

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Approving Attorney Contract with Law Firm of Fines & Oden Regarding
Farming Authority Matters)**

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RESOLUTION NO. 98-472

WHEREAS, pursuant to Legislative Council Resolutions 97-432, 98-140 and 98-336, the Nation entered into an Attorney Contract, as modified by Amendments Nos. 1 and 2, with the law firm of Fines & Oden (the "Attorneys") for the purpose of providing legal representation to the Nation in connection with the operational and financial affairs of the Tohono O'odham Farming Authority ("TOFA"); and

WHEREAS, the Attorney Contract expired on September 30, 1998; and

WHEREAS, a civil lawsuit has been filed in federal court against Wayne Evans and other asserting claims related to TOFA's operational and financial affairs, captioned Tohono O'odham Nation v. Evans et al., No. CIV-97-555-TUC-WDB (U.S.D.C., Ariz.) (the "Federal Lawsuit"); and

WHEREAS, continued representation in the Federal Lawsuit and other matters related to TOFA is necessary to protect the Nation's legal interests; and

WHEREAS, the Attorney General has recommended an extension of the Attorney Contract for fiscal year 1999 in the amount of \$60,000; and

WHEREAS, the operating budget for the Office of Attorney General for fiscal year 1999 has sufficient funds for a Contract in such amount; and

WHEREAS, the Domestic Affairs Committee recommends approval by the Legislative Council of an Attorney Contract with the Attorneys on such terms.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Tohono O'odham Legislative Council hereby approves an Attorney Contract with the law firm of Fines & Oden in the amount of \$60,000 for the fiscal year ending September 30, 1999 and in the form attached hereto.

2. Funding for the Attorney Contract shall be provided under the

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operating budget of the Office of Attorney General for fiscal year 1999.

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

The foregoing Resolution was passed by the Tohono O'odham Council on the 03RD, day of NOVEMBER, 1998 at a meeting at which a quorum was present with a vote of 1,927.0 FOR; -0- AGAINST; -0- NOT VOTING; and [02] 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).

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

6th day of November, 19 98

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

320 day of November, 1998.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 6th day of November, 19 98 at 4:52 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



Dennis Ramon, Legislative Chairman

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APPROVED

on the 9 day of November, 1998

DISAPPROVED

at 1:55 o'clock, P.M.



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

Returned to the Legislative Secretary on the 9th day of

November, 1998, at 3:48 o'clock, P.M.



Julianna Saraficio, Acting Legislative Secretary

ACTION: APPROVING ATTORNEY CONTRACT WITH LAW FIRM OF FINES & ODEN REGARDING FARMING AUTHORITY MATTERS

MOVED: COUNCILWOMAN MARY ANN ANTONE

SECOND: COUNCILMAN LOUIS JOHNSON

DATE: NOVEMBER 03, 1998

| DISTRICT | LEGISLATIVE REPRESENTATIVES | # OF VOTES | FOR | AGAINST | NOT VOTING | ABSENT |
|-----------------------------|--|----------------|----------------|------------|------------|-------------|
| CHUKUT KUK 189.0 | 1. DAVID GARCIA (Marvin Thomas) | 94.5 | X | | | |
| | 2. KENNETH WILLIAMS (Arnold F. Smith Sr.) | 94.5 | X | | | |
| HICKIWAN 146.0 | 1. ALEX JOSE () | 73.0 | X | | | |
| | 2. LLOYD FRANCISCO (Susan Sam) | 73.0 | X | | | |
| GU VO 142.0 | 1. FERN SALCIDO (Larry Montana) | 71.0 | X | | | |
| | 2. GLORIA MONTANA (Phillip Antone) | 71.0 | X | | | X |
| SAN LUCY 114.0 | 1. JOHN RENO (Mary Hoffman) | 57.0 | X | | | |
| | 2. ALBERT MANUEL, JR. (Jana Montana) | 57.0 | X | | | |
| PISINEMO 139.0 | 1. BARBARA SALVICIO () | 69.5 | X | | | |
| | 2. JOHNSON JOSE () | 69.5 | X | | | |
| GU ACHI 190.0 | 1. LOUIS JOHNSON () | 95.0 | X | | | |
| | 2. ALEX J. RAMON () | 95.0 | X | | | |
| BABOQUIVARI 258.0 | 1. FRANCES MIGUEL () | 129.0 | X | | | |
| | 2. FRANCES G. ANTONE (Edward N. Kisto) | 129.0 | X | | | |
| SAN XAVIER 146.0 | 1. TONY BURRELL () | 73.0 | X | | | |
| | 2. DENNIS RAMON () | 73.0 | X | | | |
| SCHUK TOAK 120.0 | 1. JOSEPH JUAN () | 60.0 | X | | | X |
| | 2. AMBROSE ENCINAS () | 60.0 | X | | | |
| SELLS 322.0 | 1. DENNIS E. JOSE () | 161.0 | X | | | |
| | 2. EVELYN JUAN () | 161.0 | X | | | |
| SIF OIDAK 161.0 | 1. RITA MARTINEZ (Maxine Norris) | 80.5 | X | | | |
| | 2. MARY ANN ANTONE (Darlene Andrew) | 80.5 | X | | | |
| TOTAL | | 1,927.0 | 1,927.0 | -0- | -0- | [02] |

**PASSED VOTES