



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

Band Assembly Resolution 09-01-49-00

A Resolution stating the interest of Band Assembly in Case # 00CV708, Mille Lacs Band of Ojibwe Indians v. Herb Weyaus, in his official capacity as Secretary/Treasurer of the Mille Lacs Band of Ojibwe Indians.

WHEREAS, the Mille Lacs Band Assembly is the duly-elected governing body of the Mille Lacs Band of Ojibwe, a federally-recognized Indian Tribe; and,

WHEREAS, 2 Mille Lacs Band Statutes Annotated, section 4 states that the functions of governmental authority of the Mille Lacs Band government shall be executive, legislative, and judicial; and,

WHEREAS, 3 Mille Lacs Band Statutes Annotated, section 1 states that all legislative political authority of the Mille Lacs Band of Ojibwe Indians shall be vested in the Legislative Branch of government. The Legislative Branch of government shall be known as the Band Assembly; and,

WHEREAS, 4 Mille Lacs Band Statutes Annotated, section 16(a) states that the Interior Legal Counsel of the Band shall be known as the Solicitor General. The duly-appointed and confirmed Solicitor General... shall represent the interest of the Executive Branch and the Band Assembly in all matters before the Court of Central Jurisdiction; and,

WHEREAS, 4 Mille Lacs Band Statutes Annotated, section 18 states that the Solicitor General shall have the following responsibilities, obligations and authority on behalf of the Mille Lacs Band of Ojibwe: (a) To represent the interests of the Mille Lacs Band of Ojibwe in all legal proceedings in the Court of Central Jurisdiction and all other exterior courts of competent jurisdiction; and,

WHEREAS, according to the statutes previously cited, when the Solicitor General files an action in any court in the name of the Mille Lacs Band of Ojibwe, an attorney-client relationship is created between the Solicitor General and the Band Assembly; and,

WHEREAS, on or about April 4, 2000 the Solicitor General filed case number 00CV708, a Complaint and Application For Injunctive Relief on behalf of the Mille Lacs Band of Ojibwe; and,

WHEREAS, the Solicitor General did not consult his client, the Band Assembly, to determine whether the action cited above was in the interest of the Band; and,

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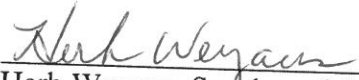
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WHEREAS, the Band Assembly has determined that the action cited above and filed by the Solicitor General is not in the interest of Band Assembly and is, therefore, not in the interest of the Band.

BE IT FURTHER RESOLVED, that the Band Assembly objects to the litigation cited above filed in our name without our consent. In addition, we have determined that it should not have been filed in the name of the Mille Lacs Band and the Solicitor General should immediately file a motion to dismiss on behalf of the Band.

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a of legislators being quorum present held on the 13th of April, 2000 at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly to be affixed to this resolution



Herb Weyaus, Speaker of the Assembly

OFFICIAL SEAL OF THE BAND