

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Authorizing Settlement in the Carmen Mayer Grievance Matter)**

RES. NO. 92-190

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3 **WHEREAS, there is currently pending before the Nation's Personnel**
4 **Committee a grievance which was filed by a former employee at**
5 **Papago Bingo, Carmen Mayer, in which Ms. Mayer claims that**
6 **the Nation wrongfully terminated her employment at Papago**
7 **Bingo; and**

8
9 **WHEREAS, Ms. Mayer has also filed a lawsuit in federal court against the**
10 **Nation's personnel director, which case is docketed as Case No.**
11 **CIV-91-320-TUC-RMB in the United States District Court for the**
12 **District of Arizona, in which Ms. Mayer alleges that in processing**
13 **her grievance according to the Nation's Personnel and Procedure**
14 **Manual she was denied due process of law; and**

15
16 **WHEREAS, to avoid the time and expense of continuing the defense of the**
17 **grievance proceeding and federal court action, the Nation's**
18 **insurance carrier is prepared to make an offer of settlement of**
19 **these claims.**

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

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1. **The Nation's Vice Chairman, Sylvester Listo, in consultation with the Office of Attorney General, is authorized to execute a settlement agreement upon the terms presented and discussed in closed session with the Legislative Council on May 08, 1992.**

RESOLUTION NO. 92-190
(Authorizing Settlement in the
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Page 2 of 3

2. *The terms of the authorized settlement are set forth in a confidential memorandum from the Office of Attorney General which terms and conditions are hereby accepted and approved. The Legislative Secretary is directed to seal and maintain that memorandum as confidential, with distribution of copies as prescribed in such memorandum.*

The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 8TH day of May, 1992 at a meeting at which a quorum was present with a vote of 1,068.5 FOR; 206.0 AGAINST; 283.5 NOT VOTING; and 166.0 [05] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(2) & (f) 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

Jane C. Pruden
for Mary Ann Antone, Legislative Chairwoman
13th day of May, 1992

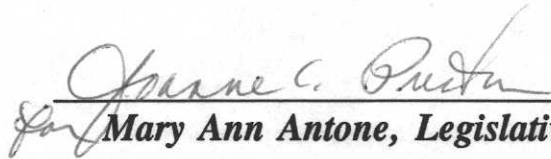
ATTEST:

Quinda Allen for:
Teresa M. Choyguha, Legislative Secretary
13th day of May, 1992

RESOLUTION NO. 92-190
(Authorizing Settlement in the
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Page 3 of 3

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 13th day of May, 1992, at 11:25 o'clock, A.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.

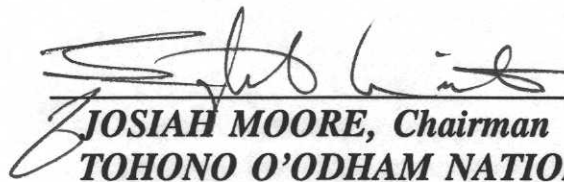
TOHONO O'ODHAM LEGISLATIVE COUNCIL



for **Mary Ann Antone, Legislative Chairwoman**

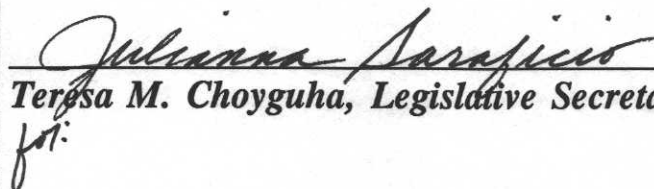
APPROVED on the 14 day of May, 1992

DISAPPROVED) at 11:54 o'clock, A.M.



JOSIAH MOORE, Chairman
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 14th day of May,
1992, at 2:19 o'clock, P.M.



Teresa M. Choyguha, Legislative Secretary
for:

MOVED: COUNCILMAN JOHN RENOSUBJECT: AUTHORIZING SETTLEMENT IN THESECOND: COUNCILMAN EARL A. FRANCISCOCARMEN MAYER GRIEVANCE MATTERDATE: MAY 08, 1992

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	X			X
	2. Alberta M. Lopez (Berdella Jose)	81.5	X			
HICKIWAN 125.0	1. Lloyd Francisco (Billy C. Manuel)	62.5			X	
	2. Manuel Osequeda, Jr. ()	62.5	X			
GU VO 114.0	1. Michael Flores	57.0			X	
	2. Emilio Lewis (Anthony Flores)	57.0			X	
SAN LUCY 106.0	1. Albert Manuel, Jr. (Max P. Jose)	53.0	X			
	2. John Reno ()	53.0	X			
PISINEMO 119.0	1. Johnson Jose ()	59.5	X			
	2. Chester Antone (Fernando Valentine)	59.5	X			X
GU ACHI 166.0	1. Alex Ramon (Fernando Joaquin)	83.0				X
	2. Willard Anita ()	83.0				X
BABOQUIVARI 229.0	1. Earl A. Francisco (Kenneth Chico, Sr.)	114.5	X			
	2. Frances Miguel ()	114.5	X			
SAN XAVIER 127.0	1. Joanne C. Preston (Carmelita Mattias)	63.5		X		
	2. Eugene Enis, Sr. (Michael R. Rios)	63.5		X		X
SCHUK TOAK 107.0	1. JoAnn Francisco (David Valenzuela Sr.)	53.5			X	
	2. Frances Francisco (Joseph Juan)	53.5			X	
SELLS 310.0	1. Joseph T. Joaquin (Larry Garcia)	155.0	X			
	2. Andrew Patricio (Lucille Encinas)	155.0	X			
SIF OIDAK 158.0	1. Mary Ann Antone (Nina Jose)	79.0		X		
	2. Willard Juan, Sr. (Delbert Thomas)	79.0	X			
TOTAL		1,724.0	1,068.5	206.0	283.5	166.0 [05]

**PASSED VOTES