Resolution # 14-0618-178

Approval of Retainer Agreement with Wilmer Hale and Dorr, LLP and Authorizing the Ogema sign the Retainer Agreement

WHEREAS, the status of the Gaá Čhing Ziibi Daawaa Anishinaabek (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Ogema’s Office through the Department of Commerce has negotiated with the Wilmer Hale and Dorr, LLP to have certain legal services performed for LRBOI in the strategy and defense of the 151 and 292 Fee to Trust Application for the Muskegon Casino Project; and
WHEREAS, Tribal Council & Ogema have determined that it is in the Tribe’s best interest to enter into such an Retainer Agreement; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council authorizes the Ogema to enter into the Retainer Agreement with Wilmer Hale and Dorr, LLP; and

IT IS FURTHER RESOLVED THAT that the approval of this Agreement shall not be construed as a waiver of sovereign immunity.

IT IS FINALLY RESOLVED that termination of this agreement shall not be effective without rescission of this Resolution by Tribal Council.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 18, 2014, at the Little River Band’s Conference Room in Manistee, Michigan, with a quorum being present for such vote.

Sandy Mezeske, Council Recorder

Virgil Johnson, Council Speaker

Attest:

Distribution: Tribal Ogema
               Council Records