

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, Article VI, Section 3 (a) of the Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to present and prosecute any claims of the Three Affiliated Tribes before any court, and to employ attorneys of record for such services and to determine their fees; and
- WHEREAS, In March, 1980, the Three Affiliated Tribes instituted a civil action, in the District Court of Ward County, Northwest Judicial District, against Wold Engineering, wherein said Tribes sought monetary damages on a claim that said Wold Engineering had negligently designed the water intake system for the Four Bears Village, situated within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS, In an opinion filed July 1, 1982, the Supreme Court of North Dakota, on appeal, affirmed the Judgment of the District Court dismissing the Complaint of the Three Affiliated Tribes for lack of subject matter jurisdiction over a civil action instituted by an Indian Tribe as plaintiff against non-Indians as defendants, wherein the cause of action arose within the exterior boundaries of an Indian reservation; and
- WHEREAS, On August 6, 1982, the Tribal Business Council authorized John O. Holm to execute the appeal process to the United States Supreme Court; and on April 25, 1983, the United States Supreme Court granted certiorari;
- WHEREAS, Because of the specific time requirement involved in the appeal, particularly the immediate filing of the docket fee of \$100.00 and the agreement between the parties for a Joint Appendix by May 5, 1983, and the June 9, 1983 deadline for Brief on the Merits, Attorney John O. Holm, in order to preserve the appeal and insure an effective presentation of a Brief on the Merits, did incur the expenses of \$755.60 as previously submitted to the Three Affiliated Tribes (but yet unpaid) and the sum of \$1049.67 for additional expenses and legal services.
- NOW, THEREFORE, BE IT RESOLVED, That the sum of \$755.60 and \$1049.67 for a total of \$1805.27 be paid to John O. Holm for expenses and services since the filing of the Petition for Writ of Certiorari.

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, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 16 day of June, 1983; that the foregoing resolution was duly adopted at such meeting by the affirmative vote of 7 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 16 day of June, 1983.

Demi Guba
Secretary, Tribal Business Council
(Acting)

ATTEST:

Alyce Spotted Bear
Chairman, Tribal Business Council

LAW OFFICES
~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~ AND JOHN HOLM
 ATTORNEYS AT LAW
 17 SECOND AVENUE WEST
 DICKINSON, NORTH DAKOTA 58601

MATTER:

TO [Tribal Business Council
 Three Affiliated Tribes
 New Town, North Dakota 58763]

DATE: May 2, 1983

STATEMENT
 FOR PERIOD:

11/15/82	Discussion with Ron Hodge State Filing Amicities of Support	1/3	\$ 23.10	\$
12/ 1/82	Reviewed Order of Supreme Court Letter to Tribal Business Council and phone call to Ron Hodge and letter to Hodge	3/4	52.50	
12/ 6/82	Talked with Ellen Durkee Solicitor General's Office Washington Phone Postage, express mail of Brief	1/2	35.00 7.95 10.25	
2/14/83	Discussion Solicitor General's Office	1/3	23.10	
TOTAL				\$

LAW OFFICES
~~TOMMY BEYER AND~~ JOHN HOLM
 ATTORNEYS AT LAW
 17 SECOND AVENUE WEST
 DICKINSON, NORTH DAKOTA 58601

MATTER:

To

Page two

DATE:

STATEMENT
 FOR PERIOD:

	Letter to Kip Quale	1/3	\$ 23.10	\$
3/24/83	Letter to Kip Quale	1/3	23.10	
	Discussion with Kneadler of Solicitor General	1/3	23.10	
3/25/83	Phone Call to Kip Quale		.55	
4/7/83	Reviewed Colicitor Generals Brief and forwarded copy to Three Affiliated Tribes	3/4	52.50	
4/28/83	Review Order Granting Certiorari and associated documents phoned attorney for Wold regarding Stipulated Appendix	3/4	52.50	
		1/2	35.00	
		TOTAL		\$

LAW OFFICES
~~DAVID W. BEYER AND~~ JOHN HOLM
ATTORNEYS AT LAW
17 SECOND AVENUE WEST
DICKINSON, NORTH DAKOTA 58601

MATTER:

TO

Page three

DATE:

STATEMENT
FOR PERIOD:

		\$	\$
Phone		8.85	
Research for Brief	3	210.00	
4/24/83 Researched for Brief at Supreme Court Library	2½	175.00	
	TOTAL		\$ 755.60

LAW OFFICES
TOM M. BEYER AND JOHN HOLM
 ATTORNEYS AT LAW
 17 SECOND AVENUE WEST
 DICKINSON, NORTH DAKOTA 58601

RECEIVED

MATTER: MAY 18 1983

THREE AFFILIATED TRIBES

TO []
 Tribal Business Court of
 Three Affiliated Tribes
 New Town, North Dakota 58704

DATE:
 STATEMENT
 FOR PERIOD:

	\$	\$
Three phone calls to Court of by Mr. Beyer and Mr. Holm Phone Calls	30.00	
Letter to Mr. Beyer and Mr. Holm from Mr. Beyer and Mr. Holm	12.50	
Letter to Mr. Beyer and Mr. Holm from Mr. Beyer and Mr. Holm	112.50	
Letter to Mr. Beyer and Mr. Holm from Mr. Beyer and Mr. Holm	10.00	
Letter to Mr. Beyer and Mr. Holm from Mr. Beyer and Mr. Holm	12.50	
Preparation of Joint Appendix forwarding to Printer	27.50	
TOTAL		\$

