

Capital Group Suing Tribe

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By Jessica Durkin - Norwich Bulletin

NEW BRITAIN-- A jury will decide if the Historic Eastern Pequot Tribe illegally ended an agreement with a venture capital group that advanced money to one of the tribe's factions and helped with its tribal recognition. The Historic Eastern Pequots, who were granted federal recognition in June 2002, will have to defend a breach of contract lawsuit brought by Amalgamated Industries Inc. of Hartford.

"There's no question in this case that Amalgamated performed services for this tribe, and the tribe tried to claim -- because of sovereign status immunity -- that the contract that they signed was not valid," Amalgamated lead attorney R. Bartley Halloran said. "It was trying to get out of it through a very technical and legalistic formulation and the court rejected it totally."

Judge A. Susan Peck denied all motions by the tribe to dismiss the lawsuit filed by Amalgamated in July 2003. The lawsuit, containing an 18-count complaint, lists among its defendants leaders from the former Paucatuck Eastern Pequot Tribal Nation and the Eastern Pequot Tribal Nation.

The case stems from broken relations between Amalgamated and the Paucatucks after the Bureau of Indian Affairs declared the Paucatucks and Eastern Pequots one tribe for federal recognition. The company contends the combined tribe, known as the Historic Eastern Pequots, illegally disregarded their development agreement, then claimed sovereign immunity after the new tribe pursued exclusive contracts with Rosow Development Group, which was the Eastern Pequots' developer.

Amalgamated had a relationship with the Paucatucks for about a decade, company officials said. It was instrumental in securing the Paucatuck's federal recognition and bringing hotel developer Donald Trump's \$10 million to the tribe.

Trump has filed a separate lawsuit against the Paucatucks and Historic Eastern Pequots to recoup money thus far invested.

Amalgamated wants part of the revenue generated from Historic Eastern Pequots' future economic development and part of all funds the tribe raises, company officials said. The tribe has said it wants to open a casino. The state, however, is appealing the BIA's recognition decision, claiming the tribe does not meet all the criteria for federal status.

"(Rosow) can build the thing, but they would owe (Amalgamated president) Mr. JD DeMatteo a significant percentage of profit," Halloran said. "We're not going to build anything, we're not going to manage anything, but (we) want that income stream."

A trial date has not been set.