

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Extension of Attorney Contract for Meadowood Ranch and
Related Legal Matters; Appropriation of Funds for Contract)**

RESOLUTION NO. 97-369

WHEREAS, there is pending before the Arizona United States District Court a consolidated civil action related to the Nation's legal claims arising out of the Meadowood Ranch transactions and associated matters: Tohono O'odham Nation v. Dutari, et al., CIV 94-547-TUC-FRZ (D. Ariz.) (the "Arizona Federal Lawsuit"); and

WHEREAS, there is pending before the Ninth Circuit Court of Appeals an appeal filed by the Nation challenging certain rulings by the Court in the Arizona Federal Lawsuit (the "Federal Appeal"); and

WHEREAS, pursuant to an Attorney Contract, as modified by Amendment Nos. 1 and 2, the law firm of Fines & Oden serves as co-counsel with the Attorney General in the Arizona Federal Lawsuit and the Federal Appeal; and

WHEREAS, the Attorney Contract and authorization to expend the Contract amount appropriated for this fiscal year expire on September 30, 1997; and

WHEREAS, the current Contract amount was appropriated for fiscal year 1997 from the Meadowood Litigation Account (No. 01-1019-810); and

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WHEREAS, the unexpended balance in the Meadowood Litigation Account is approximately \$215,781 as of August 21, 1997; and

WHEREAS, the Attorney General has requested an extension of the Attorney Contract for fiscal year 1998 and the appropriation of the unexpended balance in the Meadowood Litigation Account on September 30, 1997 to pay fees and expenses under the extended Contract; and

WHEREAS, the Domestic Affairs and the Budget & Finance Committees recommend approval of the requested Contract extension and appropriation.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. The Tohono O'odham Legislative Council hereby approves Amendment No. 3 to the Attorney Contract with the law firm of Fines & Oden, in the form attached hereto, which extends the term of the Contract through September 30, 1998.**
- 2. The Legislative Council further appropriates the unexpended balance of the Meadowood Litigation Account as of September 30, 1997 to pay the fees and expenses under the Attorney Contract for fiscal year 1998.**
- 3. The Chairman of the Nation is authorized and directed to execute Amendment No. 3 to the Attorney Contract.**

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The foregoing Resolution was passed by the Tohono O'odham Council on the 11TH day of SEPTEMBER, 1997 at a meeting at which a quorum was present with a vote of 1,781.0 FOR; -0- AGAINST; -0- NOT VOTING; and 146.0 [07] ABSENT, pursuant to the powers vested in the Council by Section 1(d)(3) and 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


For **Dennis Ramon, Legislative Chairman**

15th day of September, 1997

ATTEST:


Julianna Saraficio, Acting Legislative Secretary

12 day of Septemb, 1997.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 15th day of September, 1997 at 2:11 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


For **Dennis Ramon, Legislative Chairman**

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APPROVED

on the 16th day of September, 1997

DISAPPROVED

at 1:45 o'clock, P.M.



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

Returned to the Legislative Secretary on the 16th day of

September, 1997, at 4:31 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary