



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

**A Resolution Entitled, “*Authorizing and Approving Representation Agreement with Robins Kaplan LLP*”**

**WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and

**WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and

**WHEREAS,** The Constitution 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 MHA Nation and of the enrolled members thereof; and

**WHEREAS,** Article VI, Section 5(c) of the Constitution specifically authorizes and empowers the Tribal Business Council to administer funds within the exclusive control of the Nation and to make expenditures from available Tribal funds for public purposes for the Nation; and

**WHEREAS,** Spotted Hawk Development, LLC, a lessee under an Indian Mineral Development Act oil and gas lease with the MHA Nation, has initiated an arbitration action currently pending before the American Arbitration Association; and

**WHEREAS,** The Tribal Council has become aware of a Complaint in Tribal Court entitled *Good Bear et. al. v. Fox et.al.* naming members of the Tribal Business Council as defendants; and

**WHEREAS,** The MHA Nation is interested in retaining the legal services of Robins Kaplan LLP to represent the MHA Nation in the arbitration action and the Tribal Court action at the rates described in the attached Representation Agreement.

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council hereby authorizes and approves retaining Robins Kaplan LLP to represent the MHA Nation in the above referenced pending arbitration action and Tribal Court action under the terms and at the rates described in the Representation Agreement, attached to this Resolution.



**BE IT FINALLY RESOLVED**, that the Tribal Business Council hereby approves authorizes the Tribal Chairman to execute the Representation Agreement with Robins Kaplan LLP and take such further action as necessary to carry out the terms and intent of this Resolution.

**CERTIFICATION**

I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 13<sup>th</sup> day of September, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ ] Voting. [ X ] Not Voting.

Dated this 13<sup>th</sup> day of September, 2023.

**ATTEST:**

Tribal Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

Chairman, Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes