

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

- WHEREAS**, the Tribal Council is advised by the Tribal Attorney of the status of Docket 22-H; and
- WHEREAS**, the Council is further advised that William H. Veeder, Claims Attorney for the Tribe, has consulted with Paul J. Gillis, the Tribe's expert witness in the accounting phase of the case and has concluded, based on those discussions, that the calculation of interest owed to the Tribe as determined by the United States Department of Justice may be in error; and
- WHEREAS**, the computation of interest submitted to the Tribe on August 13, 1992 totaled on that date Four Million Five Hundred Sixty-Seven Thousand Two Hundred Eight and 01/100 Dollars (\$4,567,208.01); and
- WHEREAS**, it is Mr. Gillis' view that the government's calculation which calculates interest from July 1, 1931 through June 30, 1992 should be brought down to the date of the payment of the award now projected to be December 31, 1994; and further that any restatement of accounts must compensate for reverse spending so that all allowable disbursements are made first from available interest and then from principal which is consistent with the principal of trust management which requires the preservation of trust principal; and
- WHEREAS**, Mr. Gillis' contract fee for preparing the calculations for the Tribe is Five Thousand Dollars (\$5,000) with a retainer of Twenty-Five Hundred Dollars (\$2500) and Mr. Gillis requests a contract for said amount; and
- WHEREAS**, the Tribal Council is further advised that the recalculation of interest may entitle the Tribe to an additional payment in interest ranging from Five Hundred Thousand Dollars (\$500,000) to Two Million Dollars (\$2,000,000); and

Resolution No. 05-94-131


**WHEREAS**, the Tribal Council concludes that a contract should be authorized between the Tribe and Paul J. Gillis for purposes of Mr. Gillis preparing an annualized restatement of the IMPL principal and interest accounts, for consulting with Mr. Veeder and for meetings with the Department of Justice in order to revise the interest calculations previously submitted by the Department of Justice and that the Tribal Chairman be directed to negotiate the terms of said contract.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman to negotiate a contract with Paul J. Gillis, C.P.A. for the purposes of recalculating the IMPL interest due and owing the White Mountain Apache Tribe in Docket 22-H.

**BE IT FURTHER RESOLVED** by the Tribal Council that the amount of Mr. Gillis' contract will be Five Thousand Dollars (\$5,000) with a retainer of Twenty-Five Hundred Dollars (\$2500) to allow Mr. Gillis to proceed expeditiously with his preparations.

**BE IT FURTHER RESOLVED** by the Tribal Council that the Tribal Chairman, and in his absence the Vice Chairman, is hereby authorized and directed to execute any and all documents with Mr. Gillis necessary to effectuate the intent and purpose of this resolution.


The foregoing resolution was on May 12, 1994 duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by the White Mountain Apache Tribe Constitution, including Article IV, Section 1 (a), (b), (i), (k), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
Chairman of the Tribal Council

**RECEIVED**

JUN 07 1994

FORT APACHE INDIAN AGENCY  
WHITERIVER, ARIZONA

  
Secretary of the Tribal Council