



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: *“Amendment of the Three Affiliated Tribes’ Resolution No. 07-02-VJB, dated January 11, 2007, which was entitled ‘Amendment of The Three Affiliated Tribes Resolution No. 05-175-NH, dated December 2, 2005’, Offering Material Terms for the Settlement of Three Affiliated Tribes v. Kempthorne, et al., Civil Action No. 1:02-CV-00253(RCL)(U.S. District Court for the District of Columbia).’ ”*

.”

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to negotiate with the federal government on behalf of the Tribes; and

WHEREAS, On or about January 11, 2006, the Tribal Business Council of the Three Affiliated Tribes of the MHA Nation enacted Resolution No. 07-02-VJB in connection with the trust fund lawsuits filed in U.S. District Court for the District of Columbia, referenced above, and in the U.S. Court of Federal Claims, which Resolution No. 07-02-VJB is herein incorporated by reference in its entirety; and

WHEREAS, By email dated April 9, 2007, received by counsel for the Three Affiliated Tribes on or about April 10, 2007, senior counsel for the U.S. Department of Justice, representing the defendants in the above-referenced lawsuits, advised that the



Government's response to Tribal Resolution No. 07-02-VJB could not be provided to the Tribes by April 16, 2007 inasmuch as additional research was required in order to respond fully to the Tribes' pending settlement proposal, including the numerous proposed reservations of rights contained therein; and

WHEREAS, Counsel for the Government requested that the Tribes extend the amount of time in which the Government may respond to the Tribes' pending settlement offer, as reflected in Tribal Resolution No. 07-02-VJB, up to and including June 1, 2007; and

WHEREAS, After discussion with counsel for the Three Affiliated Tribes in this matter and after consideration of such factors as the history of the settlement negotiations; the language contained in Resolution No. 07-02-VJB (January 11, 2006) and the language contained in prior Tribal Resolutions; and the Government's April 9, 2007 request for an additional 45 days, up to and including June 1, 2007, within which to respond to the Tribes' pending settlement offer, as reflected in Tribal Resolution No. 07-02-VJB, the Tribal Business Council has agreed to the Government's request for a 45-day extension to respond to the Tribe's offer to settlement.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes does hereby authorize and agree to amend Resolution No. 07-02-VJB insofar as granting the Government's request for an extension of time within which to respond to the Tribes' pending settlement offer, as reflected in Tribal Resolution No. 07-02-VJB, up to and including June 1, 2007, provided that the other terms and conditions set forth in Tribal Resolution No. 07-02-VJB shall remain the same and are hereby affirmed and incorporated by reference.

CERTIFICATION

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 12th day of April 2007; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 0 members opposed, 1 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman voting. [] not voting.

Dated this 12th day of April 2007.



ATTEST:

A handwritten signature in black ink, appearing to be "V. Judy Brugh", written over a horizontal line.

Secretary, V. Judy Brugh
Tribal Business Council

A handwritten signature in blue ink, appearing to be "Marcus Wells, Jr.", written over a horizontal line.

Chairman, Marcus Wells, Jr.
Tribal Business Council