

**Little River Band of Ottawa Indians**

2608 Government Center Drive

 Manistee, MI 49660

 (231) 723-8288

 **Resolution # 16-1019-316**

*Ratification of MSDSONLINE Inc. Contract*

WHEREAS, the status of the *Gaá Čhíng Ziíbi Daáwaa Aníšhinaábek* (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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHERAS, 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 Gaming Enterprise Oversight Act of 2010 Ordinance #10-800-03, Section 6.01 states that the “General Manager shall have no power to waive the sovereign immunity of the Tribe or the Gaming Enterprise(s). Any waiver of sovereign immunity must be granted by the Tribal Council in accordance with Article XI of the Tribe’s Constitution;” and

WHEREAS, the Master Subscription Agreement between MSDSONLINE Inc. and the Little River Casino Resort contains a limited waiver of sovereign immunity for binding arbitration and venue in Chicago, Illinois; and

WHEREAS, the contract has been reviewed by the Unified Legal Department; and

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NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the General Manager of the Little River Casino Resort to execute the Agreement with MSDSONLINE, Inc.

 **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 19, 2016, at the Government Center in Manistee, Michigan, with a quorum being present for such vote.

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Joseph Riley II, Council Recorder

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 Virgil Johnson, Council Speaker

Attest:

Distribution: Council Records

 Tribal Ogema