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RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION

FORT APACHE INDIAN  
AGENCY  
WHITERIVER, ARIZ.

- WHEREAS, the Tribal Council by previous Resolution No. 81-74 terminated the contract with its Tribal Claims Attorneys, Weissbrodt and Weissbrodt, and
- WHEREAS, the Tribal Council requested the Secretary of the United States Department of the Interior to terminate said contract for the reasons set forth in Resolution No. 81-74, and
- WHEREAS, The Secretary of the Interior has concluded that a showing has not been made to warrant termination for cause of the Claims Attorney Contract, and
- WHEREAS, Weissbrodt and Weissbrodt, the Tribe's Land Claims Attorneys, are nevertheless, agreeable to the termination of the contract by mutual consent of the parties based on the finding that no showing has been made to warrant Weissbrodt and Weissbrodt's termination for cause pursuant to Paragraph 12 of their Attorneys' Contract, and
- WHEREAS, the Secretary of the Interior has advised the Tribal Council, by letter to the Tribal Chairman, that it would concur with such a termination of the contract by mutual consent of the parties, said termination to be effective upon the approval of a new contract providing for the delivery of attorney services to the tribe in connection with the claims presented in Docket No. 22-H and the proper substitution in that case of the attorney or attorneys on such contract for Mr. Weissbrodt and his associates, and
- WHEREAS, the Justice Department has advised the Tribal Council that the tribe should make a counter offer by October 15, 1981 on the proposed compromise settlement and that the Justice Department's offer of settlement would only be offered for consideration by the tribe until December 15, 1981, and
- WHEREAS, the Tribal Council concludes that it would be in its best interest to be represented by a counsel as soon as possible and further concludes that Tribal Attorney, Mr. Robert C. Brauchli, should be appointed as substitute counsel for purposes of representation of the White Mountain Apache Tribe's claims presented in Docket No. 22-H.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Robert C. Brauchli, present, Tribal Attorney, be directed to become substitute counsel for Weissbrodt and Associates in connection with tribal claims presented in Docket No. 22-H.

BE IT FURTHER RESOLVED by the Tribal Council that the Tribal Attorney be directed to immediately draft a contract pursuant to which he shall undertake the responsibilities of Tribal Claims in Docket 22-H and to obtain Bureau of Indian Affairs Area Office approval of said contract.

BE IT FURTHER RESOLVED that Tribal Attorney, Robert C. Brauchli thereafter enter his appearance in Docket 22-H before the Court of Claims and effectuate all legal requirements to become substitute counsel in the Docket 22-H proceeding.

BE IT FURTHER RESOLVED that said contract shall be subject to approval by the Tribal Chairman acting on behalf of the Tribal Council and that said contract provide that the Tribal Attorney, Robert C. Brauchli, waive his attorneys fees that might otherwise be obtainable in the Docket No. 22-H proceedings and further provide by contract that any attorney fees obtained by the Tribal Attorney, Robert C. Brauchli, be placed on deposit for the White Mountain Apache Tribe for such further use as they may see fit.

The foregoing resolution was on September 21, 1981 duly adopted by a vote of 7 for and 1 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (d, f, & i) of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe on June 27, 1958 and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

  
Secretary of the Tribal Council