

RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing the Filing of an *Amicus Curiae* Brief in *Rosette, LLP v. Gu Vo Governing District Council*)

RESOLUTION NO. 16-466

1 **WHEREAS,** the Tohono O'odham Legislative Council is vested with the power to "provide for
2 the maintenance of law and order and the administration of justice."
3 (Constitution of the Tohono O'odham Nation, Article VI, Section 1(c)(6)); and

4 **WHEREAS,** *Rosette, LLP v. Gu Vo Governing District Council* is currently pending in the
5 Tohono O'odham Court of Appeals, which challenges the sovereign immunity of
6 the Tohono O'odham Nation; and

7 **WHEREAS,** the Office of Attorney General has prepared the attached *amicus curiae* brief in
8 support of the position that the Legislative Council must expressly authorize the
9 waiver of sovereign immunity by a district; and

10 **WHEREAS,** the Domestic Affairs Committee has reviewed the brief and recommends its
11 approval and filing.

12 **NOW, THEREFORE, BE IT RESOLVED** by the Tohono O'odham Legislative Council that it
13 authorizes and approves the filing of an *amicus curiae* brief in *Rosette, LLP v. Gu*
14 *Vo Governing District Council* in the Tohono O'odham Court of Appeals, in
15 support of the position that the Legislative Council must expressly authorize the
16 waiver of sovereign immunity by a district.

17 The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 16TH
18 day of SEPTEMBER, 2016 at a meeting at which a quorum was present with a vote of 3,021.4
19 FOR; -0- AGAINST; -0- NOT VOTING; and [04] ABSENT, pursuant to the powers vested in the
20 Council by Article VI, Section 1(c)(6) of the Constitution of the Tohono O'odham Nation,
21 adopted by the Tohono O'odham Nation on January 18, 1986; and approved by the Acting
22 Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section
23 16 of the Act of June 18, 1934 (48 Stat.984).

TOHONO O'ODHAM LEGISLATIVE COUNCIL


Timothy Joaquin, Legislative Chairman

16 day of Sept, 2016

33 **ATTEST:**

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35 _____
36 Evonne Wilson, Legislative Secretary

37 16 day of September, 2016

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40 Said Resolution was submitted for approval to the office of the Chairman of the Tohono
41 O'odham Nation on the 16 day of Sept, 2016 at 12:19 o'clock, P .m.,
42 pursuant to the provisions of Section 5 of Article VII of the Constitution and will become
43 effective upon his approval or upon his failure to either approve or disapprove it within 48
44 hours of submittal.

RESOLUTION NO. 16-466

(Authorizing the Filing of an *Amicus Curiae* Brief in *Rosette, LLP v. Gu Vo Governing District Council*)

Page 2 of 2

TOHONO O'ODHAM LEGISLATIVE COUNCIL



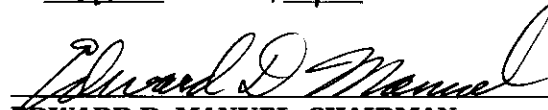
Timothy Joaquin, Legislative Chairman

APPROVED

on the 19 day of September, 2016

DISAPPROVED

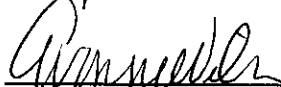
at 4:10 o'clock, P.m.



**EDWARD D. MANUEL, CHAIRMAN
TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 19 day of

September, 2016, at 4:51 o'clock, P.m.



Evonne Wilson, Legislative Secretary

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ACTION: AUTHORIZING THE FILING OF AN *AMICUS CURIAE BRIEF IN ROSETTE, LLP V. GU VO GOVERNING DISTRICT COUNCIL*

MOVED: COUNCILMAN BILLMAN LOPEZ

SECOND: COUNCILWOMAN LUCINDA ALLEN

DATE: SEPTEMBER 16, 2016

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
BABOQUIVARI 367.2	1. FRANCES MIGUEL (Roberta E. Harvey)	183.60	X			
	2. VERNON J. SMITH (Gloria Zazueta)	183.60	X			
CHUKUT KUK 332.1	1. ETHEL GARCIA (Marlakay K. Henry)	166.05	X			
	2. BILLMAN LOPEZ (Patricia Vicenti)	166.05	X			
GU ACHI 265.0	1. TIMOTHY L. JOAQUIN (Louis L. Johnson)	132.50	X			
	2. LORETTA LEWIS ()	132.50	X			X
GU VO 250.6	1. GRACE MANUEL (Dallas Lewis)	125.30	X			
	2. PAMELA ANGHILL (Jeffery Antone, Sr.)	125.30	X			
HICKIWAN 205.8	1. LOUIS R. LOPEZ (<i>Absent</i>) (Shirley Molina) (<i>Present</i>)	102.90	X			
	2. SANDRA ORTEGA ()	102.90	X			
PISINEMO 219.9	1. CHESTER ANTONE ()	109.95	X			X
	2. MONICA K. MORGAN ()	109.95	X			
SAN LUCY 226.5	1. DIANA MANUEL ()	113.25	X			
	2. JANA MONTANA (<i>Absent</i>) (Gloria Ramirez) (<i>Present</i>)	113.25	X			
SAN XAVIER 228.6	1. DANIEL L.A. PRESTON III ()	114.30	X			
	2. RACHEAL VILSON-STONER (<i>Absent</i>) (Olivia Villegas-Liston) (<i>Present</i>)	114.30	X			X
SCHUK TOAK 180.6	1. ANTHONY J. FRANCISCO JR. ()	90.30	X			
	2. QUINTIN C. LOPEZ (John Fendenheim)	90.30	X			
SELLS 513.5	1. ARTHUR WILSON (Beverly Rivas)	256.75	X			
	2. BARBARA HAVIER ()	256.75	X			X
SIF OIDAK 231.6	1. LUCINDA ALLEN (Nicholas Jose)	115.80	X			
	2. MARY LOPEZ ()	115.80	X			
TOTAL		3,021.4	3,021.4	-0-	-0-	[04]