



Little River Band of Ottawa Indians
375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 04-0303-104

Approval of the Appointment of a Special Prosecutor

WHEREAS, the status of the *Gaá Čhing 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 Tribal Court Rules and Procedures, adopted October, 1999, provide in section 2.306(I)(8): A Tribal Prosecutor shall disqualify himself or herself from acting as prosecutor in any proceeding in which his or her impartiality might reasonably be questioned, including any proceedings where (a) the Tribal Prosecutor has a personal bias or prejudice concerning a party or personal knowledge of disputed evidentiary facts.

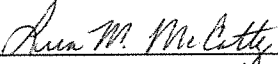
WHEREAS, Tribal Council has determined that facts and circumstances require the Tribal Prosecutor to recuse himself from acting a prosecutor in a matter now at hand, the Tribal Council, moreover being aware that such circumstances may arise in the future;

WHEREAS, Tribal Council has reviewed a proposed Independent Contractors Agreement for the services of Bill Gregory as a Special Prosecutor and finds that it is appropriate for the purpose intended and that Attorney Gregory is an unbiased and experienced Tribal Prosecutor and further being aware that the Prosecutors department has funds that may be made available for such purpose;

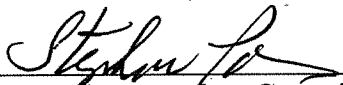
NOW THEREFORE IT IS RESOLVED That the Council of the Little River Band of Ottawa Indians hereby approves the Appointment of Bill Gregory as Special Prosecutor and authorizes the Tribal Ogema to enter into an Independent Contractors Agreement for his services on behalf of the Tribe.

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 March 3, 2004, at the Little River Band's Downtown Offices in Manistee, Michigan, with a quorum being present for such vote.



Lisa M. McCatty, Acting Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court