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# **Trial date set for Red Hawk Casino suit**

**Sacramento Business Journal - by Mark Anderson, staff writer**

Date: Tuesday, February 15, 2011, 10:43am PST

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An El Dorado County Superior Court Judge on Monday set an August trial date for the tribe that owns Red Hawk Casino and an earlier business partner who 15 years ago tried to get a casino working on the Shingle Springs Rancheria.

Sharp Image Gaming Inc., a Chatsworth-based video gaming company, had a contract with the Shingle Springs Band of Miwok in 1996 to bankroll the development of a casino and to supply video machines for the operation. Sharp Image has sought to enforce the contracts it had with the tribe, which later partnered with another developer to build the \$200 million Red Hawk Casino.

The tribe contends that Sharp Image, which is seeking more than \$100 million in damages, has no claim on the current casino or the tribe.

After more than three years of motions in local jurisdictions and in federal court, the Shingle Springs Band of Miwok on Monday in Placerville sought a summary judgment to have the case thrown out of court.

Superior Court Judge **Patrick J. Riley** denied the tribe's motion on all 10

grounds cited. Riley set a court date of Aug. 8 in Placerville.

The tribe earlier brought a federal suit which sought to have Sharp Image's state court suit dismissed on jurisdictional grounds. That case was also dismissed.

"All of the tribe's technical legal defenses, including its claim of sovereign immunity, have now been rejected," said **Matt Jacobs**, Sharp Image's attorney and a partner in the Sacramento firm Stevens, O'Connell & Jacobs LLP. "It is finally time for the tribe to face the music and be held responsible for its actions."

The Shingle Springs Band of Miwok more than a decade ago partnered with Sharp Image to operate a casino on the tribe's Shingle Springs Rancheria.

Sharp Image had an exclusive contract with the tribe to build a casino and stock it with machines and tables.

Sharp Image built a concrete pad, raised a permanent 20,000-square-foot white tent and opened the 400-slot-machine casino for one day. Neighbors shut down the private neighborhood roads that were the only access to the casino.

Though the tent was only a few hundred feet from Highway 50, there was no access that allowed commercial traffic. The Crystal Mountain Casino never reopened. The lack of access roads shut down economic development on the Shingle Springs Rancheria for years.

The tribe later contracted with Minneapolis-based Lakes Entertainment Inc. to develop Red Hawk Casino. Together, Lakes and the tribe built a \$200 million casino and parking garage and a \$45 million interchange that takes traffic from Highway 50 right to the front door of the casino.

Sharp Image filed suit in May 2007 seeking the return of the \$7 million it invested in Crystal Mountain and also to enforce its contract to supply machines to any casino. Sharp Image is seeking \$100 million in damages.