



Little River Band of Ottawa Indians

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

Resolution # 05-0615-256

*Authorizing Execution of an Contract for Legal Services for the Enrollment
Commission with Damian Fisher*

WHEREAS, the Band'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 Band 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, pursuant to Article IV, Section 7(a) of the Constitution, has the power and obligation to promote the peace, morals and general welfare of the Tribe, Tribal members and other persons within the jurisdiction of the Tribe; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 7 (e) of the Constitution, has the power to engage legal counsel; and

WHEREAS, Article II of the Constitution requires the Tribal Council to establish ordinances governing enrollment procedures and, in furtherance of that responsibility, the Tribal Council has created an Enrollment Commission and vested that Commission with authority to manage the Tribe's enrollment processes; and

WHEREAS, the Assistant Legislative Counsel, Damian Fisher, has been the Legislative Counsel assigned to assist the Enrollment Commission; and

WHEREAS, Damian Fisher will be leaving the employment of the Tribe and both the Tribal Council and Enrollment Commission wish to continue Mr. Fisher's service to the Enrollment Commission; and

WHEREAS, the Tribal Council Speaker has presented a Contract for Legal Services to retain Damian Fisher to provide legal services to the Enrollment Commission; and

WHEREAS, the Tribal Ogema has proposed to engage Mr. Zeller as Prosecutor for a four (4) year term commencing June 4, 2005; and

WHEREAS, pursuant to Article XI, Section 1 of the Constitution provides that the Tribal Council shall not waive or limit the right of the Little River Band to be immune from suit, except as authorized by tribal ordinance or resolution"; and

WHEREAS, the Contract with Mr. Fisher would provide that the Tribe would agree to indemnify Mr. Fisher in any disputes arising from the services he is providing under the Contract; and

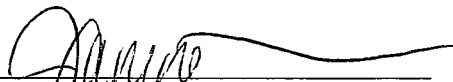
WHEREAS, the Tribal Council finds that the terms of the Contract for Legal Services presented by the Tribal Council Speaker to retain Mr. Fisher to provide legal services to the Enrollment Commission are reasonable.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Council Speaker to execute the Contract for Legal Services retaining Damian Fisher as an independent contractor to provide legal services to the Enrollment Commission.

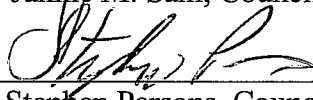
IT IS FURTHER RESOLVED THAT the Tribal Council authorizes agrees to indemnify Mr. Fisher from all actions taken in connection with the services provided as provided in paragraph 5 of that contract.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 1 AGAINST, 0 ABSTAINING, 1 ABSENT and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on June 15, 2005 at the Little River Band's Dome Room in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department