



**Little River Band of Ottawa Indians**

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

moved to  
open 7/26/06

**Resolution # 04-1006-397**

*Authorization for Legal Counsel on Behalf of Both Parties for both Tribal Council and Tribal Ogema*

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 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 Tribal Ogema has filed a complaint in the Tribal Court, case #04154GC, including motion for a temporary restraining order, and

WHEREAS, the compliant as filed asks the Tribal Court to provide an order that takes into consideration broad applications of the Tribal Constitution in which both the Tribal Ogema and Tribal Council have a strong interest in the outcome of such Order; and

WHEREAS, the entry of any such order by the Tribal Court shall impact the tribe and its members for generations to come; and

WHEREAS, the Tribal Council wishes to preserve the integrity and Public Trust that the Members of the Tribe who voted the Tribal Constitution into existence, which created both the Tribal Ogema and Tribal Council; and

WHEREAS, the Tribal Council wishes to ensure that all parties, the Council and Ogema, who are elected by the general membership of the tribe to their respective offices, are adequately supported with legal representation to ensure that the constitutional questions under consideration are resolved in favor of the best interests of the entire membership of the Tribe and its future generations.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Ogema to obtain legal representation, if he so desires, to provide advice, support, and representation during the case #04154GC pending before the Tribal Court for the Office of the Tribal Ogema, with the following limitations:

1. The legal fees authorized, including expenses and billable hours, are not to exceed an amount of \$100,000.00
2. The legal representation cannot be provided by a firm or individual that the Ogema has had previous contact with, professionally or personally, either himself nor any member of his immediate family.

IT IS FURTHER RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes itself to obtain legal representation, if the Council so desires, to provide advice, support, and representation during the case #04154GC pending before the Tribal Court for the Tribal Council, with the following limitations:

1. The legal fees authorized, including expenses and billable hours, are not to exceed an amount of \$100,000.00.
2. The legal representation cannot be provided by a firm or individual that the any member of the Tribal Council has had previous contact with, professionally or personally, either themselves nor any member of their immediate family.

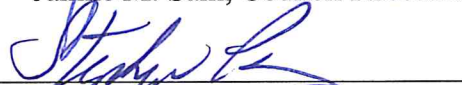
IT IS FINALLY RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians makes this authorization for the engagement of legal counsel to the Tribal Ogema and Tribal Council for this specific case only, and at the conclusion and final disposition of such pending legal action by court order or dismissal, any representation authorized by this resolution is ended.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 2 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Closed Session of the Little River Band of Ottawa Indians Tribal Council held on October 6, 2004, at the Little River Band's Conference Room in Manistee, Michigan, with a quorum being present for such vote.



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Janine M. Sam, Council Recorder



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Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court