

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION


- WHEREAS, the Tribal Council has by previous Resolution No. 08-87-259, terminated the Tribal Attorney contract of Robert C. Brauchli; and
- WHEREAS, the Tribal Council wishes to ensure as smooth a transition as possible in the Tribal Attorney's Office and to ensure that the Acting Tribal Attorney, Mr. Scott Canty, is assisted in every way possible to maintain an efficient and orderly operation of the Tribal Attorney's Office in order to provide for uninterrupted representation of the Tribe's legal interest; and
- WHEREAS, the Tribal Chairman and Council are of the opinion that Mr. Brauchli's services should be retained in respect to three on-going matters which Mr. Brauchli has been exclusively involved with, and which the Acting Tribal Attorney, Mr. Canty, has had little or no involvement with, and it would be extremely burdensome for Mr. Canty to become familiar with these three matters in view of the heavy caseload that he already carries in regard to other legal matters facing the tribe; and
- WHEREAS, Mr. Brauchli has proposed that the Tribe enter into a Special Counsel contract with him for the representation of the Tribe in legal matters before any courts or tribunals, and federal, state or local departments, agencies, committees and legislative bodies, dealing with or relating to: 1) the U.S. District Court Case entitled White Mountain Apache Tribe v. The Honorable Edward L. Dawson and Smith Plumbing, CIV-87-0715 PCT WPC, which case is presently on appeal to the Ninth Circuit Court of Appeals, and which case Mr. Brauchli has pursued on behalf of the Tribe for the past six years; 2) the administrative appeal in respect to the claims attorney contract of William H. Veeder, now pending before the Interior Board of Indian Appeals, and which involves the contract of Mr. Veeder in regard to the tribe's land claims and water rights; and 3) to act and serve as legal counsel in respect to a proposal for the Tribe to issue tax exempt bonds for the construction of FHA insured multi-family housing projects, and to represent the Tribe in no other matters except these three matters herein referenced; and

WHEREAS, the Tribal Council has reviewed the proposal submitted by Mr. Brauchli and is of the opinion that the best interests of the Tribe will be served by negotiating a limited three-month contract with Mr. Brauchli wherein he will be employed by the Tribe to represent the Tribe's legal interests in the above referenced matters.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the proposal submitted by Mr. Brauchli is hereby accepted and approved, and Chairman Johnson is hereby authorized to negotiate a three-month limited contract with Mr. Brauchli for the retention of his services for the specific purpose of representing the Tribe in the pending legal matters referenced herein. Said contract shall be limited solely to those matters referenced herein, and the terms and administration of the contract are hereby placed in the discretion of Chairman Johnson.

The foregoing resolution was on September 10, 1987, duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1(d) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


Secretary of the Tribal Council

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Indian Affairs, Bureau of
Albuquerque, Arizona