LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS
7500 Odawa Circle
Harbor Springs, MI 49740

CERTIFIED MOTION # 041918-04

Request for Funding from Bureau of Indian Affairs
Litigation Support Funding

WHEREAS the Waganakising Odawak, known in English as Little Traverse Bay Bands of Odawa Indians is a nation of citizens with inherent sovereignty and right to self-governance;

WHEREAS the Little Traverse Bay Bands of Odawa Indians ("LTBB") is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

WHEREAS the Little Traverse Bay Bands of Odawa Indians Tribal Council is the elected legislative body of the Tribe;

WHEREAS the LTBB Constitution recognizes that as a Tribe *"We will work together in a constructive, cooperative spirit to preserve and protect our lands, resources and Treaty Rights, and the right to an education and a decent standard of living for all our people.";*

WHEREAS the territory of the LTBB shall encompass all lands and waters within the Reservation as defined in Article III of the Tribal Constitution: *"Unless otherwise specified in this Constitution "Reservation" means all lands within the boundaries of the reservations for the Little Traverse Bay Bands of Odawa Indians as set out in Article I, paragraphs third and fourth of the Treaty of 1855, 11 Stat. 621, plus any lands set out in Articles Second and Third of the Treaty of March 28, 1836, 7 Stat. 491, . . ."*

WHEREAS the LTBB has retained the law firm of Hogen Adams PLLC to act as counsel to LTBB in pursuing litigation to confirm the 1855 Treaty boundaries of our Reservation (Tribal Resolution # 042315-04);

WHEREAS on August 21, 2015, the Tribe initiated a lawsuit against the State of Michigan asking the United States District Court, Western District of Michigan, to recognize the Reservation as defined in Article III of the Tribal Constitution and that those Treaty boundaries have not been changed or diminished over time, and to enjoin the State from its improper exercises of authority within the Reservation ("the Litigation").

WHEREAS the LTBB has made the significant commitment to funding the legal fees associated with the Litigation; however, federal litigation support funding is necessary to allow the LTBB to maximize its use of expert witnesses and services, as well as a document management consultation and litigation support software, all of which are essential to succeeding in the Litigation.

Secretary Kiogima

WHEREAS the Bureau of Indian Affairs provides litigation support funds to Tribes.

THEREFORE BE IT RESOLVED that to the extent not previously approved in Tribal Resolution # 042315-04, the LTBB Tribal Council authorizes and approves the request to the Bureau of Indian Affairs for litigation support funds to maintain the engagement and/or continued use of expert witnesses (testifying and consulting, as appropriate) and a document management consultant, as well as the use of document/litigation support software, all of which Hogen Adams shall coordinate for the Litigation.

FURTHER RESOLVED, that the LTBB Tribal Chair, Vice Chair, Direct Services Administrator, or another designee from the Tribal Chair is authorized to execute any documents necessary to apply for, receive, and administer funds under the grant.

CERTIFICATION

Received by the Executive Office on 4-17-18 by _____

The Executive concurs and recommend this action of the Tribal Council.

Date: 4-17-18

Regina Bosco-Bentley

Executive, Tribal Chair/Vice Chair

Received by the Legislative Office on 4.17.18 by _____

As Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Certified Motion was duly approved by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held April 19, 2018 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, 2 absent as recorded by this certification as an official action on behalf of Little Traverse Bay Bands of Odawa Indians.

Date: 4.25.18

Fred Harrington, Legislative Leader

Date: 4-20-18

Tamara Kiogima, Secretary