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Resolution #95-249-DSB

**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 of the Three Affiliated Tribes generally 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 Tribes and of the enrolled members thereof; and
- WHEREAS,** Article VI, Section 3(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to employ legal counsel, with the selection of counsel and the determination of the amount of attorney fees and related expenses being subject to the approval of the Secretary of the Interior or his authorized representative pursuant to 25 U.S.C. Section 476; and
- WHEREAS,** The Attorney Contract, A00C14201145, between the Tribe and Wilkinson, Cragun & Barker dated January 1, 1978, as amended, was assigned to Hobbs, Straus, Dean & Wilder in 1982 (now Hobbs, Straus, Dean & Walker), and has since been extended to December 31, 1994, and has expired; and
- WHEREAS,** The Attorney Contract rate has been \$135 per hour since January 1, 1994, and the Attorneys and the Tribe wish to change the amount of compensation under the Contract from \$135 per attorney hour to \$145 per attorney hour, and the time of the firm's legislative specialists and law clerks from up to \$90 to up to \$100 per hour; and
- WHEREAS,** The Attorneys have been sending their newsletters on Indian developments to the Tribe for two years on a 3-month free trial subscription and the Tribe desires to subscribe to this newsletter at a cost of \$3,000 per year.
- NOW, THEREFORE, BE IT RESOLVED,** That the Attorney Contract with Hobbs, Straus, Dean & Walker is hereby extended from January 1, 1995 to December 31, 1997.
- BE IT FURTHER RESOLVED,** That the Attorney Contract is hereby amended to change the Contract rate to \$145 per attorney hour, and the time of the firm's legislative specialists and law clerks to up to \$100 per hour, starting January

1090

HOBBS, STRAUS, DEAN & WALKER

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November 16, 1995

Mr. Russell Mason
 Chairman
 Three Affiliated Tribes
 Tribal Administration Building
 HC3 Box 2
 New Town, ND 58763

RE: Attorney Contract

Dear Bud:

As I discussed with Ed Lone Fight, our attorney contract expired last December. Enclosed are the necessary papers to renew it to December 31, 1997, if the Council wishes to do so.

Our rate is currently \$135 per hour, and is one of the lowest rates of any of our major tribal clients. The rate has been \$135 since January 1, 1994, almost two years ago. We propose an increase from \$135 to \$145 per hour for attorney time (an increase of 7.4%), and from up to \$90 to up to \$100 per hour for our legislative specialists and law clerks.

One clause in the attached resolution authorizes us to continue to send you our newsletters on developments in Congress, the executive agencies, and courts. Just delete that clause if that is the Council's wish.

Please call if you have any questions. We appreciate the work we do for the Tribe.

Sincerely yours,

HOBBS, STRAUS, DEAN & WALKER

By: Hans Walker Jr.

enclosure
/sfp

1, 1996.

BE IT FURTHER RESOLVED, That the Tribe approves the subscription to the Attorneys' newsletters at a cost of \$3,000 per year.

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 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 21st day of December, 1995; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 4 members, 1 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 21st day of December, 1995.

Secretary, Tribal Business Council

ATTEST:

Chairman, Tribal Business Council