy to a competitor that pays no state or local taxes. He also contends increased crime and gambling addictions could be troublesome secondary effects of a casino.

"I am very disappointed with the Department of Justice's announcement, which will help pave the way for the Gun Lake Tribe to build a casino in Allegan County," Hoekstra said. "I have repeatedly voiced my opposition to the expansion of gambling in Michigan because of the unfair competition with legitimate business and the social problems it facilitates."

Moving the land into trust would set up a showdown between the tribe and Michigan's governor, who must negotiate a gaming compact or risk having the federal government impose a compact that could exclude the Gun Lake casino from state revenue sharing and regulation.

Gov. Jennifer Granholm and Republican gubernatorial challenger Dick DeVos have said they will negotiate compacts if the only alternative is cutting the state out of the expected jackpot the casino would generate.

The tribe is planning to convert the former Ampro factory into a 163,000-square-foot Las Vegas-style casino

and entertainment venue with card games and thousands of slot machines.

The casino, to be operated by Las Vegas-based Station Casinos, is expected to employ 1,800 people.

In a securities filing Thursday, Station President Lorenzo Fertitta said the move could speed the casino project.

"This action by the Department of the Interior is a positive development that we believe could expedite the court's decision in the lawsuit that has unduly delayed this project," Fertitta said.

The 304-member tribe said tens of millions of dollars the facility will generate each year will pay for education, housing, elder care, cultural preservation and other badly needed services.

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