



## **Little River Band of Ottawa Indians**

375 River Street  
Manistee, MI 49660  
(231) 723-8288

Resolution No. #02-0424-06

### **Approval of Special Counsel Contract with Ayer & Hughes**

WHEREAS, the Little River Band of Ottawa Indians is a federally recognized tribe, as reaffirmed under P.L. 103-324, enacted on September 21, 1994, with rights of self-government secured to it under the 1836 Treaty of Washington (7 Stat. 491) and the 1855 Treaty of Detroit (11 Stat. 621); and

WHEREAS, the Little River Band of Ottawa Indians is descended from, and is the political successor to, Grand River Ottawa Bands which were signatories of the 1836 Treaty of Washington (7 Stat. 491), as reaffirmed under P.L. 103-324, enacted on September 21, 1994; and

WHEREAS, the Band's General Counsel, in consultation with the Tribal Ogema and Tribal Council, has identified a need to retain special counsel with expertise pertaining to tribal jurisdictional claims within treaty-reserved Reservation boundaries and related land/environmental issues; and

WHEREAS, in furtherance of the Band's needs and objectives related to developing the Band's exercise of jurisdiction, and recognition by other governmental entities of the Band's jurisdiction, within its treaty Reservations, the Band's General Counsel has identified and recommended that the Band retain Francis Ayer to assist the Band with these efforts; and

WHEREAS, Ms. Ayer efforts were instrumental in assisting the Band reaffirm and restore the recognition of its sovereignty by the United States government and has assisted other Tribes and Bands in their efforts to develop and affirm their territorial sovereignty; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution of the Little River Band of Ottawa Indians (the Band's "Constitution"), has the power to authorize contracts negotiated on behalf of the Band; and

WHEREAS, the Tribal Ogema, pursuant to Article VI, Section 5(a) of the Tribal Constitution, is authorized to negotiate and execute contracts on behalf of the Band, provided such contracts are approved and ratified by the Tribal Council; and

WHEREAS, the Tribal Council finds that negotiation and execution of such a Special Counsel agreement is in the best interests of the Tribe.

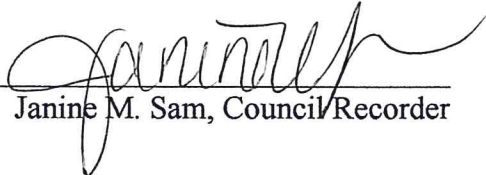
NOW THEREFORE BE IT RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema, or in the absence of, the Tribal Council Speaker to execute the attached Special Counsel Contract with Ayer & Hughes. In authorizing execution of the Contract with Ayer & Hughes (the "Firm"), the Tribal Council acknowledges that it is the intention of Firm to become Of Counsel to the law firm of Hobbs, Straus, Dean and Walker.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the payment of a retainer in the amount of \$10,000.00 to the Firm in accordance with Section 7.2 of the Contract and authorizes the Band's General Counsel to coordinate the work to be provided by the Firm, in consultation with the Tribal Ogema and Tribal Council, contemplated in the General Counsel's January 25, 2002 correspondence to Francis Ayer.

### Certificate of Adoption

This resolution was adopted by the Tribal Council of the Little River Band of Ottawa Indians at a Closed Session portion of a Regular Session of the Tribal Council held at the Little River Band's Downtown Offices located at 375 River Street in Manistee, Michigan on April 24, 2002, by a vote of 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT. A quorum of the Tribal Council being present for such vote.

Date: 4/25/02

  
Janine M. Sam, Council Recorder

Attest:

  
Stephen Parsons, Council Speaker

Distribution: Council Records  
Tribal Ogema (Accounting Dept.)  
Legal Department  
Ayer & Hughes