



# WHITE MOUNTAIN APACHE TRIBE

## A Sovereign Tribal Nation

### **(Authorizing the Tribe to Participate in the Distributors' Tribal Settlement in *Purdue Pharma, L.P. et al.* and *National Prescription Opiate Litigation* both Class-Action Lawsuits Against Opioid Manufacturers, Distributers, and Pharmacy Retailers, and Execute a Release of All Claims Agreement)**

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- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(d) that the Tribal Council ("Council") shall exercise the power "To employ legal counsel..."; and
- WHEREAS,** The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation also 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..."; and
- WHEREAS,** As authorized by Resolution No. 07-2020-174, the Tribe joined as a member of the class of plaintiffs in *Purdue Pharma L.P., et al.* (the "Suit") to pursue claims for damages to the Tribe and its members resulting from the alleged actions of the defendants related to opioids; and
- WHEREAS,** By Resolution No.03-2021-58, the Tribe joined as a member of the class of plaintiffs in *National Prescription Opiate Litigation* to pursue claims for damages to the Tribe and its members resulting from the alleged actions of the defendants related to opioids; and
- WHEREAS,** Fields PLLC, Bowers Law Office, Miller Law Group PLLC, and Seneca Jacobs (collectively the "Attorney Group") represented the Tribe in both suits; and
- WHEREAS,** After years of litigation and settlement discussions, the parties have reached a settlement; and
- WHEREAS,** The Attorney Group recommends, through a Tribal Participation Form ("Form"), that the Tribe participate in the settlement for both suits; and
- WHEREAS,** The Council has reviewed the Form for both suits and understands all terms in the Form and concludes that participating in the settlement and approving the Tribal Participation Form for both suits is in the best interests of the Tribe and its members; and

**Resolution No. 04-2022-70**

**WHEREAS,** Given the urgency of the situation, the Tribal Council further finds that this needs to be considered and made outside of its regularly scheduled meeting; and

**WHEREAS,** The Council further finds that: (1) this Resolution may be voted upon by signature of a member of the Tribal Council where a signature indicates a vote for this Resolution; (2) the Tribal Council Secretary should attempt to obtain signatures for members of the Tribal Council personally; (3) no signature means that the respective Tribal Council member is against this Resolution, and; (4) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that Tribe is hereby elects to participate in the settlement in *Purdue Pharma L.P., et al.* and *National Prescription Opiate Litigation*, and to become a Settling Tribal Entity as provided in the Form for both suits.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that execution of the Tribal Participation Forms, and release of all claims for both suits is hereby approved.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that given the urgency of the request described herein, this Resolution may be voted upon as follows: (a) by signature of a member of the Tribal Council, including the Chairwoman of the Tribal Council and the Vice-Chairman of the Tribal Council, where a signature indicates a vote for this Resolution, (b) the Tribal Council Secretary shall attempt to obtain signatures for members of the Tribal Council personally, (c) no signature shall mean that the respective Tribal Council member is against this Resolution, (d) the Tribal Council Secretary should wait no longer than a reasonable period of time to obtain a vote by signature or by no signature, and so indicate that this Resolution was presented to the respective member of the Tribal Council for a vote.


**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.

**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.

**Resolution No. 04-2022-70**

The foregoing resolution, on **APRIL 1, 2022** was 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).

  
Acting WMAT Chairman  
Gwendena Lee-Gatewood, Chairwoman

4-1-22  
Date

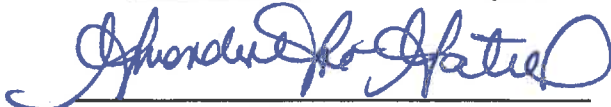
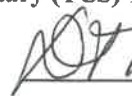
  
Doreen T. Numkena  
Doreen T. Numkena, Tribal Secretary

4-1-2022  
Date



**Resolution No. 04-2022-70**

Signatures of the members of the Tribal Council represent their approval of Tribal Council Resolution No: 04-2022-70 initiated the 1st day of April 2022.

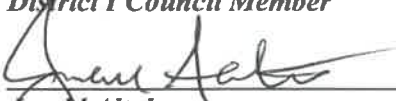

Presented Personally by Tribal Council Secretary (TCS)-Indicated by Initials

  
\_\_\_\_\_  
Gwendena Lee-Gatewood  
Tribal Chairwoman  
4.1.22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

\_\_\_\_\_  
Jerome Kasey, III  
Vice Chairman  
\_\_\_\_\_  
Date Signed  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Arnold Beach, Sr.  
District I Council Member  
04-01-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials



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Travis Tessay  
District I Council Member  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

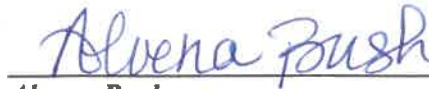

  
\_\_\_\_\_  
Jerold Altaha  
District II Council Member  
04-01-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

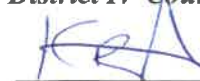

  
\_\_\_\_\_  
Renaldo Dazen  
District II Council Member  
4-1-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Aubrey Aday  
District III Council Member  
4-1-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Alvin DeClay Sr.  
District III Council Member  
04-01-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Gary Alehesay  
District IV Council Member  
04-01-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Alvena Bush  
District IV Council Member  
04-01-22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

  
\_\_\_\_\_  
Kasey Velasquez  
District IV Council Member  
4.1.22  
\_\_\_\_\_  
Date Signed  
  
\_\_\_\_\_  
TCS Initials

ATTEST:

  
\_\_\_\_\_  
Doreen T. Numkena, Tribal Council Secretary

4-1-2022  
\_\_\_\_\_  
Date Signed