



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

A Tribal Resolution entitled “Acceptance of the terms and conditions contained in the January 28, 2008 Final Version of the Joint Stipulation of Settlement and [Proposed] Order, Drafted in Response to Tribal Resolution No. 07-225-VJB, dated November 29, 2007, and Joint Stipulation of Settlement and [Proposed] Order approved by the Tribal Business Council, also on November 29, 2007, in connection with the Settlement of Three Affiliated Tribes v. Kempthorne, et al, Civil Action No. 1:02-CV-00253(JR)(U.S. District Court for the District of Columbia) and Three Affiliated Tribes of the Fort Berthold Reservation v. United States, No.1: 06-cv-00904-LJB (U.S. Court of Federal Claims.) ”

WHEREAS, All the Recitals (“WHEREAS” provisions) contained in Tribal Resolution Nos. 07-0128-VJB and 07-225-VJB, which are dated June 15, 2007 and November 29, 2007, respectively, are repeated and incorporated by reference herein; and

WHEREAS, Subsequent to the Tribal Business Council’s passage of Tribal Resolution No. 07-0128-VJB (on June 15, 2007), which resolution was transmitted to the U.S. Department of Justice on or about June 20, 2007, the Government responded by submitting for the Tribes’ review and consideration a draft Joint Stipulation of Settlement and [Proposed] Order, dated August 18, 2007; and

WHEREAS, On or about August 30, 2007, comments and responses were submitted on behalf of the Three Affiliated Tribes to the U.S. Department of Justice regarding the terms and conditions contained in the August 18, 2007 draft Joint Stipulation of Settlement and [Proposed] Order; and

WHEREAS, On or about October 18, 2007, the Government responded to the above-referenced August 30, 2007 comments made on behalf of the Three Affiliated Tribes (in response to the August 18, 2007 draft of the Joint Stipulation of Settlement and [Proposed] Order) by submitting a revised draft of the Joint Stipulation of Settlement and [Proposed] Order, dated October 18, 2007; and

WHEREAS, On or about November 29, 2007, the Tribal Business Council passed Tribal Resolution No. 07-225-VJB, which accepted all the terms and conditions contained in the Government’s revised draft of the Joint Stipulation of Settlement and [Proposed] Order, dated October 18, 2007, and added a provision (paragraph 17) addressing the mechanism of payment; and

WHEREAS, On or about January 15, 2008, counsel for the Government proposed a revision to the settlement payment mechanism, to which counsel for the Plaintiff agreed; and



NOW, THEREFORE, BE IT FINALLY RESOLVED that the Tribal Business Council of the Three Affiliated Tribes does hereby authorize and agree to the addition and inclusion of numbered Paragraph 7 in the attached January 28, 2008 final version of the Joint Stipulation of Settlement and [Proposed] Order in order to assure that outside counsel representing the Three Affiliated Tribes in connection with this matter are promptly paid their eight percent (8%) contingency.


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 seven (7) members of whom five (5) constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 30th day of January, 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [X] Voting. [] Not Voting

Dated this 30th day of January, 2008

ATTEST:


Secretary, Judy Brugh
Tribal Business Council


Chairman, Marcus D. Wells, Jr.
Tribal Business Council