



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

**(Authorizing a 4.0 million dollar loan from the Permanent Trust Fund to Hon-Dah Casino for the purpose of maintaining its own separate account to pay for casino salaries, benefits and vendor payments)**

- 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,** Hon-Dah casino management has approached the Tribal Council repeatedly to inform them that their vendors are not being paid in a timely manner by the Tribe's Accounts Payable Office; and
- WHEREAS,** the casino management now proposes that they maintain their own separate bank account for the purpose of paying their own employee salaries and benefits and vendor payments; and
- WHEREAS,** the signatories for the Hon-Dah bank account will be Hon-Dah's General Manager, Assistant General Manager, and Controller, and all shall be bonded; and
- WHEREAS,** the Tribe shall not have the ability to sweep the account; and
- WHEREAS,** to facilitate the creation of this separate account, Hon-Dah is requesting a loan of 4.0 million dollars from the interest of the Permanent Trust Fund (interest amount limited to \$8.8 million as previously determined by Tribal Council Resolution, of which \$3.9 million has already been used as collateral), to be amortized over 24 months with principle and interest of 4.5% being paid directly back to the Permanent Trust Fund monthly beginning thirty (30) days from the deposit date, and Hon-Dah casino shall continue to maintain this separate account after the loan is paid in full; and
- WHEREAS,** Hon-Dah casino needs an accounting of their outstanding checks in the Tribe's Accounts Payable Office and needs said checks to be released to Hon-Dah with the stipulation that the checks are voided, so that Hon-Dah can re-issue its own checks to cover the voided checks, provided that this occurs after the deposit date of the loan; and
- WHEREAS,** after the 4.0 million dollars is deposited into Hon-Dah's separate account, Hon-Dah will discontinue paying the Tribe for its monthly salary and debt obligations, and will pay its own monthly salary and debt obligations going forward; and

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**WHEREAS,** Hon-Dah casino concurs that the Tribe should have the ability to audit Hon-Dah's separate account at any time; and

**WHEREAS,** the Tribal Council finds that Hon-Dah's requests stated herein are in the best interests of the Tribe.

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

1. Authorizes Hon-Dah casino to open up and maintain its own separate bank account for the purpose of paying employee salaries and benefits and vendor payments, and the Tribe shall not have the ability to sweep the account, provided the Tribe shall have the right to audit said account at any time.
2. Authorizes Hon-Dah's General Manager, Assistant General Manager and Controller to be the signatories on the separate bank account, and all shall be bonded.
3. Approves a loan of 4.0 million dollars to Hon-Dah casino from the interest of the Permanent Trust Fund (interest amount limited to \$8.8 million as previously determined by Tribal Council Resolution, of which \$3.9 million has already been used as collateral), to be amortized over 24 months with principle and interest of 4.5% being paid directly back to the Permanent Trust Fund monthly beginning thirty (30) days from the deposit date, and Hon-Dah casino shall continue to maintain this separate account after the loan is paid in full.
4. Directs the Tribe's Accounts Payable Office to provide all outstanding casino checks to Hon-Dah with the stipulation that said checks are voided, so that Hon-Dah can re-issue its own checks to cover the voided checks, provided that this occurs after the deposit date of the loan.
5. Directs Wells Fargo, as the trustee of the Permanent Trust Fund, to release said funds to Hon-Dah after the loan documents between the Tribe and Hon-Dah Casino are executed.
6. Directs the Legal Department to draft said loan documents in a timely manner (not to exceed two weeks from the passage of this Resolution).
7. Authorizes Hon-Dah to discontinue paying the Tribe for its monthly salary and debt obligations, and directs Hon-Dah to pay its own monthly salary and debt obligations going forward, provided the 4.0 million dollars is first deposited into Hon-Dah's separate account.

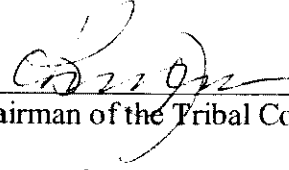
**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that in the event of any inconsistency between this Resolution and any prior Resolution, Policy or Agreements, this Resolution shall prevail.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice Chairwoman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

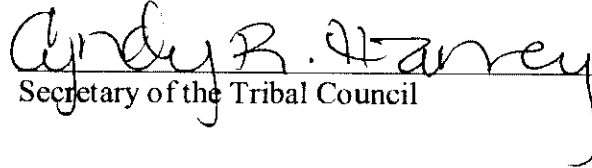
The foregoing resolution was on **SEPTEMBER 29, 2008**, duly adopted by a vote of **EIGHT** for and **ZERO** against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe

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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