

**RESOLUTION OF THE TOHONO O'ODHAM LEGISLATIVE COUNCIL**  
**(Instructing the Nation's Insurance Company to Settle a Case)**

**RESOLUTION NO. 12-314**

1 **WHEREAS, Jeramy Louk has brought a lawsuit against the Tohono O'odham Nation (the "Nation")**  
2 **entitled Louk vs. Francisco and Tohono O'odham Nation, Case No. 2012-0092AV, in the**  
3 **Tohono O'odham Judicial Court arising out of a traffic accident in Tucson on February**  
4 **16, 2012, involving a truck operated by the Solid Waste Management Program of the**  
5 **Department of Natural Resources of the Nation; and**

6 **WHEREAS, the Nation's insurance company has appointed an attorney to represent the Nation**  
7 **and to represent the driver of the Nation's vehicle in this litigation; and**

8 **WHEREAS, the Nation's time to answer the Complaint or to otherwise respond to the Complaint**  
9 **expires on August 13, 2012; and**

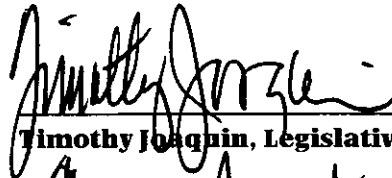
10 **WHEREAS, the plaintiff has sustained injuries from this accident and may deserve some**  
11 **compensation for his injuries; and**

12 **WHEREAS, this matter has been reviewed by the Domestic Affairs Committee which has referred**  
13 **the matter to the full Legislative Council.**

14 **NOW, THEREFORE, BE IT RESOLVED that the Tohono O'odham Legislative Council hereby instructs**  
15 **the Nation's insurance company to assert the Nation's sovereign immunity in the**  
16 **litigation and to continue to defend the Nation in the litigation, and at the same time**  
17 **to seek to settle the case for a fair and reasonable amount at the discretion of the**  
18 **insurance company.**

19 **The foregoing Resolution was passed by the Tohono O'odham Legislative Council on the 07<sup>TH</sup> Day**  
20 **of AUGUST, 2012 at a meeting at which a quorum was present with a vote of 1,537.9 FOR; 1,242.7**  
21 **AGAINST; [01] NOT VOTING; and [02] ABSENT, pursuant to the powers vested in the Council by**  
22 **Section 1 (d)(2) of Article VI of the Constitution of the Tohono O'odham Nation, adopted by the**  
23 **Tohono O'Odham Nation on January 18, 1986; and approved by the Acting Deputy Assistant**  
24 **Secretary - Indian Affairs (Operations) on March 6, 1986, pursuant to Section 16 of the Act of June**  
25 **18, 1934 (48 Stat. 984).**

TOHONO O'ODHAM LEGISLATIVE COUNCIL



Timothy Joaquin, Legislative Chairman

9 day of August, 2012

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**ATTEST:**

Evonne Wilson  
**Evonne Wilson, Legislative Secretary**

9 day of August, 2012

Said Resolution was submitted for approval to the office of the Chairman of the Tohono O'odham Nation on the 9 day of August, 2012 at 4:47 o'clock, P.M., pursuant to the provisions of Section 4 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**

Timothy Joaquin  
**Timothy Joaquin, Legislative Chairman**

**APPROVED**

on the 11 day of August, 2012

**DISAPPROVED**

at 8:20 o'clock, A.M.

Ned Norris, Jr.  
**NED NORRIS, JR., CHAIRMAN**  
**TOHONO O'ODHAM NATION**

Returned to the Legislative Secretary on the 13 day of

August, 2012, at 8:49 o'clock, A.M.

Evonne Wilson  
**Evonne Wilson, Legislative Secretary**

ACTION: INSTRUCTING THE NATION'S INSURANCE COMPANY TO SETTLE A CASE

MOVED: COUNCILWOMAN CYNTHIA E. MANUEL

SECOND: COUNCILWOMAN GRACE MANUEL

DATE: AUGUST 07, 2012

DISTRICT	LEGISLATIVE REPRESENTATIVES	# OF VOTES	FOR	AGAINST	NOT VOTING	ABSENT
<b>BABOQIVARI</b> <b>342.0</b>	1. FRANCES MIGUEL (Roberta Harvey)	171.0	X			
	2. FRANCES G. ANTONE ( <i>Absent</i> ) (Vernon Smith) ( <i>Present</i> )	171.0	X			
<b>CHUKUT KUK</b> <b>302.2</b>	1. ETHEL GARCIA (Sara Mae Williams)	151.10	X			
	2. BILLMAN LOPEZ ( )	151.10	X			
<b>GU ACHI</b> <b>244.9</b>	1. TIMOTHY L. JOAQUIN ( )	122.45	X			
	2. CYNTHIA E. MANUEL (Louis L. Johnson)	122.45	X			
<b>GU VO</b> <b>226.7</b>	1. GRACE MANUEL (Floyd Flores)	113.35	X			
	2. PAMELA ANGHILL ( )	113.35	X			X
<b>HICKIWAN</b> <b>186.3</b>	1. LOUIS R. LOPEZ (Michelle Ortega)	93.15		X		
	2. SANDRA ORTEGA ( )	93.15		X		X
<b>PISINEMO</b> <b>200.7</b>	1. CHESTER ANTONE ( <i>Absent</i> ) (Tony Murrietta)( <i>Present</i> )	100.35		X		
	2. EDWARD MANUEL (Gerald Fayuant)	100.35		X		
<b>SAN LUCY</b> <b>204.6</b>	1. LORRAINE EILER ( )	102.30	X			
	2. JANA MONTANA (Gloria Ramirez)	102.30		X		
<b>SAN XAVIER</b> <b>215.8</b>	1. HILARION CAMPUS (Racheal Vilson-Stoner)	107.90	X			
	2. OLIVIA VILLEGAS-LISTON (Eugene Enis)	107.90		X		
<b>SCHUK TOAK</b> <b>169.8</b>	1. FRANCES B. STEPHENS (Anthony J. Rios)	84.90		X		
	2. FREDERICK JOSE (Phyllis Cachora)	84.90		X		
<b>SELLS</b> <b>475.7</b>	1. ARTHUR WILSON (Kimberly Mull)	237.85		X		
	2. EVELYN B. JUAN MANUEL ( )	237.85		X		
<b>SIF OIDAK</b> <b>211.9</b>	1. NICHOLAS JOSE ( )	105.95	X		X	
	2. MARY LOPEZ ( )	105.95	X			
<b>TOTAL</b>		<b>2,780.60</b>	<b>1,537.9</b>	<b>1,242.7</b>	<b>[01]</b>	<b>[02]</b>