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

2settlement of the lawsuit commenced by the State of Arizona against the Tohono3O'odham Nation in the United States District Court for the District of Arizona,4Case No. CV 96-737-TUC-FRZ (the "lawsuit"); and5WHEREAS, by Resolution No. 98-020, the Legislative Council authorized the Nation's6Chairman and the Office of Attorney General to convey the settlement proposal7to the State of Arizona and to take all reasonable and necessary steps to resolve8the lawsuit in accordance with the provisions of the settlement proposal and the9Compact; and10WHEREAS, in furtherance of Resolution No. 98-020, representatives of the Nation had11numerous meetings and discussions with representatives of the State to work12out the terms of a settlement agreement; and13WHEREAS, the Commerce Committee and the Nation's Chairman recommend settlement14of the lawsuit in accordance with the terms of the settlement agreement which15is attached hereto and incorporated herein by this reference.16NOW, THEREFORE, BE IT RESOLVED THAT:171. The settlement agreement in the form attached hereto is hereby approved.182. The Nation's Chairman is authorized and directed to take all19agreement.203. The Nation's Office of Attorney General is authorized and directed to take all21reasonable and necessary steps to conclude the litigation in accordance with22the terms approved herein.234. In connection with the Settlement Agreement, the Tohono O'odham Nation24 <th>1</th> <th>WHEREAS,</th> <th>by Resolution No. 98-020, the Legislative Council approved a proposal for</th>	1	WHEREAS,	by Resolution No. 98-020, the Legislative Council approved a proposal for
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RESOLUTION NO. <u>99-036</u> (Amending Resolution No. 99-035, and Approving a Settlement Agreement in the Gaming Litigation) Page 2 of 3

1	5. The Nation's Chairman and the Commerce Committee shall negotiate the
2	final terms of the joint press release to be issued by the Nation and the State
3	of Arizona, which is attached to the Settlement Agreement as Exhibit A.
4	The foregoing Resolution was passed by the Tohono O'odham Council on the <u>04TH.</u> day of
5	FEBRUARY, 1999 at a meeting at which a quorum was present with a vote of <u>1,766.0</u> FOR;
6	-0- AGAINST: 161.0 NOT VOTING; and [08] ABSENT, pursuant to the powers vested in the
7	Council by Section <u>1(d) & (f)</u> of Article VI of the Constitution of the Tohono O'Odham Nation,
8	adopted by the Tohono O'Odham Nation on January 18, 1986; and approved by the Acting
9	Deputy Assistant Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to
10	Section 16 of the Act of June 18, 1934 (48 Stat. 984).
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12	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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15	Den 12m
16	Dennis Ramon, Legislative Chairman
17	Dennis Ramon, Legislative Chairman
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19	
20	
21	ATTEST:
22	
23	V. I. Jack
24	Xteles purer
25	Julianna Saraficio, Acting Legislative Secretary
26	<u>4</u> day of <u>Jelman</u> , 19 <u>99</u> .
27	day of, 19
28	
29	
30	Said Resolution was submitted for approval to the office of the Chairman of the Tohono
31	Said Resolution was submitted for approval to the pince of the chain of the relation 0° Odham Nation on the <u>4th</u> day of <u><i>Hebuary</i></u> , <u>1999</u> at
32	5: 03 o'clock, P .M., pursuant to the provisions of Section 5 of Article VII of the
33	Constitution and will become effective upon his approval or upon his failure to either approve
34	or disapprove it within 48 hours of submittal.
	of disupprove it within to noute of businessing
35	TOHONO O'ODHAM LEGISLATIVE COUNCIL
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39	Nem R
40	Dennis Ramon, Legislative Chairman
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RESOLUTION NO. 99-036 (Amending Resolution No. 99-035 and Approving a Settlement Agreement in the Gaming Litigation) Page 3 of 3 on the <u>4</u> <u>the</u> day of <u>Feedburg</u>, 19<u>7</u> at <u>5'.10</u> o'clock, <u>1</u>.M. $[\times]$ APPROVED [] DISAPPROVED EDWARD D. MANUEL, Chairman TOHONO O'ODHAM NATION Returned to the Legislative Secretary on the _____ day of Monny, 19 99, at 5:11 o'clock, ___.M. Jant 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	х			
	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			х
GU VO 142.0	1. FERN SALCIDO (Larry Montana)	71.0	X			
	2. GLORIA MONTANA (Phillip Antone)	71.0	х			
SAN LUCY 114.0	1. JOHN RENO (Mary Hoffman)	57.0	X			x
	2. ALBERT MANUEL, JR. (Jana Montana)	57.0	X			
PISINEMO	1. BARBARA SALVICIO	69.5	х			х
139.0	2. JOHNSON JOSE ()	69.5	x			
GU ACHI	1. LOUIS JOHNSON	95.0	X			
190.0	2. ALEX J. RAMON	95.0	X			x
BABOQUIVARI	1. FRANCES MIGUEL	129.0	х			
258.0	2. FRANCES G. ANTONE (Edward N. Kisto)	129.0	x			X
SAN XAVIER	1. TONY BURRELL	73.0	x			х
146.0	2. DENNIS RAMON ()	73.0	X			
SCHUK TOAK	1. JOSEPH JUAN	60.0	х			х
120.0	2. AMBROSE ENCINAS	60.0	X			
SELLS	1. DENNIS E. JOSE	161.0	x			
322.0	() 2. EVELYN JUAN ()	161.0	x			
SIF OIDAK	1. RITA MARTINEZ (Maxine Norris)	80.5			x	х
161.0	(Maxine Norris) 2. MARY ANN ANTONE (Darlene Andrew)	80.5			x	
Т	OTAL	1,927.0	1,766.0	-0-	161.0	[08]