



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Approving Master Services Agreement for \$69,750.00 Between Hon Dah Resort Casino and Eide Bailly LLP to Implement NetSuite Program and Limited Waiver of Sovereign Immunity)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(b) that the Tribal Council (“Council”) shall exercise the power, “To negotiate, make and perform contracts and agreements of every description, not inconsistent with federal law or [the] constitution, with any person, association, or corporation... ”; and

WHEREAS, Hon-Dah Resort-Casino (“Hon-Dah”) is a wholly-owned economic enterprise of the Tribe; and

WHEREAS, Hon-Dah plans to utilize a software called “Net Suite” which is a comprehensive system to help operate and manage its operations; and

WHEREAS, Eide Bailly LLP is a nationwide accounting and business consulting firm who can assist Hon Dah in effectively implementing Net Suite across its operations, and has proposed a Master Services Agreement in the amount of \$69,750, plus expenses (“MSA”) attached and incorporated herein); and

WHEREAS, The MSA contains a limited waiver of the Tribe’s sovereign immunity from suit, after completion of all arbitration processes; and

WHEREAS, The Council have reviewed the agreement and find that approving it, with the limited waiver of sovereign immunity, will help Hon Dah improve its operations, and is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the attached Master Services Agreement between Hon-Dah Resort-Casino and Eide Bailly LLP for implementation of Net Suite across Hon-Dah’s operations, with the limited waiver of sovereign immunity is hereby approved.

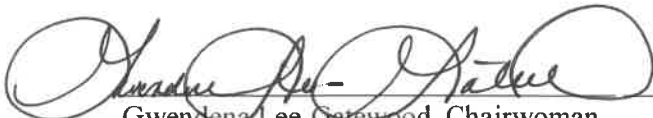
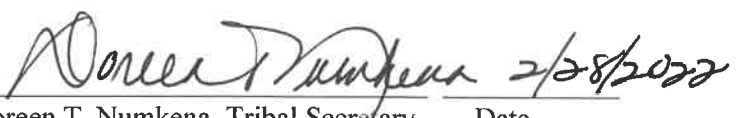
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution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

Resolution No. 02-2022-25

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 the Chairwoman, or in her 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 **FEBRUARY 14, 2022** duly adopted by a vote of **NINE** for, **ZERO** against, and **ZERO** abstentions 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).

 2.28.22  2/28/2022
Gwendana Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date