



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

Resolution # 04-1027-436

*Authorizing Execution of Amendment to the Attorney Contract with
Ziontz, Chestnut, Varnell, Berley & Slonim
and Authorizing the Allocation of Funds from the U.S. v Michigan Contingency
to Cover Additional Fees and Expenses Under That Contract*

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.)(hereinafter "Little River Act"); and

WHEREAS, the Tribe adopted a 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, did approve an Attorney Contract with the law firm of Ziontz, Chestnut, Varnell, Berley & Slonim for a period commencing 1, 20003 to December 31, 2004, pursuant to Article IV, Section 7 of the Tribe's Constitution; and

WHEREAS, the attorneys have undertaken additional work under the Contract as a result of the commencement of litigation, and as lead counsel for attorneys representing various Bands and Tribes, in *United States v. Michigan*, No. 2:73-CVB-26 (W.D. Mich.), which has resulted in additional fees in the current calendar year that were not anticipated; and

WHEREAS, the funds for the potential of increased level of services resulting from the initiation of litigation activities were contemplated and are included within the *United States v. Michigan* contingency line item in the Legal Department's Program Budget approved Fiscal Year 2004; and

WHEREAS, the Tribal Council, pursuant to Article IV, Sections 7 (e) and (b) of the Constitution, has the power to employ legal counsel and to authorize and ratify agreements and contracts with private parties.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians that the attached Amendment to the Attorney Contract with Ziontz, Chestnut, Varnell, Berley & Slonim, establishing a combined annual ceiling for fees and expenses of \$180,000.00 for the current calendar and the Tribal Ogema, or in the absence of,

the Tribal Council Speaker, is authorized to execute that Agreement on behalf of the Tribe.

IT IS FURTHER RESOLVED THAT the Tribal Council authorizes the release of \$75,000.00 from the *United States v. Michigan* contingency to cover the increase fees and expenses estimated to be required under this Contract for the balance of the current calendar year.

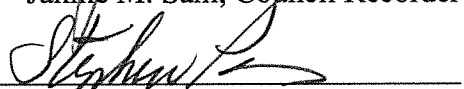
CERTIFICATE OF ADOPTION

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 October 27, 2004, at the Little River Band's Conference Room 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