

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving an Attorney Contract with the law firm of Rusing & Lopez P.L.L.C.)

RESOLUTION NO. 02-521

1 **WHEREAS, by Resolution No. 02-172, the Nation entered into an Attorney Contract with the law**
2 **firm of Rusing & Lopez P.L.L.C., for representation of the Nation in the matters**
3 **pertaining to the Coleman Road trespass; and**

4 **WHEREAS, the Attorney Contract expired on September 30, 2002; and**

5 **WHEREAS, continued representation is in the interests of the Nation and is consistent with the**
6 **direction of the Legislative Council in Resolution No. 2000-097; and**

7 **WHEREAS, the Operating Budget for the Office of Attorney General for Fiscal Year 2003, as**
8 **approved by the Legislative Council in Resolution No. 02-427, has sufficient funds for**
9 **an attorney contract in the amount of \$100,000.00 for representation of the Nation in**
10 **the matters pertaining to the Coleman Road trespass; and**

11 **WHEREAS, the Attorney General has proposed an attorney contract with the law firm of Rusing**
12 **& Lopez P.L.L.C., in the amount of \$100,000.00, a copy of which is attached hereto; and**

13 **WHEREAS, the Domestic Affairs Committee recommends approval by the Legislative Council of**
14 **the Attorney Contract.**

15 **NOW, THEREFORE, BE IT RESOLVED THAT:**

- 16 **1. The Tohono O'odham Legislative Council approves an Attorney Contract with the**
17 **law firm of Rusing & Lopez P.L.L.C. in the amount of \$100,000.00 for the fiscal year**
18 **ending September 30, 2003, and in the form attached hereto.**
- 19 **2. The Tohono O'odham Legislative Council acknowledges and approves Section**
20 **14(B) of the Attorney Contract which includes a limited waiver of sovereign**
21 **immunity for binding arbitration of fee disputes, provided that in no event shall**
22 **an arbitrator (or arbitration panel) be authorized to make an award of interest**
23 **or in an amount which, combined with prior payments to the Attorneys, exceeds**
24 **the contract limitation stated in Paragraph C of Section 3 of the Attorney**
25 **Contract, as that amount may be modified by mutual consent of the parties.**
- 26 **3. Funding for the Attorney Contract shall be provided under the authority of**
27 **Resolution No. 02-427 in the operating budget of the Office of Attorney General.**
- 28 **4. The Chairman of the Nation is authorized and directed to execute the Attorney**
29 **Contract.**

RESOLUTION NO. 02-521

(Approving an Attorney Contract with the law firm of Rusing & Lopez P.L.L.C.)

Page 2 of 3

The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 06TH Day of NOVEMBER, 2002 at a meeting at which a quorum was present with a vote of 2,229.2 FOR; -0- AGAINST; -0- NOT VOTING; and 188.3 [05] ABSENT, pursuant to the powers vested in the Council by Section 2 (a) of Article VI of the Constitution of the Tohono O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Rita A. Martinez, Legislative Chairwoman

14th day of November, 20 02

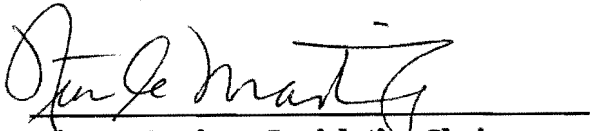
ATTEST:


Julianna Saraffio, Acting Legislative Secretary

06 day of November, 20 02.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 14th day of November, 20 02 at 3:06 o'clock, P.M., pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective upon his approval or upon his failure to either approve or disapprove it within 48 hours of submittal.

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Rita A. Martinez, Legislative Chairwoman

APPROVED

on the 14th day of November, 20 02

DISAPPROVED

at 10:02 o'clock, A.M.


EDWARD D. MANUEL, Chairman
TOHONO O'ODHAM NATION

RESOLUTION NO. 02-521

(Approving an Attorney Contract with the law firm of Rusing & Lopez P.L.L.C.)

Page 3 of 3

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28
- 29
- 30
- 31
- 32
- 33
- 34
- 35
- 36
- 37
- 38
- 39
- 40
- 41
- 42
- 43
- 44

Returned to the Legislative Secretary on the 18th day of

November, 2002, at 2:09 o'clock, P.M.

Julianna Saraficio

Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING AN ATTORNEY CONTRACT WITH THE LAW FIRM OF RUSING & LOPEZ P.L.L.C.

MOVED: COUNCILMAN DAVID GARCIA

SECOND: COUNCILMAN ISIDRO LOPEZ

DATE: NOVEMBER 06, 2002

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 317.7	1. FRANCES MIGUEL ()	158.85	X			
	2. FRANCES G. ANTONE (Lucilda Norris-Valenzuela)	158.85	X			
CHUKUT KUK 248.1	1. KENNETH WILLIAMS (Juanita Homer)	124.05	X			
	2. DAVID GARCIA (Mary Audrey Juan)	124.05	X			
GU ACHI 230.7	1. CAMILLUS LOPEZ ()	115.35	X			
	2. JEROME JOAQUIN ()	115.35	X			
GU VO 188.3	1. FERN SALCIDO ()	94.15				X
	2. EMILIO LEWIS (Michael Flores)	94.15				X
HICKIWAN 167.3	1. SHIRLEY MOLINA ()	83.65	X			
	2. SANDRA ORTEGA ()	83.65	X			
PISINEMO 174.7	1. BARBARA SALVICIO (Alex Antone)	87.35	X			X
	2. PATRICIA CRUZ (Johnson Jose)	87.35	X			
SAN LUCY 160.7	1. ALBERT MANUEL, JR. (John W. Lawson, Sr.)	80.35	X			
	2. GLORIA RAMIREZ ()	80.35	X			
SAN XAVIER 184.7	1. FELICIA NUÑEZ ()	92.35	X			
	2. DENNIS RAMON ()	92.35	X			X
SCHUK TOAK 144.5	1. MARY FLORES ()	72.25	X			X
	2. AMBROSE ENCINAS (Frances B. Conde(Francisco))	72.25	X			
SELLS 416.1	1. DENNIS E. JOSE ()	208.05	X			
	2. EVELYN JUAN ()	208.05	X			
SIF OIDAK 184.7	1. ISIDRO LOPEZ ()	92.35	X			
	2. RITA MARTINEZ (Nicholas Jose)	92.35	X			
TOTAL		2,417.5	2,229.2	-0-	-0-	188.3 [05]

**PASSED VOTES