

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

- WHEREAS, the Tribal Council of the White Mountain Apache Tribe previously terminated the BABB Group as the administrator of the tribe's pension plan and also terminated the legal services of Steven C. Kaiser who acted as the pension attorney for the tribe; and
- WHEREAS, the tribe has requested Jimmy Pettyjohn of the Sun Financial Group to make some inquiries as to the status of the tribe's pension plan and its administration; and
- WHEREAS, the Tribal Council is advised by the Tribal Chairman that based upon his discussions with the Tribal Treasurer and Tribal Attorney and Mr. Pettyjohn that additional legal investigation is warranted in respect to the pension plan and the rollover of pension funds which occurred in 1989; and
- WHEREAS, it is recommended that an attorney who specializes in pension funds be retained by the tribe to review the tribe's pension documents and provide the tribe with a preliminary report of conclusions based upon a legal review of same; and
- WHEREAS, the law firm of Snell and Wilmer and in particular one of its partners, Thomas R. Hoecker, an attorney who specializes in pension plan has been approached and is interested in being retained by the tribe to review the pension documents; and
- WHEREAS, Mr. Hoecker has advised Chairman Lupe that the law firm of Snell and Wilmer requires a retainer of \$5,000.00 prior to commencing their investigation and review of the tribe's pension plan; and
- WHEREAS, the Tribal Council is advised that an impartial legal review by an attorney who specializes in pension plans is necessary in order to protect the tribe's interest and to advise the tribe regarding any potential liability, malpractice or violations of federal pension law and that said preliminary review can be accomplished with the \$5,000.00 retainer; and

Resolution No. 08-90-192

WHEREAS, time is of essence in retaining counsel to conduct an impartial review because of the many employees who have requested termination from the pension plan and have expressed concern about the plan and its legal status.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes the Tribal Chairman to retain attorney Thomas R. Hoecker of the law firm of Snell and Wilmer, Phoenix, Arizona, to conduct an impartial review of the tribe's pension plan and to prepare a report of his findings for the Tribal Council.

BE IT FURTHER RESOLVED by the Tribal Council that it hereby authorizes a retainer fee of \$5,000.00 for the law firm of Snell and Wilmer to commence its review of the tribe's pension plan.

BE IT FURTHER RESOLVED by the Tribal Council that this retainer of the law firm of Snell and Wilmer and Thomas R. Hoecker who specializes in pension plan law is authorized by the General Counsel contract between the White Mountain Apache Tribe and Robert C. Brauchli, specifically Paragraph 3 of said contract.

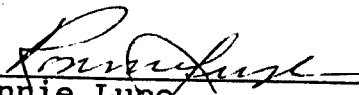
The foregoing resolution was on August 29, 1990, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (b) (d) (u) of the Amended Constitution and Bylaws of the Tribe, ratified by the Tribe 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

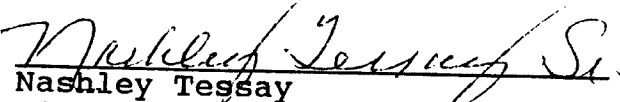

Secretary of the Tribal Council


AUG 31 1990


Signatures of the members of the Tribal Council represent their approval of Tribal Resolution No. 08-90-192.

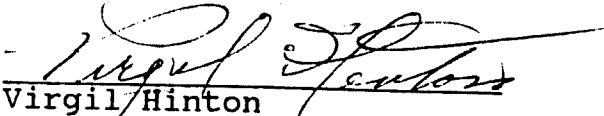

Ronnie Lupe
Tribal Chairman

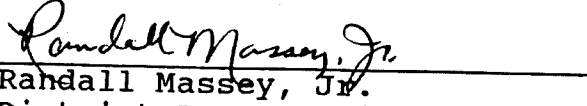

Lefe Altaha
Tribal Vice Chairman


Nashley Tessay
District I Council Member



Judy Dehose
District I Council Member

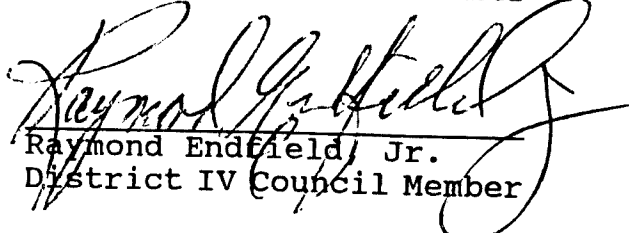

Kino Kane
District II Council Member


Virgil Hinton
District II Council Member


Randall Massey, Jr.
District III Council Member

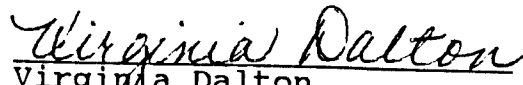
Matthew Nozie
District III Council Member


Johnny Endfield
District IV Council Member


Raymond Endfield, Jr.
District IV Council Member

Herbert Tate
District IV Council Member

ATTEST:


Virginia Dalton
Tribal Council Secretary
WHITE MOUNTAIN APACHE TRIBE