



Little River Band of Ottawa Indians

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

Resolution # 04-1215-525

Ratification of Contract with Brown & LaCounte, LLP

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 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 Council, pursuant to Article IV, Section 7(e) of the Constitution, has the power (t)o employ legal counsel subject to the approval of the Secretary of the Interior so long as such approval is required by Federal law; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7(b) of the Constitution, has the power (t)o authorize and ratify agreements and contracts negotiated by the Tribal Ogema on behalf of the Little River Band of Ottawa Indians with federal, state and local governments and other Indian tribes or their departments or political subdivisions, or with private persons on all matters within the authority of the Tribal Council; and

WHEREAS, the Ogema, pursuant to Article V, Section 5 (a)(3) of the Constitution, has the power (t)o consult, negotiate, and execute agreements and contracts on behalf of the Little River Band with federal, state, and local governments and other tribal

governments, or with private persons or organizations. Agreements and contracts reached must be approved or ratified by the Tribal Council to be effective; and

WHEREAS, the Ogema has sworn to uphold and protect the Constitution of the Little River Band Of Ottawa Indians; and

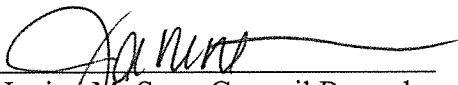
WHEREAS, the Tribal Council authorized legal counsel for the Tribal Council and the Ogema through resolution # 04-1006-397, for the specific purpose of the current constitutional interpretation litigation filed by the Ogema; and


WHEREAS, after negotiating and consulting attorneys with Brown & LaCounte, LLP, the Ogema has decided to forward the contract to the Tribal Council for authorization and ratification for the purposes authorized under resolution #04-1006-397; and

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes and ratifies the contract with Brown & LaCounte, LLP to be executed by the Tribal Ogema for a total fee not to exceed \$100,000, for the specific purpose of representing the Ogema, limited to the pending litigation, case #04154GC.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 5 FOR, 3 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 15, 2004, at the Little River Band's Downtown Office in Manistee, Michigan, with a quorum being present for such vote.


Janine M. Sam, Council Recorder


Stephen Parsons, Council Speaker