

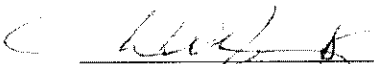
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

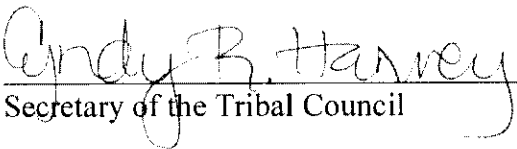
**WHEREAS**, the Tribal Council has thoroughly reviewed the proposed revision to the Judicial Code, to update the reference in the Code to new Tribal-State Gaming Compact; and

**WHEREAS**, the Tribal Council concurs that said proposed amendment to the Judicial Code, attached hereto as Ordinance 219 be posted for public comment as required by the Constitution.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Council Secretary to post the proposed amendments to the Judicial Code in each District for ten days as required by the Constitution.

The foregoing resolution was on February 6, 2003 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 IV, Section 1 (a), (q), (t), and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).

  
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Chairman of the Tribal Council

  
\_\_\_\_\_  
Secretary of the Tribal Council

**PROPOSED AMENDMENTS TO THE JUDICIAL CODE  
CHAPTER 3, WMAT JUDICIAL CODE**

*Section 3.12 of the WMAT Judicial Code is amended as follows:*

**SECTION 3.12      LIMITATIONS ON FORUM, DAMAGES AND CLAIMS FOR RELIEF**

[HISTORICAL NOTE: Section 3.12 was amended by Ordinance No. 209, enacted August 8, 1997]

The Tribe may be used only in the White Mountain Apache Tribal Court and only with respect to claimed damages which are within the express coverage, and not excluded from coverage, by either commercial liability insurance contracts carried by the Tribe or an established Tribal self-insurance program, approved and adopted pursuant to the laws of the White Mountain Apache Tribe. All claims are further subject to the following provisions and limitations.

- A. Except as required by Section 13(d) of the ~~Tribal/State Gaming Compact of 1993~~ White Mountain Apache Tribe - State of Arizona Gaming Compact, no judgment, order or award pertaining to any permitted claim under this Chapter shall be for more than the lesser of:
1. The sum of \$250,000 for each individual claimant, but not exceeding the sum of \$500,000 for each accident or occurrence, or \$200,000 for wrongful death; or
  2. The limits of valid and collectable liability insurance policies carried by the Tribe covering such claim or occurrence including such deductible amounts to the extent appropriated by the Tribal Council, nor for more than the amount of coverage provided for each such claim or occurrence under established claim reserves as appropriated by the Tribal Council or otherwise established pursuant to any self-insured claims program of the Tribal Government, approved and adopted pursuant to the laws of the Tribe.
- B. Any such judgment, order or award may only be satisfied pursuant to the express provisions of the policy(ies) of liability insurance or established self-insurance program of the Tribe which is in effect at the time of the claim or occurrence.