

**Little Traverse Bay Bands of Odawa Indians**

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**RESOLUTION # 03079903**

**AUTHORIZATION FOR INTERVENTION IN *UNITED STATES V. MICHIGAN***

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians are the modern day successors of bands of Odawa which entered into the Treaty of Washington of March 28, 1836, whereby they ceded certain lands and waters in Michigan to the United States, reserving certain rights of occupancy;

**WHEREAS** the United States and three other treaty tribes have litigated and are litigating the reserved rights to the fishery of the portion of such cession as includes the Great Lakes and connecting waters, in *United States v. Michigan*, 2:73-CIV-26, including the allocation of the available fish among competing users;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians, in order to protect and preserve its claim to share in the fishery of the Great Lakes, finds it necessary to seek to intervene in the pending litigation and to participate in future negotiations with respect to such allocation;

**WHEREAS** the rights of the signatories to the 1836 Treaty to hunt, trap and gather throughout the off-reservation ceded lands and to fish in the off-reservation inland waters have not to date been actively litigated, either in the aforementioned pending litigation or in any other context;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians, along with other signatories of the 1836 Treaty, have determined to proceed to seek a declaration of their reserved rights to hunt, trap, gather and fish throughout the off-reservation inland territory ceded by such treaty, and have further determined to attempt to do so by expanding the scope of the pending litigation;

**THEREFORE BE IT RESOLVED THAT** the Little Traverse Bay Bands of Odawa Indians authorizes its attorneys to file a petition on its behalf for intervention in *United States v. Michigan* at any time on or after June 1, 1999.

**Certification**

As Tribal Chairman and Tribal Secretary, the undersigned certify that this Resolution was duly adopted by the Tribal Council of the Little Traverse Bay Bands of Odawa Indians at a regular meeting of the Tribal Council held on March 7, 1999, at which a quorum was present, by a vote of 7 in favor, 0 opposed and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u>✓</u>	_____	_____	_____
Frank Ettawageshik	<u>✓</u>	_____	_____	_____
Dorothy Gasco	<u>✓</u>	_____	_____	_____
Barry Laughlin	<u>✓</u>	_____	_____	_____
Shirley Oldman	<u>✓</u>	_____	_____	_____
Rita Shananaquet	<u>✓</u>	_____	_____	_____
Alice Yellowbank	<u>✓</u>	_____	_____	_____

Date: 3-7-99

\_\_\_\_\_  
Frank Ettawageshik, Tribal Chairman

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Barry Laughlin, Tribal Secretary