

RESOLUTION OF THE PAPAGO COUNCIL

RES. NO. 54-72

WHEREAS, the Tribe retained the law firm of Whitehill, Berger & Karp, P.C. under Contract No. 8HC1420C6318, dated May 8, 1970, approved by the Area Director on July 20, 1970, for a three-year period effective July 1, ¹⁹1970, and ending June 30, 1973; and

WHEREAS, on the 18th day of May, 1971, an Amendment to the Attorney's Contract No. 8HC1420C6318 was executed by the Tribe and the Attorney, which was approved by the Area Director; and

WHEREAS, the parties hereto desire to again amend the Contract; and

WHEREAS, it is in the best interests of the Tribe and the Attorney to amend the Contract between the parties; and

WHEREAS, the Papago Tribe has two (2) mining leases with Vekol Copper Mining Company located in the Sif Oidak District; and

WHEREAS, Vekol Copper Mining Company is now seeking to delay an extension of the primary term of their mining leases; and

WHEREAS, negotiations and/or litigation and/or appeal may be necessary to enforce the terms of the mining leases; and

WHEREAS, it will be necessary for the Attorney to represent the Tribe in the negotiations and/or litigation; and

WHEREAS, the limitation of legal fees in the original Contract and Amendment thereto cannot cover the necessary legal fees nor expenses in carrying out negotiations and/or litigation; and

WHEREAS, the financial affairs of the Tribe are such that the Tribe cannot afford to pay the Attorney or experts who may necessarily be hired to pursue negotiations and/or litigation and/or appeal, if necessary, except

under an amendment to said Contract and existing Amendment;

NOW, THEREFORE, BE IT RESOLVED BY THE PAPAGO COUNCIL that it hereby orders and directs the Tribal officials to enter into an amended Contract #8HC1420C6318 with Whitehill, Berger & Karp, P.C., General Counsel, and authorizes such Tribal officials to execute the Amendment to said Contract, copy of which is attached hereto and made a part hereof.

The foregoing Resolution was duly enacted by The Papago Council on the 18 day of August, 1972, at a meeting at which a quorum was present with a vote of 20 for, 0 against, 2 not voting, and 0 absent, pursuant to authority vested in The Papago Council by Sections 2(b), (c) and 3(a) and (h) of Article V of the Constitution and By-Laws of The Papago Tribe of Arizona, ratified by The Papago Tribe on December 12, 1936, and approved by the Secretary of the Interior on January 6, 1937 (48 Stat. 984), pursuant to Section 16 of the Act of June 18, 1934. Said Resolution is effective as of the date of its approval by the Superintendent of the Papago Agency and is subject to review by the Secretary of the Interior.

ATTEST:

Betsy J. Norris
Betsy J. Norris, Secretary

THE PAPAGO COUNCIL

By: Augustine B. Lopez
Augustine B. Lopez, Chairman

Joseph M. Lucero
Joseph M. Lucero
Superintendent
The Papago Agency

Recommended for Approval
~~APPROVED~~ Aug. 28, 1972

