



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

(Approving Addendum to Temporary Acting Tribal Attorney Employment Agreement)

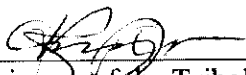
- WHEREAS,** pursuant to Article IV, Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and
- WHEREAS,** the Temporary Acting Tribal Attorney is requesting an Addendum to his Employment Agreement, attached hereto and made a part hereof, so that he may be appointed to the position of Tribal Attorney and so that he can transfer his annual and sick leave, receive employee benefits, and use a tribal vehicle for business use only; and
- WHEREAS,** the Council has requested that the Tribal Attorney conclude his employment with Apache Behavioral Health Services, Inc. by January 23, 2009; and
- WHEREAS,** the Council has directed the Tribal Attorney to not recruit for the other two attorney positions for the Legal Department, due to the financial hardship the Tribe is currently experiencing; and
- WHEREAS,** the Tribal Council finds it is in the best interest of the Tribe to enter into the Addendum attached hereto.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby approves of the Addendum to the Temporary Acting Tribal Attorney Employment Agreement and directs that in the event of any inconsistency between this Resolution and any prior Resolution or Tribal Policy, this Resolution shall govern.

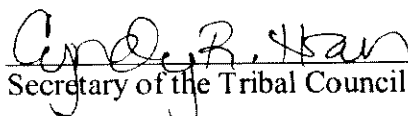
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Attorney to conclude his employment with Apache Behavioral Health Services, Inc. by January 23, 2009.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all document necessary to effectuate the intent of this Resolution.

The foregoing resolution was on November 14, 2008 duly adopted by a vote of TEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Chairman of the Tribal Council



Secretary of the Tribal Council

ADDENDUM TO TEMPORARY ACTING TRIBAL ATTORNEY EMPLOYMENT AGREEMENT

This Addendum shall apply to and become part of the Temporary Acting Tribal Attorney Employment Agreement ("Agreement") by and between Anthony J Lee, with an address at P.O. Box 3931, Pinetop, Arizona 85935, ("Tribal Attorney"), and the White Mountain Apache Tribe ("Tribe").

The Agreement is hereby amended by the addition of the following provisions thereto, which shall be deemed incorporated therein and made a part of the Agreement:

1. The Temporary Acting Tribal Attorney's title shall be changed to Tribal Attorney and his employment status shall be changed to that of a permanent hourly employee. He shall be entitled to all employee benefits, including but not limited to, health benefits, life insurance, short term and long term disability, and retirement. The Tribe shall transfer his annual leave (approximately 272 hours) and sick leave from Apache Behavioral Health Services, ("ABHS") and he shall be entitled to his employee seniority for determining his benefits and in the event his employment ends, he shall be entitled to any unpaid salary and unpaid annual leave.

2. The Tribal Attorney shall be entitled to a tribal vehicle for business use only, provided he shall follow all tribal policies and resolutions that pertain to usage of a gas card.

3. This Addendum shall take affect at the beginning of the Tribe's next payroll period, commencing on November 23, 2008.

4. The Tribal Attorney shall discontinue recruitment efforts for vacant attorney positions as the Tribe is currently undergoing a financial hardship.

5. The Tribal Attorney shall conclude his employment with ABHS by January 23, 2009, provided he may engage in outside employment and/or representation on his own time as long as there is no conflict and as long as the representation does not interfere with the proper and effective performance of his duties.

6. After January 23, 2009, the Tribal Attorney's status shall change to that of a full time, permanent, salaried employee, at the current budgeted rate (as may be amended).

7. In the event of any inconsistency or conflict between the provisions of the Agreement and this Addendum, the provisions of this Addendum shall govern and control.

ANTHONY J LEE

WHITE MOUNTAIN APACHE TRIBE

TRIBAL ATTORNEY



TRIBAL CHAIRMAN

DATE

DATE