



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

(Authorizing Filing of Claim against Matt Daley for Conversion of Tribal Property)

WHEREAS, pursuant to Article IV, 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 Attorney has advised the Tribal Council about a conversion and grand larceny of a K-9, known as T-Rex, by former officer Matt Daley; and

WHEREAS, T-Rex was purchased with federal funds by the Tribe for the purposes of law enforcement by the White Mountain Apache Police Department; and

WHEREAS, upon his termination, Mr. Daley did not return T-Rex to WMAPD, and upon information and belief Mr. Daley continues to have possession of T-Rex; and

WHEREAS, a demand letter was sent to Martin Bihn, Mr. Daley's attorney, demanding the return of T-Rex; and

WHEREAS, upon information and belief, Mr. Daley falsely claims through his attorney that the Tribe has sold T-Rex to Mr. Daley; and

WHEREAS, pursuant to Article IV, Sections 1(e) and (h), the Tribal Council is authorized to dispose of Tribal property, but the Tribal Council has not approved the sale of T-Rex to Mr. Daley at any time during or after Mr. Daley's employment with WMAPD; and

WHEREAS, the Tribal Attorney recommends filing a claim in Maricopa County Court for conversion and replevin in the T-Rex matter; and

WHEREAS, the Tribal Council finds that the filing of a claim for conversion and replevin in this matter to be in the best interests of the Tribe.

NOW BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. A claim for conversion and replevin against Matt Daley is hereby authorized.
2. The Tribal Attorney is hereby directed to file a claim in Maricopa County Court against Mr. Daley for such damages as may be applicable, and report to the Tribal Council on the status of the case.

The foregoing resolution was on October 26, 2006, duly adopted by a vote of NINE for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (e), (h), (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

Andy R. Hurvey
Secretary of the Tribal Council