



THE MILLE LACS BAND OF
OJIBWE INDIANS

Legislative Branch of Tribal Government

JOINT RESOLUTION 16-01-55-14

**A JOINT RESOLUTION APPROVING LIMITED WAIVER
OF SOVEREIGN IMMUNITY IN AGREEMENTS BETWEEN
MILLIMAN/BANK OF AMERICA MERRILL LYNCH CONSULTING
SERVICES AND BUSINESS ASSOCIATE AGREEMENT FOR SERVICES
PERFORMED FOR THE MILLE LACS BAND CIRCLE OF HEALTH
PLAN**

WHEREAS, the Mille Lacs Band Assembly is the duly-elected governing body of the Mille Lacs Band of Ojibwe; and

WHEREAS, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and

WHEREAS, Section 2(B) of Title 24 of the Mille Lacs Band Statutes Annotated grants exclusive original jurisdiction over all civil matters involving the Band or its entities to the Court of Central Jurisdiction unless by written contract, a limited waiver of sovereign immunity is granted, and the Band Assembly adopts a resolution ratifying the contract; and

WHEREAS, all Mille Lacs Band of Ojibwe elected officials have acknowledged that a limited waiver of sovereign immunity is contained within the Milliman/Bank of America Merrill Lynch Consulting Services Agreement and Business Associate Agreement, attached hereto as Exhibits A & B; and

WHEREAS, the Band Assembly and Chief Executive have reviewed the Milliman/Bank of America Merrill Lynch Consulting Services Agreement and the Business Associate Agreement and acknowledge the legal opinion of the Solicitor General in regard to this limited waiver; and

WHEREAS, the Band Assembly and Chief Executive hereby approve of the limited waiver of sovereign immunity contained in the Milliman/Bank of America Merrill Lynch Consulting Services Agreement and Business Associate Agreement.

NOW THEREFORE BE IT RESOLVED, that the Band Assembly and Chief Executive have approved the limited waiver of sovereign immunity in the Milliman/Bank of America Merrill Lynch Consulting Services Agreement and Business Associate Agreement.

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DISTRICT II

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URBAN OFFICE

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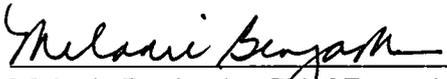
WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in Legislative Council assembled, a quorum of legislators being present held on the 4th day of February, 2014, at East Lake, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

IN WITNESS WHEREOF, we, the Band Assembly hereunto cause to have set the signature of the Speaker of the Assembly.



Curt Kalk, Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I, hereunto set my hand to this resolution.



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND