

EXHIBIT D

From: [Patricia Briones](#)
To: [Steven Schindler](#); [Les Marston](#)
Cc: [rosette@rosettelaw.com](#); [RVerri@rosettelaw.com](#); [Poulos, John](#); [Shapiro, Peter](#); [fpetti@pettibriones.com](#); [SSamford@pettibriones.com](#); [Matthew Katz](#); [Francesca Celestre](#); [Jonathan Hochman](#); [Saba Bazzazieh](#); [Richard Verri](#); [Richard Armstrong](#)
Subject: RE: Week of 080513 List of Proposed Vendor Payments
Date: Wednesday, August 07, 2013 6:20:49 PM

Mr. Schindler,

Pursuant to the interim process established by the Court on 7/29/13 and memorialized in the hearing's transcript, those "disputed" payments will be held in escrow until there is either agreement or Court Order. For the record, the Casino has noted your client's objections to the following payees:

1. Aramak Uniform Services
2. RPM Advertising, Inc.
3. Madera County Sheriff's Department
4. PRCI
5. TGC
6. CEDA

After the meet and confer tomorrow, please indicate in writing if your client's position on any of the above listed payees changes based on the additional information provided at that meeting.

As it specifically relates to the Madera County Sheriff's Department, you are hereby notified that these payments are garnishments withheld from Team Members' paychecks pursuant to Court Orders. As such, the Casino is required by Court Order to pay these garnishments to the Madera County Sheriff's Department. We would hope that your client will not object to the payments to the Madera County Sheriff's Department after having been provided this further explanation.

Best regards,



Patricia Lane Briones
Petti and Briones, PLLC
5090 North 40th Street, Suite 190
Phoenix, Arizona 85018
602-396-4892 Direct
602-954-5245 Fax

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From: Steven Schindler [<mailto:sschindler@schlaw.com>]
Sent: Wednesday, August 07, 2013 2:01 PM
To: Patricia Briones; Les Marston
Cc: rosette@rosettelaw.com; RVerri@rosettelaw.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; ssamford@pettibriones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

Ms. Briones,

Please confirm that, pursuant to Justice Schweitzer's July 29 Order, no payments will be made to any of the payees to whom we have objected until such time as our clients consent to such payments, or such payments are authorized by a further court order from Justice Schweitzer.

Should any payments be made, we will seek contempt sanctions from the Court.

Best regards,
Steven Schindler

From: Patricia Briones [<mailto:pbriones@pettibriones.com>]
Sent: Tuesday, August 06, 2013 6:03 PM
To: Steven Schindler; Les Marston
Cc: rosette@rosettelaw.com; RVerri@rosettelaw.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; ssamford@pettibriones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

Noted. Thank you.

From: Steven Schindler [<mailto:sschindler@schlaw.com>]
Sent: Tuesday, August 06, 2013 3:00 PM
To: Patricia Briones; Les Marston
Cc: rosette@rosettelaw.com; RVerri@rosettelaw.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; ssamford@pettibriones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

Our clients object to this payment as well for the same reasons set forth in my prior e-mail.

From: Patricia Briones [<mailto:pbriones@pettibriones.com>]
Sent: Tuesday, August 06, 2013 5:53 PM

To: Steven Schindler; Les Marston
Cc: rosette@rosettela.com; RVerri@rosettela.com; Poulos, John; Shapiro, Peter; fpetti@pettibrones.com; SSamford@pettibrones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

The Casino also intends on making the following payment:

PRCI: \$1,000,000.

From: Patricia Briones
Sent: Tuesday, August 06, 2013 2:30 PM
To: 'Steven Schindler'; Les Marston
Cc: rosette@rosettela.com; RVerri@rosettela.com; Poulos, John; Shapiro, Peter; fpetti@pettibrones.com; SSamford@pettibrones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

The Casino also intends on making the following payments:

CEDA - \$400,000

TGC - \$316,017

From: Steven Schindler [<mailto:SSchindler@schlaw.com>]
Sent: Tuesday, August 06, 2013 1:49 PM
To: Patricia Briones; Les Marston
Cc: rosette@rosettela.com; RVerri@rosettela.com; Poulos, John; Shapiro, Peter; fpetti@pettibrones.com; SSamford@pettibrones.com; Matthew Katz; Francesca Celestre; Jonathan Hochman; Saba Bazzazieh; Richard Verri; Richard Armstrong
Subject: RE: Week of 080513 List of Proposed Vendor Payments

