

## DAILY MINER

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### **Skywalk workers endure uneasy transition**

*Tribal council dealing with 'rainforest of paper' from Jin's attorneys*

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The transition of the Skywalk from developer David Jin's control to the Hualapai Tribal Council's control earlier this month may not have been as smooth as reported.

According to court documents, a request by tribal officials for a safe combination turned heated after Skywalk managers asked for written proof the council had taken over the tourist attraction.

The director of operations at the Skywalk reported that security cameras and the inventory system for tickets and trinkets was dismantled. He also reported that he was offered a job as a manager at the facility and told that the council would protect him from any lawsuits from Jin.

The general manager of the Skywalk reported that he was surprised when a reporter from the Arizona Republic called him to ask about the takeover of the Skywalk. Neither Jin nor he had received any notice of the takeover from the council.

Tribal council spokesman Dave Cieslak said he was still reading through the thousands of pages of legal motions Jin's attorney filed last week.

"We are still reviewing the extraordinarily voluminous filing submitted by Mr. Jin's army of lawyers - who dropped a small rainforest of paper at our doorstep last week - but let's be clear about something: despite all of these baseless allegations designed to distract from Mr. Jin's misdeeds, operations at the Grand Canyon Skywalk are better than ever," Cieslak said. "Please remember that this issue is about right and wrong, fairness and honor. Mr. Jin failed to abide by his contractual obligations and the tribe simply had no other options."

The tribal council and Jin have been battling over the Skywalk nearly since the day it opened. Jin claims that the tribe has not paid him his fair share of the profits for the Skywalk, a glass walkway that juts out from the rim of the Grand Canyon on tribal land. The council claims that Jin has not finished the Skywalk's visitor center.

Arbitration talks came to a sudden stop on Feb. 8 after the council took control of the Skywalk through eminent domain, a process that allows governments to take private property for public use, as long as the property owner is compensated for the loss.

A third-party appraisal firm, Navigant Consulting, hired by the council, valued Jin's investment in the Skywalk at \$11 million. Jin values it at closer to \$100 million.

Jin filed several motions to halt the takeover in the U.S. District Court of Arizona on Feb. 16.



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#### **A battle for the combination**

According to multiple witness statements included in the court documents, Tribal Councilwoman Ruby Steele called a meeting with two on-site Skywalk managers, Deana Milstead and Renee Mallory, and Skywalk Cash Case Supervisor Regina DeMaio the afternoon of Feb. 9, the day the tribe took over the Skywalk.

Milstead, Mallory and DeMaio were called into an office, along with Grand Canyon West Interim General Manager Deborah Wilkerson and Grand Canyon West Security Supervisor Kris Guffey. Grand Canyon West is a separate entity from the Skywalk and is run by the tribe.

"OK, here is the bottom line. We need the combo to the safe in order for it to be changed tonight," Steele told Milstead, Mallory and DeMaio. "You guys did say we need to call the (general manager), however the (general manager) is no longer in the position to even be calling the shots, as far as this point is on. The tribe has taken over and you guys all heard what is happening there. We do need to change the safe combo tonight."

Mallory said she had not seen anything in writing that showed that she, Milstead and DeMaio were now Grand Canyon West employees.

At that point Wilkerson interjected, "Have you ever worked on a reservation or with tribes?"

When Mallory said, no, Wilkerson asked if Mallory understood what a sovereign nation was and pointed out that several members of the tribal council were at the Skywalk that day to explain the takeover.

"And that's just a fact, so we're here now to protect the assets," Wilkerson said.

"You have to understand that everything in this building, although (Grand Canyon Skywalk Development, Jin's company) may have ordered it, may have had it shipped out here, had it brought out here, whatever. Every asset in this building has been purchased by the tribe," Steele said.

### Workers pressured

"If we have to open it up and bring in a new one we're not gonna be too happy," Wilkenson said. "It is unfair that at your level (of authority), because you're not at the level whatsoever to be making these decisions. ... Your level is to make sure that operations are running, not make these decisions. So you have no choice but to give that combination because this is not in your job description or your pay grade," she said.

Milstead tried to explain that she had called Jin's headquarters in Las Vegas for the combination and they told her the tribe needs to call for the combination.

At that point, Steele pointed out that DeMaio knew the safe combination.

"She should be authorized to give it rather than saying, no, don't give the information because honestly, it really doesn't look good when we have managers that are hesitant to even give up the information," Steele said. She warned that the tribal council will hear of the situation and will not be pleased. She also tried to reassure Mallory, Milstead and DeMaio that they will have positions with the tribe.

