

Little River Band of Ottawa Indians

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

Resolution # 04-0121-27

*Authorizing the Tribal Ogema, or in the Absence of,
the Tribal Council Speaker to Execute an Engagement Letter
with Drummond, Woodsum & MacMahon for Services in Connection
with Legal Strategies to Respond to the TOMAC Litigation*

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, pursuant to Article IV, Section 5 (a)(4) and Article V, Section 5(a)(3) and (8) of the Tribal Constitution, the Tribal Ogema, or in the absence of, the Tribal Council Speaker, is authorized to represent the Band in its relations with other organizations and manage the economic affairs/enterprises of the Tribe, in a manner consistent with the Tribal Constitution and resolutions of the Tribal Council; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (b) of the Constitution, has the power to authorize and ratify agreements and contracts negotiated by the Tribal Ogema; and

WHEREAS, the Tribal Council previously authorized the Legal Department to negotiate the an engagement letter with Drummond, Woodsum & MacMahon to retain that firm to assist the Band with evaluation of the legal strategies necessary to assure continuation

of the Band's gaming operations in event of an unfavorable decision by the Michigan Supreme Court in *TOMAC v State of Michigan*; and

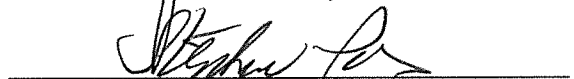
WHEREAS, the Tribal Council understands that Drummond, Woodsum & MacMahon would be performing those services jointly on behalf of the Band, the Little Traverse Bay Bands of Odawa and Pokagon Band of Potawatomi Indians under which each Band would share the costs associated with this work.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes execution of an Engagement Letter with the law firm of Drummond, Woodsum & MacMahon for services necessary to analyze and address potential consequences resulting from a possible adverse decision in *TOMAC v State of Michigan* in the Michigan Supreme Court.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on January 21, 2004, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.


Jarine M. Sam, Council Recorder


Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court