



**Little River Band of Ottawa Indians**

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

moved to  
open  
1-21-04

**Resolution # 03-0618-179**

*Approval of Letter of Engagement with Raymond & Prokop, P.C.*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (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 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 Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.); 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 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 Tribal Council has received sufficient information to determine that a criminal complaint should be filed with the U.S. Attorney's office; and

WHEREAS, the Tribal Council has further determined that recovery of misappropriated funds is an important part of concluding the above matter; and

WHEREAS, the Tribal Council has finally identified that certain tax questions have been brought forward that will require representation of the Tribe in that forum; and

WHEREAS, the Tribal Council has met with Thomas Kenny of Raymond & Prokop, P.C., and has reviewed the proposed litigation investigation process submitted by Attorney Kenny;

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Council Speaker to execute an Engagement Letter with Raymond & Prokop, P.C. which includes the firm's Standard Attorney-Client Arrangements and the Estimate of Legal Fees dated June 9, 2003 as attachments incorporated into that agreement.

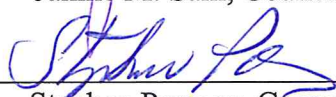
IT IS FURTHER RESOLVED THAT the Tribal Council hereby authorizes a waiver of sovereign immunity to participate in arbitration in the event of fee disputes as identified in section 10 of the Standard Attorney-Client Arrangements agreement and to the use of the laws of the State of Michigan to interpret fee disputes. Provided that, this waiver of sovereign immunity does not extend to the waiver of the sovereign immunity of the Tribe to the jurisdiction of the courts of the State of Michigan and/or federal courts. A copy of this resolution shall be attached to the Engagement Letter.

#### **CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on June 18, 2003, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.

Attest:

  
\_\_\_\_\_  
Janine M. Sam, Council Recorder

  
\_\_\_\_\_  
Stephen Parsons, Council Speaker

Distribution: Council Records  
Tribal Ogema  
Tribal Court  
Legal Department