Counsel:

With respect to the three pages of proposed requested disbursements for the week of August 5 that you provided, our clients object to the following three vendors, pending further information and documentation:

1. Aramak Uniform Services (Vendor disputed at the meet and confer meeting on July 26, 2013. No information has yet to be provided.)
2. RPM Advertising, Inc. (This vendor is not on Exhibit A and we would request back up and an explanation as to the nature of the services rendered.)
3. Madera County Sheriff's Department (Further documentation and explanation required.)

Please provide the total amount of the disbursements you propose making so that we can confirm we have received the entire list. We note that there are 11 other vendors on your list that do not appear on Exhibit A. Because the proposed disbursements to such vendors are not large, our clients will not object, although this is without waiving the right to object to vendors not on Exhibit A in the future.

With respect to the request for payment of \$2,511,216.44 to Wells Fargo for professional fees, we request detailed invoices supporting this payment. It strikes us that this is an exceptionally large expenditure, and the indemnification language under the Indenture imposes a "reasonableness" standard on any such payments. We will require documentation to ascertain whether these requests are reasonable. Moreover, it is our clients' position that any fees that were incurred by counsel to Wells Fargo in connection with the legal proceedings in New York were necessitated by the improper actions of the Ayala Faction under the Indenture. Accordingly, any costs of such proceedings incurred by Wells Fargo must be borne by the Ayala Faction and not the Tribe.

The July 2 order contemplates that progress will be made with regard to completion of the 2012 audit and the issuance of subsequent 2013 unaudited financial statements. Please indicate what progress has been made in this regard as we are prepared to fully co-operate as needed.

Finally, we reiterate our request that our clients be provided with an accounting of where the funds removed from the Casino cage under the guise of "Excluded Assets" or "Mutilated Cash" were spent, along with a full accounting of the Westamerica and Bank of America accounts. Mr. Marsten represented to the Court that he would provide an accounting "by the end of the day" on July 29. We ask that the promised accounting be produced before Thursday's meet and confer.

We anticipate that Mr. Verri and Mr. Armstrong will attend the meeting on Thursday at 1:00 pm PST in person. We will use the call in number provided in your e-mail.

Steve Schindler

From: Patricia Briones [<mailto:pbriones@pettibriones.com>]

Sent: Monday, August 05, 2013 4:42 PM

To: Steven Schindler; Les Marston

Cc: rosette@rosettela.com; RVerri@rosettela.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; SSamford@pettibriones.com; Matthew Katz; Francesca Celestre

Subject: Week of 080513 List of Proposed Vendor Payments

Counsel,

In preparation for your meet and confer on Thursday, attached please find a list of vendor payments that the Casino would like to make this week. Pursuant to the parties' request on Friday's call, the list includes payments that will be made through either wire, ACH, or check issuance. Please let me know if you have any questions.

Best regards,



Patricia Lane Briones
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From: Steven Schindler [<mailto:sschindler@schlaw.com>]
Sent: Friday, July 26, 2013 3:09 PM
To: Patricia Briones; Les Marston
Cc: rosette@rosettelaw.com; RVerri@rosettelaw.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; ssamford@pettibriones.com; Matthew Katz; Francesca Celestre
Subject: RE: Response to Mr. Schindler's July 10, 2013 letter

Below is the elaboration of points 7 and 8 in my July 25 e-mail that was discussed at the "meet and confer."

(7) Issues relating to payment, income and financial reporting.

1. Vendor Payment Processing to ensure legitimate/approved vendors are paid in accordance with sound internal control and accounting practices and in compliance with P&Ps. Also to monitor cash flow in order to prioritize, if necessary, disbursements:

- . Current Aged Accounts Payable listing by vendor, amount and date of goods and services received
- . All Contracts with current outstanding commitments
- . Documentation prepared in compliance with the three bid policy since February 21, 2013---including, but not limited to: Linen, Aramark--- Health Insurance, Capitol Administrators-Property Insurance, Amerind
- . Authorization Matrix---by name, position and amount

2. Payroll Payment Processing to ensure there are no fictitious employees on the payroll and that pay is based on authorized rates and is for work performed or accrued as PTO:

