

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Approving an Attorney Contract with the Law Firm of Kilpatrick Stockton LLP )**

**RESOLUTION NO. 06-815**

1 **WHEREAS, by Resolution No. 06-791 the Tohono O'odham Nation ("Nation") authorized the**  
2 **Kilpatrick Stockton LLP law firm to represent the Nation in the filing of claims**  
3 **against the United States for tribal trust asset mismanagement and related claims;**  
4 **and**

5 **WHEREAS, the Office of Attorney General has negotiated an attorney contract with the**  
6 **Kilpatrick Stockton LLP law firm, including a fee schedule approved by the Budget**  
7 **and Finance Committee; and**

8 **WHEREAS, the attorney fees estimated for the remainder of FY 2007 for this attorney contract**  
9 **are in the amount of \$200,000; and**

10 **WHEREAS, the attorney contract will be funded from the budget of the Office of Attorney**  
11 **General, account number 01-1031-810; and**

12 **WHEREAS, the professional services line item of the FY 2007 budget of the Office of Attorney**  
13 **General has \$100,000 available for this contract; and**

14 **WHEREAS, to fund this contract, the Legislative Council must appropriate an additional**  
15 **\$100,000 as an amendment to the FY 2007 budget of the Office of Attorney General as**  
16 **a recurring increase to base funding, with the understanding that the amount of the**  
17 **recurring increase may change each year based on the litigation needs; and**

18 **WHEREAS, the Budget and Finance and the Domestic Affairs Committees have recommended**  
19 **approval of the amendment to the FY 2007 budget of the Office of Attorney General.**

20 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council:**

21 **(1) Approves the attorney contract with the Kilpatrick Stockton LLP law firm**  
22 **substantially in the form attached hereto, and authorizes the Chairwoman of**  
23 **the Nation to execute the contract, the attached Fee Agreement, and any related**  
24 **documents necessary to complete the arrangements with the law firm.**

25 **(2) Approves the attached Amendment No. 2 to the FY 2007 budget of the Office of**  
26 **Attorney General, No. 01-1031, to add \$100,000 to the professional services line**  
27 **item of the budget as a recurring increase to base funding, with the**  
28 **understanding that the amount of the recurring increase may change each year**  
29 **based on the litigation needs, bringing the FY 2007 professional services line**  
30 **item 810 to \$441,227.45, and increasing the total of the Office of Attorney**  
31 **General FY 2007 budget No. 01-1031 from \$1,367,680.99 to \$1,467,680.99.**

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**Page 2 of 3**

1 (3) Appropriates \$100,000 from the general surplus in projected revenues in order  
2 to fund the attorney contract with the Kilpatrick Stockton LLP law firm.

3 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 08<sup>TH</sup> Day  
4 of DECEMBER, 2006 at a meeting at which a quorum was present with a vote of 2,440.80 FOR; -0-  
5 AGAINST; -0- NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by  
6 Section 1 (d)(2) and Section 2(a) of Article VI of the Constitution of the Tohono O'Odham Nation,  
7 adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy  
8 Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act  
9 of June 18, 1934 (48 Stat. 984).

10  
11 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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14 \_\_\_\_\_  
15 Verlon M. Jose, Legislative Chairman

16  
17 11 day of December, 2006

18  
19 ATTEST:

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22 \_\_\_\_\_  
23 Lucille Lopez, Acting Legislative Secretary

24  
25 08 day of December, 2006.

26  
27 Said Resolution was submitted for approval to the office of the Chairwoman of the Tohono  
28 O'Odham Nation on the 11 day of December, 2006 at 11:27 o'clock, a. .M.,  
29 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become effective  
30 upon her approval or upon her failure to either approve or disapprove it within 48 hours of  
31 submittal.

32  
33 TOHONO O'ODHAM LEGISLATIVE COUNCIL

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36 \_\_\_\_\_  
37 Verlon M. Jose, Legislative Chairman

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41  APPROVED

on the 11<sup>th</sup> day of December, 2006

42  
43  DISAPPROVED

at 12:33 o'clock, p. .M.

44  
45   
46 \_\_\_\_\_  
47 VIVIAN JUAN-SAUNDERS, CHAIRWOMAN  
48 TOHONO O'ODHAM NATION

**RESOLUTION NO. 06-815**

**(Approving an Attorney Contract with the Law Firm of Kilpatrick Stockton LLP)**

**Page 3 of 3**

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Returned to the Legislative Secretary on the 11 day of

December, 2006, at 12:32 o'clock, P.M.

  
\_\_\_\_\_  
Lucille Lopez, Acting Legislative Secretary

ACTION: APPROVING AN ATTORNEY CONTRACT WITH THE LAW FIRM OF KILPATRICK STOCKTON LLP

MOVED: COUNCILWOMAN GLORIA RAMIREZ

SECOND: COUNCILWOMAN MARLENE SARAFICIO

DATE: DECEMBER 08, 2006

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQUIVARI</b> 310.8	1. FRANCES MIGUEL ( <i>Absent</i> ) (Vernon J. Smith) ( <i>Present</i> )	155.40	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Lucilda J. Valenzuela (Norris)) ( <i>Present</i> )	155.40	X			
<b>CHUKUT KUK</b> 258.7	1. ETHEL GARCIA ( )	129.35	X			
	2. VERLON M. JOSE (David Garcia)	129.35	X			
<b>GU ACHI</b> 221.6	1. TIMOTHY L. JOAQUIN (Jonas Robles)	110.80	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	110.80	X			
<b>GU VO</b> 193.1	1. RAYMOND VICTOR ( )	96.55	X			
	2. MICHAEL FLORES (Grace Manuel)	96.55	X			
<b>HICKIWAN</b> 167.4	1. (Vacant) ( )	83.70	X			
	2. SANDRA ORTEGA ( )	83.70	X			
<b>PISINEMO</b> 171.8	1. BARBARA SALVICIO ( )	85.90	X			
	2. GERALD FAYUANT ( )	85.90	X			
<b>SAN LUCY</b> 169.0	1. (Vacant) ( )	84.50	X			
	2. GLORIA RAMIREZ ( )	84.50	X			
<b>SAN XAVIER</b> 193.8	1. FELICIA NUÑEZ ( )	96.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eileen A. Estrada-Lopez)	96.90	X			
<b>SCHUK TOAK</b> 146.9	1. FRANCES B. CONDE ( )	73.45	X			X
	2. PHYLLIS JUAN ( )	73.45	X			
<b>SELLS</b> 421.0	1. MARLENE SARAFICIO-JUAN ( )	210.50	X			
	2. EVELYN B. JUAN MANUEL ( <i>Absent</i> ) (Kimberly Listo) ( <i>Present</i> )	210.50	X			
<b>SIF OIDAK</b> 186.7	1. WAVALENE ROMERO (Isidro Lopez)	93.35	X			X
	2. DARLENE ANDREW (Rita Wilson)	93.35	X			
<b>TOTAL</b>		<b>2,440.80</b>	<b>2,440.80</b>	<b>-0-</b>	<b>-0-</b>	<b>[02]</b>

\*\*PASSED VOTES