

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

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act; and

WHEREAS, The Constitution and Bylaws of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities for the welfare and benefit of the Tribes and tribal members; and

WHEREAS, The Attorneys, Wilkinson, Cragun & Barker, Contract No. A00C1420-1145, have submitted voucher for payment of legal services in the amount of \$6,174.07 rendered during May 1-31, 1982; and

WHEREAS, Wilkinson, Cragun & Barker have submitted voucher for payment of legal expenses in the amount of \$299.38 incurred during May 1-31, 1982;

NOW THEREFORE BE IT RESOLVED, That the Tribal Business Council hereby authorizes payment in the amount of \$6, 473.45 to Wilkinson, Cragun & Barker for legal services and legal expenses incurred during May 1-31, 1982.

C E R T I F I C A T I O N

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 11 members of whom 7 constitutes a quorum, 9 were present at a Regular Meeting, thereof duly called, noticed, convened and held on the 8 day of July, 1982; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 8, 0 members opposed, 0 members abstained, 1 members not voting, and that said resolution has not been rescinded or amended in any way.

Chairman (voting) (~~not voting~~).

DATED THIS 8 DAY OF July, 1982.

Lillie Thacker
SECRETARY, TRIBAL BUSINESS COUNCIL

ATTEST:

Austin H. Bivette
CHAIRMAN, TRIBAL BUSINESS COUNCIL

WILKINSON, CRAGUN & BARKER
LAW OFFICES

1735 NEW YORK AVENUE, N. W.
WASHINGTON, D. C. 20006
(202) 783-4800

CABLE: "WILCBAR"

TELEX: (710) 822-9349

ERNEST L. WILKINSON (1899-1978)
JOHN W. CRAGUN (1906-1969)
ANGELO A. IADAROLA (1933-1980)

ROSEL H. HYDE
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ANCHORAGE OFFICE
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601 WEST FIFTH AVENUE
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STEPHEN R. BELL
FOSTER DE REITZES
PHILIP A. NACKE
EDWARD M. FOGARTY
JOSEPH P. MARKOSKI
WILLIAM H. TIMME *

ROBERT W. BARKER
PAUL S. QUINN
RICHARD A. BAENEN
HERBERT E. MARKS
FRANCES L. HORN
PATRICIA L. BROWN
R. ANTHONY ROGERS
JOHN M. FACCIOLA
THOMAS E. WILSON
ROBERT B. MCKENNA, JR.
STEVEN C. LAMBERT

June 29, 1982

JAMES E. MAGEE
CHARLES I. APPLER
F. THOMAS MORAN
JACQUELYN R. LUKE
TIMOTHY C. SLOAN
SUSAN O. BERGHOEF
LUISA L. LANCETTI
JAMES A. MICHAELS
LISA J. FRASCO

STEPHEN A. HILDEBRANDT
LAUREL R. BERGOLD
CAROL L. BARBERO
JAMES L. CASSERLY
KENNETH E. SATTEN
GLENN P. SUGAMELI
PAUL J. SINDERBRAND
KENNETH D. PATRICH
SUSAN J. BELL **

*Admitted in Alaska and Texas only
**Admitted in California only

Mr. Austin Gillette, Chairman
Tribal Business Council
Three Affiliated Tribes
New Town, North Dakota 58763

Dear Austin:

Enclosed is our voucher for fees and expenses incurred during May 1982. If you or anyone else on the Council has any question about this voucher, please let us know.

A copy of this letter, and the original of the statement and accompanying documents (and three copies) are being sent to the Aberdeen Area Office for its review.

Sincerely,

WILKINSON, CRAGUN & BARKER

Charlie

By: Charles A. Hobbs

Enc.

