

**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 present and prosecute legal claims of the Tribes and to employ legal counsel for such purpose; and

**WHEREAS,** The Tribal Business Council wishes to execute a Special Counsel Contract (Contract) with the Native American Rights Fund (NARF) for the provision of legal services on behalf of the Fort Berthold Tribal District Court and Associate Tribal Judge in the case entitled *A-1 Contractors and Lyle Stockart v. Honorable William D. Strate, Associate Tribal Judge of the Tribal Court of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, et al.* (#A1-92-024 in the United States District Court for North Dakota, #92-3359 in the United States Court of Appeals for the Eighth Circuit), before the United States Supreme Court for the Petition for Writ of Certiorari and, if granted, for the brief and argument on the merits; and

**WHEREAS,** The Contract would be effective from February 15, 1996 up to and including June 30, 1997, at the rate of one hundred and fifty dollars (\$150.00) per hour for the period February 15, 1996 through June 30, 1997, plus reasonable out-of-pocket expenses not included in the hourly rate; provided, that such fees and expenses shall not exceed the total amount of \$45,000.00 for such period; and

**WHEREAS,** These matters have been presented to and discussed by the Tribal Business Council;

**NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Business Council of the Three Affiliated Tribes hereby approves entry into the Special Counsel Contract with the Native American

Rights Fund for the continued provision of legal representation in the case entitled *A-1 Contractors and Lyle Stockart v. Honorable William D. Strate, Associate Tribal Judge of the Tribal Court of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, et al.*, said Contract to be effective throughout the period from February 15, 1996 through June 30, 1997 and the total attorney fees and expenses assessed under said Contract not to exceed the total amount of \$45,000.00 (\$18,000.00 to be allocated to the services associated with the filing of the Petition for Writ of Certiorari and, if granted, \$27,000.00 to be allocated to the services associated with the briefing and argument on the merits).

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 Special Meeting thereof duly called, noticed, convened, and held on the 18<sup>th</sup> day of March, 1996; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 18<sup>th</sup> day of March, 1996.

Daylon Spotted Bear  
Secretary, Tribal Business Council

ATTEST:

  
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Chairman, Tribal Business Council