

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Approving an Attorney Contract with the Law Firm**  
**of Rothstein, Walther, Donatelli, Hughes,**  
**Dahlstrom & Cron for Fiscal Year 1993)**

**RESOLUTION NO. 92-446**

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4 **WHEREAS,** *during Fiscal Year 1992, the law firm of Rothstein, Walther,*  
5 *Donatelli, Hughes, Dahlstrom & Cron (the "Rothstein Firm") was*  
6 *engaged by Attorney Contract (as amended by Amendment No. 1)*  
7 *to assist the Attorney General in providing legal representation*  
8 *with respect to matters associated with the operation of Papago*  
9 *Bingo; and*

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12 **WHEREAS,** *the Attorney Contract was for a term which ended on September*  
13 *30, 1992; and*

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15 **WHEREAS,** *the Legislative Council approved a fiscal year 1993 Operating*  
16 *Budget for the Office of Attorney General which included an*  
17 *allocation of \$20,000., for an Attorney Contract with the*  
18 *Rothstein Firm to continue the legal representation provided to the*  
19 *Nation; and*

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21 **WHEREAS,** *a substantial portion of the legal work performed by the Rothstein*  
22 *Firm relates to federal court litigation and other matters designed*  
23 *to secure a Tribal-State Compact with the State of Arizona; and*

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25 **WHEREAS,** *the cost of such representation benefits all parties to the*  
26 *management agreement between the Nation and the manager of*  
27 *Papago Bingo and is therefore a reasonable cost of the gaming*  
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**Page 2 of 5**

operation within the meaning of section 7.1.A of the management  
agreement; and

**WHEREAS, the Budget & Finance Committee, the Domestic Affairs  
Committee and the Tribal-State Compact Negotiating Committee  
recommend (1) additional funding for an Attorney Contract with  
the Rothstein Firm in the amount of \$54,692., for the provision  
of services mutually beneficial to the Nation and the manager of  
Papago Bingo, and (2) that payment of such attorneys' fees and  
expenses shall be initially made from the Papago Bingo Revenue  
Account, Account No. 920004, subject to reimbursement of all  
such amounts by Papago Bingo as operating expenses; and**

**WHEREAS, the Attorney General and the Domestic Affairs Committee  
recommend approval of an Attorney Contract with the Rothstein  
Firm for Fiscal Year 1993 in the amount of \$74,692.**

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

- 1. The Tohono O'Odham Legislative Council hereby approves  
the Attorney Contract with the Rothstein Firm for Fiscal Year  
1993 in the amount of \$74,692., and in the form attached  
hereto.**

**RESOLUTION NO. 92-446**

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**Page 3 of 5**

2. *The Chairman of the Nation is authorized and directed to execute the Attorney Contract.*

3. *All fees and expenses payable under the Attorney Contract and which constitute operating costs of Papago Bingo shall be paid from the Papago Bingo Revenue Account, Account No. 920004, and shall be reimbursed by Papago Bingo and credited to such Account; provided that at no time shall the cumulative and unreimbursed payments from the Revenue Account exceed the sum of \$54,692.*

4. *All fees and expenses not subject to payment and reimbursement under the preceding paragraph, and not exceeding the total sum of \$20,000, shall be paid from the Fiscal Year 1993 Operating Budget for the Office of Attorney General.*

*The foregoing Resolution was passed by the Tohono O'Odham Legislative Council on the 17TH. day of NOVEMBER, 1992 at a meeting at which a quorum was present with a vote of 1,382.0 FOR; 127.0 AGAINST; 57.0 NOT VOTING; and 158.0 [8] 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).*

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**Page 4 of 5**

**TOHONO O'ODHAM LEGISLATIVE COUNCIL**

*Jeanne C. Pustan*  
~~for~~ **Mary Ann Antone, Legislative Chairwoman**

19<sup>th</sup> day of November, 1992

**ATTEST:**

*Teresa M. Choyguha*  
**Teresa M. Choyguha, Legislative Secretary**

19<sup>th</sup> day of November, 1992.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 19<sup>th</sup> day of November, 1992, at 3:29 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**

*Jeanne C. Pustan*  
~~for~~ **Mary Ann Antone, Legislative Chairwoman**

**APPROVED** on the 23 day of November, 1992

**DISAPPROVED**) at 11:10 o'clock, A.M.

*Josiah Moore*  
**JOSIAH MOORE, Chairman**  
**TOHONO O'ODHAM NATION**

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**Page 5 of 5**

Returned to the Legislative Secretary on the 23<sup>rd</sup> day of November  
19 92, at 11:43 o'clock, A.M.

Aucinda Allen for:  
Teresa M. Choyguha, Legislative Secretary

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MOVED: COUNCILMAN JOHN RENOSUBJECT: APPROVING AN ATTORNEY CONTRACT W/LAW FIRM OFSECOND: COUNCILMAN WILLARD ANITAROTHSTEIN, WALTHER, DONATELLI, HUGHES, DAHLSTROM &DATE: NOVEMBER 17, 1992CRON FOR FISCAL YEAR 1993

DISTRICTS	REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
CHUKUT KUK 163.0	1. Kenneth Williams (Harriet Toro)	81.5	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			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			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			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			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	1,382.0	127.0	57.0	158.0 [8]

\*\*PASSED VOTES