

Eastern Pequots Face Second Suit Over Casino

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By Brian Lyman

A second former Eastern Pequot casino developer will sue the tribe, citing breach of contract, civil conspiracy and interference. Lawyers for J. D. DeMatteo, CEO of Amalgamated Industries inc., have prepared a lawsuit against the tribe, individual tribal members and Eastern Capitol Development, the group's preferred casino developer, seeking injunctions to halt development and an unspecified amount of monetary damages.

"Amalgamated fully performed under the terms of its contract. It is our claim the tribe needs to meet its legal obligations," said David Scott of Colchester, one of the lawyers representing the company. "We fully intend to seek damages for the breach of the legal contract. We think this case is worth hundreds of millions of dollars."

Nancy Tyler, a spokeswoman for the tribe, declined comment on the suit. The 58-page complaint had not been filed in New London Superior Court Wednesday afternoon.

The suit would be the second brought against the Eastern Pequots in the last two months over a decision in April to name Eastern Capitol Development, headed by Southport developer David Rosow, its casino builder.

Developer Donald Trump, a partner of Amalgamated who had been the Paucatuck Eastern Pequots' preferred developer, sued the tribe for breach of contract in May.

Beginning in 1992, Amalgamated entered into agreements with the Paucatucks to help finance recognition efforts in return for 5 percent of net gaming revenues, as well as 5 percent of other economic activities undertaken by the tribe. The suit states supporters of the Paucatucks' bid spent \$14 million on recognition efforts.

The suit further claims that members of the Historic Eastern Pequots, the name given to single tribe of Paucatucks and Eastern that received federal recognition from the federal government in July 2002, misled tribal members into voiding the Paucatucks' development contracts with Amalgamated and Trump.

The complaint also repeats allegations made in Trumps lawsuit that Eugene Young, a member of the combined tribal council, demanded money from the plaintiffs before he would vote to retain them as developers.

Young, the suit claims, told Amalgamated that Rosow paid Eastern members money and provided them with cars. The developer Wednesday called the allegations "absolutely false."

"Amalgamated and Trump backed a very small faction of the Eastern Pequot tribe," Rosow said. "The tribe voted to go with Eastern Capital Development. It's a shame Mr. DeMatteo and Mr. Trump are going to a lawsuit to get themselves out of a bad business deal."

Rosow said the tribe as a whole had voted to make him developer before the Trump lawsuit. He did not see the lawsuits as a serious impediment to the tribe's plans.

As in the Trump suit, Amalgamated claims the tribe waived its sovereign immunity and agreed to

take disputed over the contract to state or federal court.

The Eastern Pequots chose Rosow as their developer in 2000, a year after Trump signed his development agreement with the Paucatucks. The interim tribal council for the merged tribe, with nine of its 14 members from the Easter Pequot tribe, ousted Trump in April in favor of Rosow.

New London attorney Robert Reardon Jr., filed Trump's suit, which seeks an unspecified amount of damages and an injunction ordering the tribe to adhere to Trump's contract.

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