

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

**(Reinstating the employment of Johnnie Cooley with back pay and annual pay)**

**WHEREAS,** on October 11, 2004, Johnnie Cooley was terminated from his position as a bus driver from Hon-Dah Resort and Casino ("Casino") for refusing to take a B.A.C. test; and

**WHEREAS,** soon thereafter, Johnnie Cooley filed a grievance with the Casino Grievance Committee; and

**WHEREAS,** the Casino Grievance Committee met on January 13, 2005 to discuss Johnnie Cooley's grievance and rendered its decision upholding his termination; and

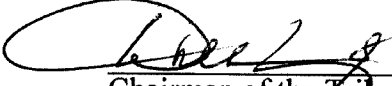
**WHEREAS,** Johnnie Cooley has appeared before the Tribal Council of the White Mountain Apache Tribe seeking to be reinstated as a Casino employee, but not as a bus driver and he is also seeking back pay and his accrued annual leave; and


**WHEREAS,** Johnnie Cooley has stated that he would seek alcohol treatment from the Rainbow Treatment Center or Alcoholics Anonymous if he was reinstated.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby:

1. Reinstates Johnnie Cooley as a regular full-time Casino employee entitled to all benefits and rights enjoyed by full-time employees, provided he be placed in another position besides bus driver, effective immediately with full retroactive entitlement to Casino benefits starting from his termination date; and
2. Conditions the reinstatement of Johnnie Cooley on his providing proof to the Tribal Council of the White Mountain Apache Tribe that he contacted the Rainbow Treatment Center or Alcoholics Anonymous to begin alcohol treatment.
3. Approves Johnnie Cooley's request for back pay for two pay periods; and
4. Approves Johnnie Cooley's request for his annual leave that he accrued at the time of his termination plus annual leave that accrued from the date of his termination to the present.

The foregoing resolution was on FEBRUARY 2, 2005 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), (i), (k), (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

  
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Secretary of the Tribal Council