Mallory pointed out that that guarantee isn't in writing. She isn't worried about her position but about the jobs of the other employees at the Skywalk, she said.

Wilkenson pointed out that Mallory, Milstead and DeMaio have been "left hanging" by their superiors. She then turned to DeMaio and asked her to come with her to unlock the safe.

"You're really putting me in this position?" DeMaio asked.

"Don't worry," Wilkenson said.

According to Milstead and Mallory, DeMaio turned to them and asked, "What am I supposed to do?"

"You're going to come with me and give me the combination," Wilkenson said.

Milstead told DeMaio to do what she thought she needed to do. DeMaio then started to cry and walked out of the office with Wilkenson to open the safe.

Milstead, Mallory and DeMaio all described the situation as very tense.

Milstead said she felt as if Wilkenson was harassing her and creating a hostile situation.

DeMaio said she felt intimidated and feared for her job because of the presence of both tribal officials and police officers in the room. She said a video of the cash room shows her crying through the whole process of opening the safe. A locksmith replaced the combination pad with a new one for the tribe.

Tribal officials also asked DeMaio if she was going to be at the Skywalk the next day, Feb. 10. When she told them it was her day off, Steele allegedly told her it would in her best interest to show up.

DeMaio said she showed up the next day because she was afraid of losing her job. She was asked to explain how to do the ticket sales, close the cash register and audit cash drawers. DeMaio did as she was told.

When she asked if she still had a job as a cash supervisor, she was told the tribe didn't have an equivalent position and there was no guarantee she would have a job.

Mallory said employees were given new hire paperwork on Feb. 11 and told to fill it out and return it to the Grand Canyon Resort Corporation immediately or employees wouldn't receive their pay.

When Mallory asked about employees who were not working that week, she was told it would be OK and the human resources department would be on hand next week to handle the issue.

The director of operations for the Skywalk, Anthony Dobbs, said he was approached by tribal officials and told that the Skywalk's general manager, Ted Quasala, had been fired and they would give him the position if he agreed to become an employee of Grand Canyon Resort Corporation.

Over the next few days, Dobbs became increasingly concerned about the financial future of the Skywalk. In his statement, he reported observing tribal officials remove the sophisticated point of sale system the Skywalk uses to track ticket sales and purchases in the gift shop and replace it with a stand alone register that cannot track inventory. Also, each register had to be balanced by hand at the end of the day and there is no way to determine if a sale was for merchandise or a ticket.

When he raised his concerns about the changes with tribal officials, they pointed out that there were security cameras that would catch any possible thefts.

### Security camera wires cut

Unfortunately, a few days later, Dobbs learned that the line to the security cameras had been cut. Dobbs found out about the cameras while investigating two claims of theft at the facility - one claim from a tourist who was missing a camera and another from an employee who was missing money out of her purse.

In addition, the barcode bracelet system to track visitors to the Skywalk has been replaced with tear-off tickets that can be potentially handed off to someone else to be re-used.

Dobbs also said he was approached by more than one tribal official and asked for information on the operations of the Skywalk and its vendors.

#### Protection promised

When he objected and told the officials that the information belonged to Grand Canyon Skywalk Development, the officials sent him several emails saying they would protect him from any claims filed by Jin against him for revealing the information.

Quasala also gave a sworn statement to the court. On Feb. 8, Quasala was surprised by reporter calling to find out more information about the tribal council's takeover of the Skywalk.

The council had not sent Quasala, Jin or Grand Canyon Skywalk Development any notice of the takeover. When Quasala called the interim CEO of Grand Canyon Resort Corporation, Waylon Honga, he was told that the tribe had taken over the attraction, he was no longer the general manager and all of the employees at the Skywalk would be hired by the council.

Quasala then began to receive calls from employees about conditions at the Skywalk, including the safe combination incident, the thefts, the point of sale system and more. Vendors told him that the council had called them and told them they were in charge of the Skywalk.

He also expressed concern that Asian tourists, who make up the majority of visitors to the Skywalk, were not receiving the care that Grand Canyon Skywalk Development had promised them. Disgruntled tourists could easily affect Jin's other tourism related businesses, as well as damage the Skywalk's reputation.

A hearing on Jin's request for a temporary restraining order against the tribal council to halt the takeover is set for 10 a.m. Friday.

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