- . Copies of all Change of Status forms since February 21, 2013
- . Copies of Employment Contracts
- . Year to date Payroll Register for all employees
- . Listing of any employee who does not physically perform their duties at

CGRC

- . Any compensation paid since February 21, 2013 which has not been included in the payroll register
- 3. Financial Performance Reports which provides a basis for projecting liquidity:
 - . Daily Revenue Reports---ongoing
 - . Revenue Audit Settlement Sheets---ongoing
 - . Draft Financial Statements and supporting consolidating trial balance for the periods ending December 31, 2012, March 31, 2013 and June 30, 2013 and monthly thereafter beginning with July 2013
 - . Variance Reports since February 21, 2013
 - . Revenue and EBITDA forecasts by month for 2013
 - . Copies of daily Cage Main Bank Settlement sheets---ongoing
- 4. Cash and Cash Flow Projections to determine any current and future liquidity issues relate to paying vendors, employees, bondholders and meeting capital requirements:
 - . Daily Cash Report---ongoing
 - . Online Read Only Access to Rabobank accounts
 - . Supporting Schedule of Cash and Cash in Banks by name of custodian, account information and location of funds
 - . Accounting for mutilated currency

(8) Insurance Status RFP, bid proposals and analysis.

It has come to our attention that you have changed insurance carriers for the property from Tribal First even though there was a comprehensive insurance analysis performed last year which detailed the premium cost savings associated with the Tribal First insurance that could approach \$250,000.00. Additionally, by changing insurance carriers you lose the \$536,000.00 in commutations to which the property is entitled. We want a copy of the RFP for the insurance package that was being bid upon, copies of all proposals that were submitted and copies of any reports or analysis that were prepared regarding the proposals upon which you based your decision.

From: Patricia Briones [<mailto:pbriones@pettibriones.com>]
Sent: Friday, July 26, 2013 3:18 PM
To: Steven Schindler; Les Marston
Cc: rosette@rosettela.com; RVerri@rosettela.com; Poulos, John; Shapiro, Peter; fpetti@pettibriones.com; SSamford@pettibriones.com
Subject: Response to Mr. Schindler's July 10, 2013 letter

Dear Counsel,

In response to Mr. Schindler's July 10, 2013 email correspondence to Mr. Marston, Casino Management has produced the attached documentation. For everyone's benefit, I have attached a copy of Mr. Schindler's "Letter to Counsel from SRS" letter to allow you to reference it in relation to

reviewing the Casino's response.

The attached "Response to July letter PDF" is a spreadsheet that addresses the vendors disputed by the Lewis Faction as contained in #1, #2, #3 and #4 of Mr. Schindler's letter. It may be of assistance to explain that the "Active" vendor list is more accurately described as an approved vendor list. The last column in the spreadsheet provides a reference for those vendors who, although approved, are not currently engaged in providing services to the Casino. Furthermore, we have provided a column for those specific approved but not engaged vendors indicating the last payment date (most of which took place in 2012). The balance of the vendors provide current services to the Casino and the specific services provided are characterized for each vendor. If additional, more specific, invoice information is requested the Casino will be happy to supply copies of the bills and supplement any further inquiries.

The attached "Response to Vendors listed on the AP Aging but not on the Active List" is a spreadsheet provided to further address Mr. Schindler's inquiry contained in #3 of his letter. The vendors highlighted in yellow were listed on the original vendor list, the balance of the vendors were added pursuant to the specific updated list date noted. In addition, some team members were listed on the AP Aging list but not included on the Active Vendors' list simply because they are not vendors. In conclusion, there are 3 vendors on the AP Aging list that have credit balances but are not currently actively engaged as vendors.

If anyone has additional specific inquiries regarding the information provided, the Casino Management will provide supplemental material as requested.

In closing, the Casino Management would appreciate appropriate business accommodation time to gather information requested by all parties. Although Mr. Schindler's correspondence was dated July 10, 2013, the Casino did not receive the request until the afternoon of the July 25th. Any perceived insufficiency should be attributed to the lack of lead time in gathering the information. Thank you for your consideration of Casino Management's request.

Best regards,

Patti



Patricia Lane Briones
Petti and Briones, PLLC
5090 North 40th Street, Suite 190
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602-396-4890
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