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# CHEROKEE COUNCIL HOUSE CHEROKEE, NORTH CAROLINA

DATE: JAN 08 2026

**RESOLUTION NO. 95 (2026)**

*A resolution required by Wells Fargo to confirm certain matters necessary to amend and extend the existing Revolving Credit and Term Loan Agreement between EBCI Holdings, LLC, and Wells Fargo, in connection with the CSI casino.*

WHEREAS, on September 3, 2021, EBCI Holdings LLC (“Holdings”), through its subsidiary CSI Acquisition LLC, (the “Borrower”), purchased all of the outstanding equity (the “Acquisition”) of Caesars Riverboat Casino, LLC, which was the owner and operator of the Caesars Southern Indiana casino (the “Casino Owner”). In this resolution, Holdings, the Borrower and the Casino Owner are each referred to as a “Loan Party” and collectively as the “Loan Parties”; and

WHEREAS, in connection with the Acquisition, Borrower entered the Revolving Credit and Term Loan Agreement, dated as of September 3, 2021, (the "Credit Agreement") as amended, restated, supplemented or otherwise modified from time to time, by and among the Borrower, banks, financial institutions and other entities that are from time to time party thereto as lenders, and Wells Fargo Bank, National Association as administrative agent (the "Administrative Agent"); and

WHEREAS, the Tribe provided a Guaranty in connection with the Credit Agreement, as authorized by Resolution No. 363 (2020), and that Guaranty has been satisfied and removed, and the Tribe is free of its obligations under the Guaranty; and

WHEREAS, by Resolution No. 614 (2021), Tribal Council ratified the Financing Documents including the Tribal Guaranty and the Dispute Resolution Provisions contained in the Financing Documents; and

WHEREAS, the Credit Agreement between EBCI Holdings, LLC and Wells Fargo is about to expire but it is necessary for it to be amended and extended for the proper operation of the CSI casino and to meet legal and financial obligations; and

WHEREAS, EBCI Holdings and Wells Fargo are negotiating an amendment and extension to the Credit Agreement to change the interest rate and other particulars to reflect current market conditions and the positive performance of the CSI casino; and

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2 WHEREAS to obtain this amendment and extension, Wells Fargo, as Administrative  
3 Agent, and other parties to the Credit Agreement, require confirmation from  
4 the Tribe that the limited waiver of sovereign immunity previously provided  
5 by the Tribe has not been changed or expanded to others, and that what is  
6 in place now will apply to the amended and extended Credit Agreement in  
7 the same way it applied to the original Credit Agreement.

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9 NOW THEREFORE BE IT RESOLVED, by the Tribal Council of the Eastern Band of  
10 Cherokee Indians, in Council assembled at which a quorum is present, the  
11 Tribal Council hereby affirms that the limited waiver of sovereign immunity  
12 previously provided by the Tribe in connection with the Revolving Credit  
13 and Term Loan Agreement, dated as of September 3, 2021, and ratified in  
14 Resolution No. 614 (2021) has not been altered, extended or granted to any  
15 Loan Party in any manner that is contrary to or different than how it was  
16 originally granted and approved by the Tribe, and that to the extent that any  
17 Loan Party obtains, possesses or may later be determined to share the  
18 sovereign immunity of the Tribe, the Tribal Council hereby ratifies,  
19 confirms and approves the Loan Party's Dispute Resolution Provisions set  
20 forth in any existing Financing Document to which a Loan Party is a party,  
21 and the applicability of the Loan Party Dispute Resolution Provisions shall  
22 apply to the amended Credit Agreement in the same scope and extent as  
23 provided for the Revolving Credit and Term Loan Agreement, dated as of  
24 September 3, 2021, and the limited waiver of sovereign immunity complies  
25 with Tribal law, including C.C. Section 7-22.

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27 BE IT FINALLY RESOLVED this resolution shall be effective upon ratification by the  
28 Principal Chief, and all prior resolutions that are inconsistent with this  
29 resolution are rescinded.

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32 *Submitted by Ray Rose, Vice Chairman, EBCI Holdings, LLC.*