

At Commercial Division Part \_\_\_, of the  
Supreme Court of the State of New York,  
held in and for the County of New York, at  
the Courthouse located at 60 Centre Street,  
New York, New York, on the \_\_\_ day of  
June, 2013

P R E S E N T:

HONORABLE \_\_\_\_\_  
Justice.

WELLS FARGO BANK, N.A., AS TRUSTEE

Plaintiff,

-against-

CHUKCHANSI ECONOMIC DEVELOPMENT  
AUTHORITY, THE BOARD OF THE CHUKCHANSI  
ECONOMIC DEVELOPMENT AUTHORITY, THE  
TRIBE OF PICAYUNE RANCHERIA OF THE  
CHUKCHANSI INDIANS, THE TRIBAL COUNCIL OF  
THE TRIBE OF PICAYUNE RANCHERIA OF THE  
CHUKCHANSI INDIANS, THE PICAYUNE  
RANCHERIA TRIBAL GAMING COMMISSION,  
RABOBANK, N.A., GLOBAL CASH ACCESS, INC.,  
NANCY AYALA, TRACEY BRECHBUEHL, KAREN  
WYNN, CHARLES SARGOSA, REGGIE LEWIS,  
CHANCE ALBERTA, CARL BUSHMAN, and BANK  
OF AMERICA, N.A.,

Defendants.

Index No. 652140 / 2013

**ORDER TO SHOW CAUSE  
FOR PRELIMINARY  
INJUNCTION**

Upon reading and filing the Affirmation of Robert Malioneck, affirmed to on June 18,  
2013, the Affidavit of Michael Slade, sworn to on June 17, 2013, and the exhibits annexed  
thereto, the Affidavit of Ronald Evans, sworn to on June 16, 2013, the accompanying  
Memorandum of Law in Support of Wells Fargo Bank N.A.'s (the "Trustee") Application for a

Preliminary Injunction, dated June 18, 2013, and the Summons and Complaint herein, both dated June 18, 2013, it is hereby:

ORDERED that Defendants Chukchansi Economic Development Authority (“CEDA”), The Board of the Chukchansi Economic Development Authority (the “Board”), The Tribe of Picayune Rancheria of the Chukchansi Indians (the “Tribe”), The Tribal Council of the Tribe of Picayune Rancheria of the Chukchansi Indians (the “Tribal Council”), The Picayune Rancheria Tribal Gaming Commission (the “Gaming Commission”) (CEDA, the Board, the Tribe, the Tribal Council, and the Gaming Commission, collectively, the “Tribal Parties”), Rabobank, N.A. (“Rabobank”), Global Cash Access, Inc. (“Global Cash Access”), Bank of America, N.A. (“Bank of America”), and Nancy Ayala, Tracey Brechbuehl, Karen Wynn, Charles Sargosa, Reggie Lewis, Chance Alberta, Carl Bushman (Ayala, Brechbuehl, Wynn, Sargosa, Lewis, Alberta, and Bushman, collectively, the “Individual Defendants”), (collectively “Defendants”), or their attorneys, show cause before this Court, at Commercial Division Part \_\_\_, at the New York County Courthouse, Room \_\_\_\_, 60 Centre Street, New York, New York on June \_\_\_, 2013 at \_\_\_ o’clock in the \_\_\_\_, or as soon thereafter as counsel can be heard, why an order should not be entered pursuant to Sections 6301, 6311, and 6312 of the New York Civil Practice Law and Rules:

- i. Preliminarily enjoining CEDA, the Tribe, and the Individual Defendants from maintaining the Gross Revenues<sup>1</sup> and Revenues and Cash of the Chukchansi Gold Resort & Casino in Coarsegold, CA (the “Casino”), other than Operating Cash and Gross Revenues that constitute Excluded Assets, in the cage of the Casino or

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<sup>1</sup> Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Indenture, entered into among CEDA, the Tribe, and the Trustee, and Security Agreement, entered into between CEDA and the Trustee, both dated May 30, 2012.

anywhere other than in an account subject to an Account Control Agreement with the Trustee;

- ii. Directing CEDA, the Tribe, and the Individual Defendants to deposit, on an ongoing basis at least once per week, the Casino's Gross Revenues and Revenues and Cash, other than Operating Cash and Gross Revenues that constitute Excluded Assets, into CEDA's Operating Account at Rabobank;
- iii. Declaring that the Trustee has a security interest in the funds in CEDA's Bank of America account ("Bank of America Funds") and the funds that Global Cash Access currently owes CEDA ("Global Cash Access Funds");
- iv. Declaring that the Trustee has an immediate right of possession to the Bank of America Funds and Global Cash Access Funds sufficient to satisfy the amount that CEDA owes to the Trustee;
- v. Declaring that the Bank of America and Global Cash Access Funds must be deposited in CEDA's Operating Account at Rabobank;
- vi. Directing Bank of America (as well as CEDA and the Tribe, to the extent necessary) to transfer the Bank of America Funds to CEDA's Operating Account at Rabobank;
- vii. Directing Global Cash Access to transfer the Global Cash Access Funds to CEDA's Operating Account at Rabobank;
- viii. Directing Rabobank to allow the Bank of America and Global Cash Access Funds to be deposited into CEDA's Operating Account at Rabobank and to allow payments to be made to the Casino's critical vendors for amounts currently owed

and on an ongoing basis, and directing the Factions, with Rabobank, to agree upon a list of such vendors;

- ix. Preliminarily enjoining the Tribal Parties and the Individual Defendants from filing further actions against the Trustee or any of the Holders before the Tribal Court, the Tribal Gaming Commission, or any other court or entity in contravention of the jurisdiction consent provisions of the Indenture, the Security Agreement, and the Account Control Agreement;
- x. Directing CEDA to provide reports containing its 2012 year-end audited financial statements and first quarter 2013 unaudited financial statements to the Trustee and the Holders;
- xi. Preliminarily enjoining the Tribal Parties and the Individual Defendants from further interfering with CEDA's and the Tribe's obligations under the Indenture and the Security Agreement by, among other things, sending cease and desist letters to the Casino's vendors;
- xii. Directing the Tribal Parties and the Trustee, through their counsel, to report to the Court on the status of the above directions within one week after such order is issued by the Court; and it is further

ORDERED that Defendants shall serve and file any opposing affidavits and memoranda no later than June \_\_\_, 2013, and Plaintiff shall serve and file its reply papers, if any, by June \_\_\_ 2013; and it is further

ORDERED, that a copy of this Order to Show Cause, together with the papers upon which it is based, and the Summons and Complaint, shall be served on or before the \_\_\_ day of June 2013, by overnight courier upon Defendants or their Counsel and, in the case of the

Individual Defendants, on Counsel for the Tribal Factions led by Ayala and Lewis, respectively,  
which shall be deemed good and sufficient service.

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E N T E R

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J.S.C.