

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

**RESOLUTION #022000-04  
AUTHORIZATION FOR AMICUS BRIEF**

**WHEREAS** the State of Michigan Ingham County Circuit Court, in *Taxpayers of Michigan, et al. v. State of Michigan, et al.* issued a declaratory judgment stating the LTBB's class III state/tribal compact, as well as the compacts for the Pokagon Band of Potawatomi Indians, the Little River Band of Ottawa Indians and the Huron Band of Potawatomi Indians, were not properly approved under state law based on Judge Houk's finding that the compacts are legislative in nature;

**WHEREAS** LTBB was not a party to said case;

**WHEREAS** LTBB believes the decision is erroneous based in part of the court's lack of understanding of Indian law;

**WHEREAS** the State of Michigan and intervening parties have filed a claim of appeal in this case;

**THEREFORE BE IT RESOLVED THAT** the Little Traverse Bay Bands of Odawa Indians authorizes its attorneys to file an amicus brief on its behalf in the Michigan Court of Appeals or Michigan Supreme Court to support overturning the decision of the Ingham County Circuit Court, especially apprizing the appellate courts of the Indian law issues that provide the backdrop to analysis of this case;

**BE IT FURTHER RESOLVED THAT** this amicus brief may be prepared and filed jointly with one or more of the other three effected tribes if LTBB's attorneys find it appropriate

to do so.

**Certification**

As Tribal Chairman and Tribal Secretary, we 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 February 20, 2000 at which a quorum was present, by a vote of 6 in favor, 0 opposed and 0 abstentions as recorded by this roll call.

	In Favor	Opposed	Abstained	Absent
George Anthony	<u>✓</u>	_____	_____	_____
Gerald Chingwa	<u>✓</u>	_____	_____	_____
Dorothy Gasco	<u>✓</u>	_____	_____	_____
Rita Shananaquet	<u>✓</u>	_____	_____	_____
Janet Shomin	<u>✓</u>	_____	_____	_____
Susan Wysocki	<u>✓</u>	_____	_____	_____
Alice Yellowbank	_____	_____	<u>△</u>	<u>✓</u>

Date: 2/20/00

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Gerald V. Chingwa, Tribal Chairman 0

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Dorothy Gasco, Tribal Secretary