cc: Business Council
Aberdeen Area Director
Supt., Fort Berthold Agency

RECEIVED

JUL 02 REC'D

THREE AFFILIATED TRIBES

Standard Form 1034 September 1973 4 Treasury FRM 2000 1034-115		PUBLIC VOUCHER FOR PURCHASES AND SERVICES OTHER THAN PERSONAL				VOUCHER NO.	
U.S. DEPARTMENT, BUREAU, OR ESTABLISHMENT AND LOCATION <div style="text-align:center; font-size: 1.2em;"> INTERIOR - Indian </div>				DATE VOUCHER PREPARED <div style="text-align:center; font-size: 1.2em;"> 6-29-82 </div>		SCHEDULE NO.	
PAYEE'S NAME AND ADDRESS <div style="border: 1px solid black; padding: 5px; margin: 5px;"> WILKINSON, CRAGUN & BARKER 1735 New York Avenue, N.W. Washington, D.C. 20006 </div>				CONTRACT NUMBER AND DATE <div style="text-align:center; font-size: 1.2em;"> A00C14201145 </div>		PAID BY	
				REQUISITION NUMBER AND DATE			
				DATE INVOICE RECEIVED			
				DISCOUNT TERMS		PAYEE'S ACCOUNT NUMBER	
SHIPPED FROM		TO		WEIGHT		GOVERNMENT B/L NUMBER	
NUMBER AND DATE OF ORDER	DATE OF DELIVERY OR SERVICE	ARTICLES OR SERVICES <i>(Enter description, item number of contract or Federal supply schedule, and other information deemed necessary)</i>	QUANTITY	UNIT PRICE		AMOUNT	
		Legal services rendered on behalf of Three Affiliated Tribes of Ft. Berthold Reservation during May 1-31, 1982, pursuant to Contract No. A00C14201145.		COST	PER	\$6,174.07	
		Expenses incurred pursuant to the same contract, posted during May 1-31, 1982.				299.38	
(Use continuation sheet(s) if necessary)						(Payee must NOT use the space below)	
TOTAL		\$6,473.45					
PAYMENT:		APPROVED FOR		EXCHANGE RATE		DIFFERENCES	
<input type="checkbox"/> COMPLETE		= \$		= \$1.00		BY 2	
<input type="checkbox"/> PARTIAL		TITLE		Amount verified; correct for		(Signature or initials)	
<input type="checkbox"/> FINAL		Pursuant to authority vested in me, I certify that this voucher is correct and proper for payment.		(Date)		(Authorized Certifying Officer) ¹	
<input type="checkbox"/> PROGRESS		(Title)		ACCOUNTING CLASSIFICATION		CHECK NUMBER ON TREASURER OF THE UNITED STATES	
<input type="checkbox"/> ADVANCE		CHECK NUMBER ON (Name of bank)		CASH		DATE	
PAID BY		PAYEE ³		PER		TITLE	
\$		\$		\$		\$	
¹ When stated in foreign currency, insert name of currency.						PER <i>CAH</i>	
² If the ability to certify and authority to approve are combined in one person, one signature only is necessary; otherwise the approving officer will sign in the space provided, over his official title.						TITLE <i>Partner</i>	
³ When a voucher is received in the name of a company or corporation, the name of the person writing the company or corporate name, as well as the capacity in which he signs, must appear. For example: "John Doe Company, per John Smith, Secretary", or "Treasurer", as the case may be.							

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Three Affiliated Tribes
New Town, North Dakota 58763

STATEMENT

General counsel services during May, 1982:

Special authorized services:

Garrison Dam Minerals Restoration Bill: Conferences with Jane Wrenn, and Leo Wilking of Burdick's staff; located and sent requested information to Wilking; prepare memo on Corps of Engineers' acquisition policy; letter to Austin Gillette; outline brief in support of the Bill to be prepared for Senators; do research for brief; call Austin re delaying bill until after elections; telecons with Buhl Chenoweth and Mr. Josephson of Corps of Engineers re policy.

				Standard Rates	Tribal (85%) Rate
Mr. Hobbs	6.5 hrs.	x	\$155	= \$1007.50	\$ 856.37
Ms. Berghoef	34.6 hrs.	x	75	= 2595.00	2205.75

Wefald Plan: Telecon Ron Hodges re proposed agreement; telecons with Hugh Baker and Austin Gillette; review correspondence; letter to Seiser re correct facts on Garrison Dam Taking; call Hugh Baker re 7 points of fishing agreement and edit same before calling to Baker's secretary; call Austin and Hugh re fishing agreement points; draft letter re Lower Brule case, study and research same.

Mr. Hobbs	5.1 hrs.	x	\$155	= \$ 790.50	\$ 671.92
Ms. Berghoef	0.9 hr.	x	75	= 67.50	57.38

Special authorized services (cont.):

Judgment Distribution-Hospital Fund Problem: Conferences with Jane Wrenn; long telecon with Duard Barnes at Interior re allowing change in attorney fees; try to reach John Fritz; talk to Ms. Toda; call Austin Gillette and transmit draft of complex resolution over phone for Council to approve; call from Austin, calls to Fritz, Krenzke, Mike Jackson; draft letter to Interior Committee; prepare and deliver to Krenzke proposed plan to solve problem; visit Jane Wrenn, Mike Jackson and Pete Taylor on Hill re Plan and call Austin; meet with Austin and help prepare letters to Andrews, Burdick, Dorgan and Fritz, and accompany Gillette to Hill and Interior meetings. (10 hours Mr. Hobbs' time no-charged.)

