



Resolution No. 03-2006-86

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

(Authorizing Randall DeClay, Sr., Christine DeClay and Minor Kinney be added to the list of Settlement Payment for Wrongfully Terminated Employees)

WHEREAS, pursuant to Section 1(a) of the Constitution of the White Mountain Apache Tribe, *inter alia*, the Tribal Council has the authority to represent the Tribe and act in all matters that concern the welfare of the Tribe; and

WHEREAS, the Tribal Council was informed that Randall DeClay, Sr., Christine DeClay and Minor Kinney, each a member of the Tribe, were wrongfully terminated from their positions within the Tribe; and

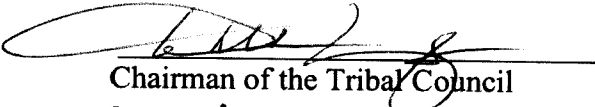
WHEREAS, these members claim that their termination was politically motivated and thus wrongful; and

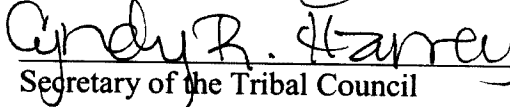
WHEREAS, the Legal Department did undertake an investigation of wrongful termination claims pursuant to Resolution No. 07-2005-176, and did submit a memorandum of findings and legal conclusions to the Tribal Council dated November 17, 2006; and

WHEREAS, the Tribal Council finds that these three members were wrongfully terminated and that the Tribe should settle their claim according to the amount agreed to by prior Resolutions on this matter.

BE IT RESOLVED by the White Mountain Apache Tribal Council that Randall DeClay, Sr., Christine DeClay and Minor Kinney shall be hereby added to the list of employees wrongfully terminated and for settlement payment of their claims according to the amount agreed to by prior Resolutions on this matter, subject to funds available and that payment not be made during a pay period.

The foregoing resolution was on MARCH 16, 2005, duly adopted by a vote of FOUR for and TWO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (k), (s), (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).


Chairman of the Tribal Council


Secretary of the Tribal Council