

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL
(Amending Resolution No. 99-035 and Approving a Settlement Agreement in
the Gaming Litigation)**

RESOLUTION NO. 99-036

1 **WHEREAS, by Resolution No. 98-020, the Legislative Council approved a proposal for**
2 **settlement of the lawsuit commenced by the State of Arizona against the Tohono**
3 **O'odham Nation in the United States District Court for the District of Arizona,**
4 **Case No. CV 96-737-TUC-FRZ (the "lawsuit"); and**

5 **WHEREAS, by Resolution No. 98-020, the Legislative Council authorized the Nation's**
6 **Chairman and the Office of Attorney General to convey the settlement proposal**
7 **to the State of Arizona and to take all reasonable and necessary steps to resolve**
8 **the lawsuit in accordance with the provisions of the settlement proposal and the**
9 **Compact; and**

10 **WHEREAS, in furtherance of Resolution No. 98-020, representatives of the Nation had**
11 **numerous meetings and discussions with representatives of the State to work**
12 **out the terms of a settlement agreement; and**

13 **WHEREAS, the Commerce Committee and the Nation's Chairman recommend settlement**
14 **of the lawsuit in accordance with the terms of the settlement agreement which**
15 **is attached hereto and incorporated herein by this reference.**

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

- 17 1. **The settlement agreement in the form attached hereto is hereby approved.**
18 2. **The Nation's Chairman is authorized and directed to execute the settlement**
19 **agreement.**
20 3. **The Nation's Office of Attorney General is authorized and directed to take all**
21 **reasonable and necessary steps to conclude the litigation in accordance with**
22 **the terms approved herein.**
23 4. **In connection with the Settlement Agreement, the Tohono O'odham Nation**
24 **has agreed to pay the sum of \$244,455 to the State of Arizona. The Gaming**
25 **Authority is authorized to pay that sum to the State.**

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5. The Nation's Chairman and the Commerce Committee shall negotiate the final terms of the joint press release to be issued by the Nation and the State of Arizona, which is attached to the Settlement Agreement as Exhibit A.

The foregoing Resolution was passed by the Tohono O'odham Council on the 04TH day of FEBRUARY, 1999 at a meeting at which a quorum was present with a vote of 1,766.0 FOR; -0- AGAINST; 161.0 NOT VOTING; and [08] ABSENT, pursuant to the powers vested in the Council by Section 1(d) & (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).

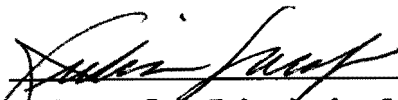
TOHONO O'ODHAM LEGISLATIVE COUNCIL



Dennis Ramon, Legislative Chairman

4th day of February, 19 99

ATTEST:



Julianna Saraficio, Acting Legislative Secretary

4th day of February, 19 99

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 4th day of February, 19 99 at 5:03 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 4th day of February, 19 99

DISAPPROVED

at 5:10 o'clock, P.M.



EDWARD D. MANUEL, Chairman

TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 4th day of

February, 19 99, at 5:11 o'clock, P.M.


Julianna Saraficio, Acting Legislative Secretary

ACTION: AMENDING RESOLUTION NO. 99-035 AND APPROVING A SETTLEMENT AGREEMENT IN THE GAMING LITIGATION"

MOVED: COUNCILMAN KENNETH WILLIAMS

SECOND: COUNCILMAN ALEX JOSE

DATE: FEBRUARY 04, 1999

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			X
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	X			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			X
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO 139.0	1. BARBARA SALVICIO ()	69.5	X			X
	2. JOHNSON JOSE ()	69.5	X			
GU ACHI 190.0	1. LOUIS JOHNSON ()	95.0	X			
	2. ALEX J. RAMON ()	95.0	X			X
BABOQUIVARI 258.0	1. FRANCES MIGUEL ()	129.0	X			
	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	X			X
SAN XAVIER 146.0	1. TONY BURRELL ()	73.0	X			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	X
	2. MARY ANN ANTONE (Darlene Andrew)	80.5			X	
TOTAL		1,927.0	1,766.0	-0-	161.0	[08]

**PASSED VOTES