				<u>Standard Rates</u>	<u>Tribal (85%) Rate</u>
Mr. Hobbs	8.8 hrs.	x	\$155 =	\$1364.00	\$1159.40
Ms. Berghoef	0.4 hr.	x	75 =	30.00	25.50

Wahpeton School Closing: Call from Doug Andreson of NARF re responsiveness of Dorgan to closing; talk with August Little Soldier; call Ms. Hammons, attorney in Nebraska; call John Echohawk.

Mr. Hobbs	0.5 hr.	x	\$155 =	\$ 77.50	\$ 65.88
Mr. Sugameli	0.5 hr.	x	75 =	37.50	31.87

Total special authorized services	\$5074.07
Retainer fee*	<u>1100.00</u>
Total fees	\$6174.07
Expenses posted during May 1982 (per attached statement)	<u>299.38</u>
TOTAL	<u>\$6473.45</u>

* The retainer fee covers, in part, the Tribe's share of the firm's "All Tribal Client Services," which is the time put in by all attorneys in the firm on matters affecting all our tribal clients. The retainer fee also includes attorney travel time for up to four trips a year, and includes minor telephone conversations.

Initials used in the following breakdown of expenses refer to the following persons in the law offices of Wilkinson, Cragun & Barker and are associated with the contract attorneys:

CAH	Charles A. Hobbs, Partner
EFD	E. Foster DeRetizes; Partner
MEB	Mary Elizabeth Bierman, Legal Assistant
JEJ	Joan E. Johnson, Legal Assistant
BWB	Broadus W. Boxley, Messenger

PAYEE: Wilkinson, Cragun & Barker

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* 1/29	Tel., CAH, D.C. to Supt. Fields, New Town, N.D.	.65
* 4/13	Tel., CAH, D.C. to Allen McKay, New Town, N.D.	5.59
* 4/15	Tel., CAH, D.C. to Tom Eagle, New Town, N.D.	1.10
* 4/16	Tel., CAH, D.C. to Tom Eagle, New Town, N.D.	.66
* 4/19	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	.66
* 4/19	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	11.59
* 4/21	Tel., CAH, D.C. to Willard Yellow Bird, New Town, N.D.	4.69
* 4/21	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	13.87
* 4/21	Tel., CAH, D.C. to Leroy Chief, Walpeton, N.D.	6.49
* 4/21	Tel., CAH, D.C. to Willard Yellow Bird, New Town, N.D.	1.10
* 4/22	Tel., CAH, D.C. to Leroy Chief, Walpeton, N.D.	.66
* 4/22	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	2.00
* 4/22	Tel., CAH, D.C. to Ron Hodge, Bismarck, N.D.	1.32
* 4/22	Tel., CAH, D.C. to Robert Wefald, Bismarck, N.D.	1.10
* 4/23	Tel., CAH, D.C. to Austin Gillette, New Town, N.D.	1.10
* 4/28	Tel., CAH, D.C. to Robert Wefald, Bismarck, N.D.	.66
* 4/29	Tel., CAH, SFO to EFD, D.C.	.76
* 4/29	Tel., CAH, SFO to EFD, D.C.	2.76
* 4/29	Tel., CAH, SFO to EFD, D.C.	1.75
* 4/29	Local transportation to and from Postal Department Library (JEJ)	4.85
5/3	Local transportation to and from Capitol Hill (CAH)	4.50
5/3	Local transportation to and from National Archives (MEB)	4.50
5/3	Tel., CAH, D.C. to Austin Gillette, New Town, N.D.	.66
5/3	Tel., CAH, D.C. to Hugh Baker, New Town, N.D.	.66

*/ Not previously vouchered.

PAYEE: Wilkinson, Cragun & Barker

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5/4	Tel., CAH, D.C. to Skp Seiser, Min ^{to} , N.D.	.66
5/4	Tel., GPS, D.C. to NARF, Doug Endreson, Boulder	2.82
5/4	Local transportation to and from Dirksen Building (BWB)	3.50
5/6	Clerk, U.S. District Court - photocopying charge for memorandum opinion, order and letter in <u>Lower Brule Sioux Tribe v. State of South Dakota</u>	20.50
5/12	Messenger Service - delivery to Dirksen Building (rush)	12.00
5/13	Local transportation to and from Dirksen Building (MEB)	4.00
5/24	Local transportation to Capitol Hill to Interior to Capitol Hill and return with Austin Gillette (CAH)	9.85
5/31	Excess postage incurred during the month of May	23.54
5/31	Cost of photocopying during the month of May (897 ccs at \$.15 per page)	134.55
5/31	Cost of multilithing during the month of May	<u>14.28</u>
	TOTAL OF VOUCHER	<u>\$299.38</u>