

Eckstein also spoke with Hartman by phone about the status of the application and the report. On June 16, Eckstein called Hartman asking whether there were any problems with the application. He recalls that Hartman told him “nothing that cannot be cured.”³⁷¹ On June 26, Eckstein placed a similar call to George Skibine. Given that more than five weeks had elapsed since the Duffy meeting, Eckstein asked for the status of the report. He recalls that Skibine’s response was to the effect of, “I can’t tell you. I don’t want to lose my job,”³⁷² or “if I told you I would lose my job.” Skibine told investigators he does not recall saying this and doubts he did. He believes it is more likely that he said it would be against Department policy to reveal internal preliminary staff discussions.

8. IGMS Concludes that the Hudson Casino Proposal Would Not Be Detrimental to the Surrounding Community

IGMS continued its analysis of the Hudson application as new materials were received through April 30 and into early May. Because the additional comments had been expected to relate primarily to the “detriment” issue – and a negative finding on that issue would make the “best interests” issue moot – Skibine had directed his staff to confine its focus to “detriment.”

Although prior to June 8, the staff had been working on a draft memo containing the analysis of both “best interests” and “detriment” within the meaning of IGRA Section 20,³⁷³ on June 8 Hartman completed a draft of a newly-revised memorandum analyzing only whether the

³⁷¹Eckstein G.J. Test. at 80.

³⁷²*Id.* at 84.

³⁷³Skibine told investigators that he had reviewed one of the drafts of the memo Hartman wrote that addressed both the "best interests" and "detrimental" issues. He is not certain which draft he saw.