



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

A Resolution Entitled: *“Order for a New General Election for White Shield Segment Representative”*

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, The Constitution and By-laws of the Three Affiliated Tribes was adopted by membership of the Tribes on May 15th, 1936 pursuant to the Indian Reorganization Act of 1934 and duly approved by the Secretary of Interior; 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, Frank Whitecalfe and Fred Fox, the two candidates in the 2008 General Election for the White Shield Segment Representative have separately and individually filed appeals pursuant to the Tribal Election Ordinance; and

WHEREAS, The Fort Berthold District Court has issued a memorandum opinion dated February 20, 2009 recommends a new general election for the White Shield Representative; and

NOW THEREFORE BE IT RESOLVED, the Tribal Business Council, pursuant to its authority under Article IV of the Constitution and Bylaws of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby orders the following:

A new General election for the White Shield Segment between Candidates Frank Whitecalfe and Fred Fox to be held April 21, 2009; and



The Tribal Election Board certification of the results of the April 21, 2009 White Shield General Election shall be final and without appeal; and

In case of a tie vote in the April 21, 2009 White Shield General Election, the two (2) tied candidates shall flip a coin in a special hearing conducted by the Tribal Election Board for the purposes of determining which candidate shall be declared elected to the position; and

The Tribal Business Council action to declare a new White Shield General Election shall not diminish or extinguish any appeal rights for either candidate under the Tribal Election Ordinance.


CERTIFICATION

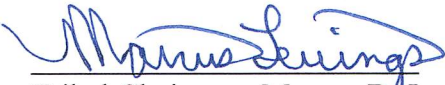
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 6 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 2nd day of March 2009; 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 [] voting. [] not voting.

Dated this 2nd day of March, 2009.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus D. Levings
Tribal Business Council
Three Affiliated Tribes