7. Further Contact Between IGMS Staff and Applicant Representatives

Contacts between the applicants and Interior Department personnel continued throughout June. Derickson testified that, during one of their meetings, Hartman showed him a draft document, signed by Hartman, recommending approval of the application.[368] Hartman denies showing Derickson his memorandum or any other IGMS documents.

Hartman and Derickson developed a friendly relationship during the Hudson application process. Hartman said he and Derickson had "sort of bonded" at their first meeting, largely because both men were Vietnam veterans, and said he probably spoke more often, and with more candor, to the applicants than he normally would.[369]

This friendship between Hartman and Derickson also resulted in certain contacts that could be described as "off the record."[370] Hartman gave Derickson his home phone number, although Hartman said he did not recall the circumstances. Hartman stated that he sought to build a good rapport with Derickson, so that the applicants would be more likely to listen to his advice on fixing the flaws in their application. Hartman testified, however, that he did not recall saying anything to Derickson from his home that he would have felt uncomfortable saying from the office. In addition, Ackley testified that he and Derickson had met briefly with Hartman in

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[368]This was likely a memo dated June 8, in which Hartman found that the casino would not be detrimental to the surrounding community and recommended that IGMS continue its analysis to see if it could satisfy the "best interests" prong of the Section 20 test. *See* Section II.F.8., *infra*. Based on the date of the memo and certain phone message slips, it is likely that this meeting occurred on or about June 20.

[369]OIC Interview of Thomas Hartman, April 29 and May 7, 1999, at 6.

[370]*Id.*