



INDIAN COUNTRY BUSINESS AND FINANCE

Get deals and projects done in Indian country — whether as a tribe, a tribal enterprise, or as a business or corporate client — requires a firm comprehension of both Indian law and business and financial law. Our American Indian/Native American lawyers have an in-depth knowledge of Indian law combined with a great deal of business knowledge and expertise. Adding to that strength, they can easily rely on the specialized expertise of the world-class Conner & Winters business teams from each discipline to provide the creative and well-crafted solutions for tribal and corporate clients.

This collaboration has resulted in our firm's handling Indian country business transactions and projects recently, including:

- A major casino and resort project, in which our securities, financial, construction, and Indian law attorneys served as issuer's counsel for raising almost \$300 million in high-yield bonds on Wall Street
- Construction contracts on several casino projects
- Acquisition and financing of a golf club by a tribe for a major resort
- Negotiation and preparation of development agreements for major Indian country casino and retail projects
- Numerous financing transactions for Indian country projects, including conventional loans and mezzanine financing on Wall Street ranging from under \$1 million to in excess of \$40 million
- Development of major retail projects on Indian lands
- Land acquisitions for Indian country projects, including a variety of Indian lands real estate matters, such as acquiring and quieting title to fractionated, undivided fee interests in Indian trust lands

ATTORNEYS

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PRACTICES

American Indian / Native American
Capital Markets and Securities Offerings
Corporate and Securities
Employee Benefits
Labor and Employment
State and Local Tax
Tax
Tax-Exempt Organizations

Indian Country Business and Finance

- Indian law issues regarding wind energy projects
- Structuring financial services transactions in Indian Country
- Indian country taxation matters
- Drafting of tribal business codes to allow for specialized transactions within tribal jurisdiction
- Assistance with obtaining tax-exempt status for tribal entities, including tribal religious entities
- Counseling in regulatory matters in Indian country, including licensing, permitting, and environmental regulations

Because of the unique issues involved in business deals in Indian country, obtaining financing for projects requires effective planning for the particular transaction, and then appropriate experience to get it done. By drawing on all of the talents of our firm, we assist our clients — tribal and business and corporate clients—with all aspects of transactions and developments in Indian country. Our attorneys collaborate to provide all-inclusive legal services to Indian country businesses in the following areas, among others.

Applying our securities law capacity in Indian country

Our capital markets and securities offerings practice group, one of the largest and most experienced in the region, has substantial experience in raising capital for large Indian country projects through a variety of means. Our securities law attorneys have handled financing for major projects on Indian lands, including through high-yield bond financing on Wall Street. This team has experience in the regular process necessary to such financing, including in conducting due diligence, in preparing offering memorandums, in negotiating and drafting bond indentures and related financial agreements, and in handling other securities law matters. But our team also has experience with the sovereignty and tribal and Indian aspects of such deals.

Using our knowledge to finance the transaction

Our firm was founded in 1933 with a focus on banking law, and banking and finance remains one of our key practices today. Our banking and finance attorneys have handled Indian country loan transactions large and small, and they have experience in addressing the unique issues that arise in such transactions relating to sovereignty, recourse, and collateral, among others. This team is well-versed in finding creating solutions where necessary to get the deal done and the project financed.

On Indian country transactions, our financial services attorneys work with attorneys in our firm whose practices focus on Indian law, real estate, construction, capital markets and securities offerings, and other areas to make certain the deal is handled as an all-around business transaction—not just as an Indian law transaction.

Applying our business, tax, and related legal services in Indian country

Indian Country Business and Finance

As Indian country-based business has expanded, so has the need for general business counseling. Working in collaboration with attorneys in our corporate and securities practice area, we counsel enterprises based in Indian country on the formation of appropriate corporate entities and assist in the formation of such entities.

Our Indian country business counseling goes beyond simply business and corporate counseling. We offer tax law advice in areas including the tax-law consequences of financial transactions and the application of state and local tax to materials purchased for Indian country projects. Our tax-exempt organizations practice recently assisted a Native American Church chapter in obtaining not-for-profit status granted by the Internal Revenue Service.

Continuing our services after the deal

Our Indian country clients draw not only on our business legal services to successfully complete transactions, but also for continuing assistance afterwards. Our labor and employment group offers experience in the creation of management structures, in negotiating management and employment contracts, and in crafting related agreements such as confidentiality agreements. Our firm has extensive experience in developing employee handbooks. Our employee benefits practice offers our Indian country clients with assistance in creating and implementing benefit plans.

Learn more about our capabilities in Indian country business and finance by contacting one of the attorneys listed on the right.

Publications & Events

The Supreme Court Has Held the U.S. Bankruptcy Code Waives Tribal Sovereign Immunity — What This Means for Tribes and Tribal Business Enterprises
06.21.2023

Employment Law Alert: Practical Advice for Employers Considering Mandatory Vaccination Policies in the Workplace
08.11.2021

American Indian Law Trends: Unprecedented Changes Are Underway in the Legal Profession — Including in Indian Country
07.21.2021

News

Seminole Alliance With Disney Ends Over Florida Gaming Compact
VIXIO Gambling Compliance, 05.05.2021