



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

A Resolution Entitled, “*Authorizing and Approving the Three Affiliated Tribes’ Participation in Settlement of Tribal Opioid Claims Against McKinsey & Company, Inc.*”

- 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,** The Native American population has suffered some of the worst consequences of the opioid epidemic of any population in the United States and tribal governments have spent considerable funds to cover the costs of the opioid crisis, including increased costs for health care, social services, child welfare, law enforcement and other government services; and
- WHEREAS,** Pursuant to Resolution Nos. 22-136-FWF and 23-022-FWF the Tribal Business Council approved the MHA Nation’s participation in tribal opioid settlements against major distributors, manufacturers, and pharmacies; and
- WHEREAS,** In return for a comprehensive release of claims, McKinsey & Company, Inc. (McKinsey), a worldwide management consultant firm, will pay approximately \$39.5 million to all Tribes in one lump sum payment; and
- WHEREAS,** The settlement will only go into effect if McKinsey deems that there is a sufficient amount of participation by the Tribes in the Settlement; and
- WHEREAS,** Under the terms of the Settlement, each tribal entity has the right to determine which approved opioid abatement uses are best for the tribal entity; and
- WHEREAS,** The Tribal Business Council is aware of and has reviewed the terms of the McKinsey Settlement and believes it is in the best interest of the MHA Nation and has determined it appropriate to participate in the McKinsey Settlement.



NOW THEREFORE BE IT RESOLVED, The Tribal Business Council authorizes and approves the attached participation form and informed consent letter for the McKinsey Settlement to enable the MHA Nation, acting through the authorized law firm, Skikos Crawford Skikos & Joseph, LLP, to participate in the McKinsey Settlements.

BE IT FURTHER RESOLVED, The Tribal Business Council authorizes Skikos Crawford Skikos & Joseph, LLP to execute and submit the tribal participation form on the MHA Nation's behalf.

BE IT FINALLY RESOLVED, The Chairman is hereby authorized to execute the informed consent letter and take such further action as is 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 13th 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 13th 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