



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

(Special Prosecutor)

WHEREAS, pursuant to Article IV, Section 1(a) and 1(s) 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, Moss Adams, the Tribe's forensic auditors, presented a report to Council in May, 2012 concerning possible criminal activity concerning housing funds; and

WHEREAS, Moss Adams recommended that the named offenders be prosecuted and the funds recovered; and

WHEREAS, Tribal Council accepted the report and the recommendation; and

WHEREAS, the funding and accountability for the prosecution was not specified; and Ron DeBrigida, former Assistant Attorney General for Maricopa County responsible for prosecuting white collar crimes, has been retained as Special Prosecutor to prosecute the cases in tribal court; and

WHEREAS, the budgets for 2012 have not been passed by Council; and

WHEREAS, the independence, funding, reporting responsibility, and support for the work of the Special Prosecutor needs to be clearly established by the Tribal Council.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that Ron DeBrigida be confirmed as Special Prosecutor for the alleged crimes identified in the Moss Adams report and other crimes that may come to his attention during the course of his investigation and prosecution. As Special Prosecutor he is free to hire any and all support staff as he alone determines necessary and expedient, including investigators, other attorneys, administrative staff, and other personnel and experts required for performance of his duties

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Special Prosecutor be completely independent of influence, coercion, threats, and any and all attempts to sway his investigation and prosecution by any Tribal entity or employee, including members of the Tribal Council.

BE IT FUTHER RESOLVED that the Special Prosecutor be accountable only to the Tribal Council which has sole power to remove him but not to direct his work.

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BE IT FURTHER RESOLVED that \$120,000 of the line item for paying outside counsel typically contained in the Legal Department budget be approved and transferred to the budget of the Chairman who shall be responsible for administering the contract for the Special Prosecutor but shall not have any influence over his efforts.

BE IT FURTHER RESOLVED that the existing contract with Ron DeBrigida and the funds to pay for that contract be transferred to the Office of the Chairman for administration.

BE IT FURTHER RESOLVED that the Legal Department retain the right to request additional funding in their budget to replace all transferred funds as part of the budget approval process.

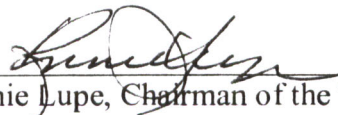
BE IT FURTHER RESOLVED that all tribal departments and entities, including Prosecution, Legal, Police, Business Office, and Housing, be directed to fully cooperate with the Special Prosecutor, including supplying information, copies of documents, and support as requested within the limits of their authority and budgets.

BE IT FURTHER RESOLVED that the Special Prosecutor report any violations of this resolution to the Tribal Council and that if additional funding is required to complete his work that he report to Council to justify the request for additional funding.

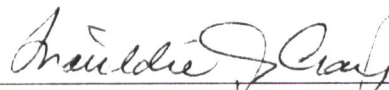
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall govern.

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

The foregoing resolution was on August 8, 2012 duly adopted by a vote of 7 for and 3 against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (), (), (), (), () and () 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).



Ronnie Lupe, Chairman of the Tribal Council



Mariddie J. Craig, Secretary of the Tribal Council