



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Accepting Settlement Offer from Mashantucket Pequot Tribal Nation, Pequot Health Care and Pequot Plus Health Benefits Services)

WHEREAS, the White Mountain Apache Tribe (“WMAT”) filed a Complaint in 2009 against the Mashantucket Pequot Tribal Nation, Pequot Health Care and Pequot Plus Health Benefits Services (“Pequot”) in Mashantucket Pequot Tribal Court, Civil Action MPTC-CV-GL-2009-212; and

WHEREAS, WMAT’s Complaint alleged, among other things, mismanagement and misrepresentations by Pequot while acting as WMAT’s Third-Party Administrator of its Employee Health Benefits Program; and

WHEREAS, motion practice, exchange of discovery documents, depositions and negotiations have taken place over the past five (5) years. Trial in this matter is currently scheduled to commence on April 27, 2015 in Mashantucket Pequot Tribal Court; and

WHEREAS, pursuant to the Mashantucket Pequot Rules of Court and Civil Procedure Rule 68, Pequot offered to allow judgment to be taken against them in favor of WMAT in an Offer of Judgment filed on January 9, 2015; and

WHEREAS, the Tribal Council has considered all discussion regarding the proposed settlement and determined that it is in the best interest of the Tribe to accept the Offer of Judgment.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts the Offer of Judgment received from Pequot as full and final settlement of the Tribe’s claims against Pequot.

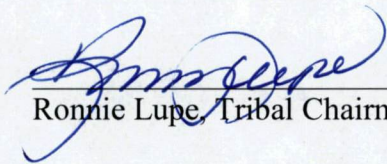
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

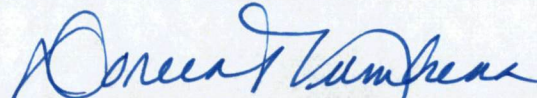
Resolution No. 01-2015-08

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 **JANUARY 14, 2015** duly adopted by a vote of **SEVEN** for, **THREE** against, and **ONE** abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).


Ronnie Lupe, Tribal Chairman

2/5/15
Date

 2-5-2015
Doreen T. Numkena, Tribal Secretary Date