

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL  
(Expressing Interest in Joining Lawsuit Against Tobacco Companies and  
Authorizing Attorney General to Negotiate an Attorney Contract for  
Representation in the Litigation)**

**RESOLUTION NO. 99-073**

1 WHEREAS, 50 states and 5 territories of the United States have entered into a global  
2 settlement agreement with American tobacco companies pursuant to  
3 which (1) the States and territories will be reimbursed by the tobacco  
4 companies for billions of dollars in health care expenses incurred to treat  
5 diseases caused by smoking tobacco and other tobacco use and (2) the  
6 tobacco companies will fund smoking cessation and other health related  
7 programs associated with tobacco use; and

8 WHEREAS, the settlement agreement expressly excludes Indian nation's; and

9 WHEREAS, tobacco companies have targeted Native American youth specifically,  
10 with their advertising campaigns which has caused a greater usage of  
11 tobacco products by Native Americans compared to the general  
12 population of the United States; and

13 WHEREAS, as a result, an increasing number of adult and youth members of the  
14 Tohono O'odham Nation have become addicted to tobacco products and  
15 suffered serious illness from tobacco use; and

16 WHEREAS, the Nation has incurred significant costs associated with the treatment of  
17 these illnesses and addressing the related consequences to the affected  
18 member and family; and

19 WHEREAS, the Tohono O'odham Legislative Council is committed to protect and  
20 preserve the health and welfare of its members by taking all appropriate  
21 action to redress these losses to the Nation and terminate the practices of  
22 the tobacco companies which cause serious illness and addiction of its

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1 members; and

2 WHEREAS, the Legislative Council is considering participation in a lawsuit with  
3 other Indian nations to secure these remedies; and

4 WHEREAS, the Legislative Council wishes to consider engaging the Branch law firm  
5 to represent the Nation in a lawsuit for this purpose.

6 NOW, THEREFORE, BE IT RESOLVED THAT:

7 1. The Tohono O'odham Legislative Council hereby authorizes the  
8 Attorney General of the Nation to negotiate an attorney contract with  
9 the Branch law firm for representation in a lawsuit against the  
10 tobacco companies.

11 2. Upon completion of negotiations, the Attorney General shall submit  
12 the attorney contract to the Domestic Affairs Committee for review  
13 and recommendation of action by the Legislative Council.

14 The foregoing Resolution was passed by the Tohono O'odham Council on the 12TH day  
15 of FEBRUARY, 1999 at a meeting at which a quorum was present with a vote of 1,927.0 FOR;  
16 -0- AGAINST; -0- NOT VOTING; and [03] ABSENT, pursuant to the powers vested in the  
17 Council by Section 1 (c)(2) and Section 2(a) of Article VI of the Constitution of the Tohono  
18 O'Odham Nation, adopted by the Tohono O'Odham Nation on January 18, 1986; and  
19 approved by the Acting Deputy Assistant Secretary - Indian Affairs (Operations) on March  
20 6, 1986, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

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TOHONO O'ODHAM LEGISLATIVE COUNCIL

  
Dennis Ramon, Legislative Chairman

15<sup>th</sup> day of February, 1999

**RESOLUTION NO. 99-073**

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ATTEST:

  
Julianna Saraficio, Acting Legislative Secretary

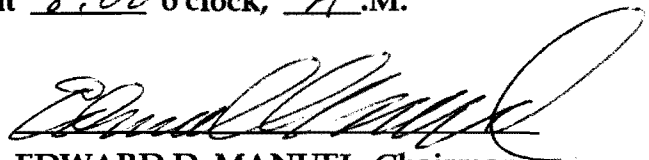
12<sup>th</sup> day of February, 19 99.

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'Odham Nation on the 15<sup>th</sup> day of February, 19 99 at 2:24 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

APPROVED on the 18<sup>th</sup> day of February, 19 99  
 DISAPPROVED at 8:00 o'clock, A.M.

  
EDWARD D. MANUEL, Chairman  
TOHONO O'ODHAM NATION

Returned to the Legislative Secretary on the 18<sup>th</sup> day of February, 19 99, at 10:02 o'clock, A.M.

  
Julianna Saraficio, Acting Legislative Secretary

**ACTION:** EXPRESSING INTEREST IN JOINING LAWSUIT AGAINST TOBACCO COMPANIES AND AUTHORIZING ATTORNEY GENERAL TO NEGOTIATE AN ATTORNEY CONTRACT FOR REPRESENTATION IN THE LITIGATION

**MOVED:** COUNCILMAN TONY BURRELL

**SECOND:** COUNCILMAN LOUIS JOHNSON

**DATE:** FEBRUARY 12, 1999

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>CHUKUT KUK</b> 189.0	1. DAVID GARCIA (Marvin Thomas) 2. KENNETH WILLIAMS (Arnold F. Smith Sr.)	94.5 94.5	X X			X
<b>HICKIWAN</b> 146.0	1. ALEX JOSE ( ) 2. LLOYD FRANCISCO (Susan Sam)	73.0 73.0	X X			
<b>GU VO</b> 142.0	1. FERN SALCIDO (Larry Montana) 2. GLORIA MONTANA (Phillip Antone)	71.0 71.0	X X			
<b>SAN LUCY</b> 114.0	1. JOHN RENO (Mary Hoffman) 2. ALBERT MANUEL, JR. (Jana Montana)	57.0 57.0	X X			X
<b>PISINEMO</b> 139.0	1. BARBARA SALVICIO ( ) 2. JOHNSON JOSE ( )	69.5 69.5	X X			
<b>GU ACHI</b> 190.0	1. LOUIS JOHNSON ( ) 2. ALEX J. RAMON ( )	95.0 95.0	X X			
<b>BABOQUIVARI</b> 258.0	1. FRANCES MIGUEL ( ) 2. FRANCES G. ANTONE (Edward N. Kisto)	129.0 129.0	X X			
<b>SAN XAVIER</b> 146.0	1. TONY BURRELL ( ) 2. DENNIS RAMON ( )	73.0 73.0	X X			
<b>SCHUK TOAK</b> 120.0	1. JOSEPH JUAN ( ) 2. AMBROSE ENCINAS ( )	60.0 60.0	X X			
<b>SELLS</b> 322.0	1. DENNIS E. JOSE ( ) 2. EVELYN JUAN ( )	161.0 161.0	X X			X
<b>SIF OIDAK</b> 161.0	1. RITA MARTINEZ (Maxine Norris) 2. MARY ANN ANTONE (Darlene Andrew)	80.5 80.5	X X			
<b>TOTAL</b>		<b>1,927.0</b>	<b>1,927.0</b>	<b>-0-</b>	<b>-0-</b>	<b>[03]</b>

**\*\*PASSED VOTES**