1	IN THE UNITED STATES DISTRICT COURT				
2	WESTERN DISTRICT OF OKLAHOMA				
3	SOUTHWEST CASINO AND HOTEL CORP.,) NO. CIV-07-949-C			
5 6	Plaintiff,)))			
7	VS.))			
8	DARRELL FLYINGMAN and DORIS THUNDERBULL, et al.))			
10	Defendants.)))			
11 12	NOTICE OF FILING JUDGMENT FROM TRIBAL COURT				
13 14	Notice is hereby given that Defendants have filed with the Court the Final Judgment obtained from the Cheyenne and Arapaho Tribal Court concerning the				
15 16	ownership of the electronic surveillance videotape at issue in the present action. A copy				
17	is attached hereto as Exhibit A.				
18 19	DATED this 35 th day of August, 2008.				
20	CAMPBELL, YOST, CLARE & NORELL, P.C.				
21	By <u>/s/ Martin P. Clare</u> Martin P. Clare				
22	101 N. First Ave., Suite 2500 Phoenix, AZ 85003-0001				
23	Att	orneys for Defendants Flyingman and Doris			
24 25	Pho	nne: 602-322-1608 FAX: 602-252-4431 Mail: mclare@cycn-phx.com			
26	15-1,	idii. inoidio(aco) on pinaooni			

Certificate of Service I hereby certify that on this 28th day of August, 2008, I electronically transmitted the attached documents to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants: Kennis M. Bellmard, II (kbellmard@andrewsdavis.com) Michael D. McMahan (mdmcmahan@andrewsdavis.com) Jason Bjorn Aamodt (Jason@awlex.com) /s/ Martin P. Clare Martin P. Clare -2-

EXHIBIT A

Filed 08/28/2008 EVPayer of GRAHOMA

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IN THE T	RIAL COURT
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FINAL JUDGMENT

Plaintiffs, Governor Darrell Flyingman and the Cheyenne and Arapaho Tribes (collectively the "Tribes"), filed a Motion for Summary Judgment in conjunction with their pending Declaratory Judgment action against Southwest Casino and Hotel Corp. The matter has been fully briefed and argued. The Trial Court finds as follows:

- 1. All electronic data generated by any computer or computer system owned by the Tribes in any of its Casinos is owned by the Tribes and has been so owned since generation of that data, regardless of whether that data has subsequently been electronically transferred to some other computer or computer system, been downloaded or printed, or otherwise been disseminated from the computer or computer system from where it was generated.
- 2. The electronic data encompassed by this order includes financial data concerning the Tribes or its Casinos; personnel data concerning Casino employees or prospective employees; and surveillance data, including electronic surveillance video images from the Casinos.

3. The term computer or computer system includes all computers, hard drives, UBS storage devices, PDA's and any similar device where computer data may be generated or stored.

Document 34-2

- The Court expressly makes no finding and takes no position on whether 4. trademarks of defendant exist or were stored on the Tribes' computers, as the issue of ownership of such trademarks is not part of the declaratory relief requested by the Tribes and is not before the Court in this matter.
- The Court makes no finding and takes no position on whether intellectual -5. property of third parties exists or is stored on the Tribes' computers, as the issue of intellectual property is not part of the declaratory relief requested by the Tribes and is not before the Court in this matter.
- There are no further issues to be resolved in the present declaratory judgment 6. action and the present judgment therefore resolves all issues raised by the present declaratory judgment action.

IT IS THEREFORE ORDERED that:

1. The Motion For Summary Judgment is hereby GRANTED. DATED this 23 day of June, 2008.

Trial Court, Cheyenne and Arapaho Tribes