



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

(Appointing Special Prosecutor to Consider Tribal Charges for 2010 Election)

- WHEREAS,** during the 2010 Tribal Election, allegations were made against five employees of the White Mountain Apache Tribe ("Tribe") that they violated the Election Code by tampering with absentee ballots and committing voting fraud and their actions led to the Tribal Council ("Council") taking action by suspending the employees pending the outcome of a criminal investigation; and
- WHEREAS,** in conjunction with the suspension of the five individuals, the Council authorized an investigation into the allegations of voting fraud and absentee ballot tampering, which was thereafter conducted by attorney Troy Eid, of the Greenberg Traurig law firm; and
- WHEREAS,** the Tribal Council and Election Commission have awaited the results of the investigation and prosecution of the individuals associated with "JKW, Inc.;" and
- WHEREAS,** as the Tribal Council has yet to be appraised by federal investigators concerning the merits of the allegations made, Mr. Jerry Gloshey, Jr., requests that the Council take action to ensure that future elections will be free of interference and tampering by political operatives and that future elections will be clean and fair; and
- WHEREAS,** Mr. Gloshey, Jr., requests that the following actions take place to assure Tribal Members that the integrity of Tribal Elections is a priority for the Council and that if any wrongs were committed by the individuals in question, that justice be served:
1. Direct the Legal Department to write to federal prosecutors and request an update on their investigation into JKW, Inc., and the allegations against the former Tribal employees.
 2. Appoint a Tribal Special Prosecutor to consider filing Tribal charges against any individuals found tampering with ballots and/or committing voting fraud.
- WHEREAS,** among Troy Eid's findings were that "probable cause currently exists that four of the five Tribal Employees engaged in criminal violations of the Election Code [and] all five of the suspended employees violated the Tribe's Personnel Policies [...] and, in light of the severity of these violations should be immediately terminated" by the Council; and
- WHEREAS,** the Tribal Council is in consensus that the integrity of Tribal Elections is of the utmost importance and, therefore, finds it in the best interest of the White Mountain Apache Tribe to honor Mr. Jerry Gloshey Jr.'s requests.

Resolution No. 09-2011-189

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Legal Department to write federal prosecutors to request an update on their investigation into JKW, Inc., and the allegations made against former Tribal employees that they violated the Election Code.

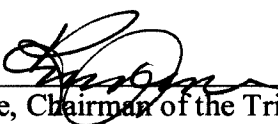
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the appointment of a Tribal Special Prosecutor to consider filing Tribal charges against the five individuals that allegedly committed acts of voting fraud and absentee ballot tampering.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby formally requests that any evidence or records that may be in the custody of attorney Troy Eid or the United States Attorney General's Office be shared with the Tribe's Prosecutor so that the Tribe may enforce the Criminal and Election Codes to the fullest extent of the law.

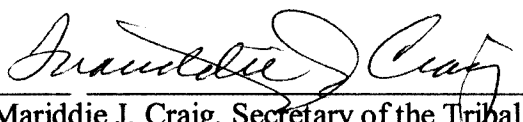
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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

The foregoing resolution was on **SEPTEMBER 21, 2011** duly adopted by a vote of **SIX** for and **THREE** 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), (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 the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council