

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS  
7500 Odawa Circle  
Harbor Springs, MI 49740

**TRIBAL RESOLUTION # 051808-01**

Legal Confidentiality of Historical Report and Records

**WHEREAS** the Waganakising Odawak Nation, known as the Little Traverse Bay Bands of Odawa Indians, and its citizens are vested with inherent sovereignty and right to self-governance;

**WHEREAS** the Little Traverse Bay Bands of Odawa Indians is a federally recognized Indian Tribe under Public Law 103-324, and is a party to numerous Treaties with the United States the most recent of which being the Treaty of Washington of March 28, 1836 (7 Stat. 491) and the Treaty of Detroit of 1855 (11 Stat. 621);

**WHEREAS** in accordance with Disclosure of Public Documents Act, WOS 2006-04, RESTRICTIONS: “Personnel files, medical records, documents covered by attorney client privilege, student records, and other records that have clearly delineated legal standing as private records shall be exempt from this statute.”;

**WHEREAS** the Tribe has contracted with James M. McClurken & Associates for the compilation and analysis of historical records for preparation of potential legal matter related to land. All communications, reports and document compilations with and by James M. McClurken & Associates are attorney work product and/or are confidential communications and analysis under the attorney client privilege;

**WHEREAS** the attorney work product is exempt from the Disclosure of Public Documents Act as documents within attorney client privilege exemption;

**THEREFORE, BE IT RESOLVED** that the draft report and compiled historical records are confidential so not subject to disclosure. Only the following Officials and individuals shall have access to the report and records for the sole purpose of legal research, review and preparation: Tribal Chair, Vice Chair, General Counsel, Tribal Council Members, Legislative Services Attorney, any in-house or private attorneys working on this matter, and other Executive and/or Legislative designated consultants or staff who are needed to aid in the analysis of these documents.

**CERTIFICATION**

As Tribal Council Legislative Leader and Tribal Council 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 May 18, 2008 at which a quorum was present, by a vote of 8 in favor, 0 opposed, 0 abstentions, and 1 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Harrington, Jr.	<u>          </u>	<u>          </u>	<u>          </u>	<u>          </u> <b>X</b>
Melvin L. Kiogima	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Dexter McNamara	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Marvin Mulholland	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Shirley Oldman	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Alice Yellowbank	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Gerald V. Chingwa	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Regina Gasco Bentley	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>
Beatrice A. Law	<u>          </u> <b>X</b>	<u>          </u>	<u>          </u>	<u>          </u>

Date: \_\_\_\_\_

\_\_\_\_\_  
Beatrice A. Law, Legislative Leader

Date: \_\_\_\_\_

\_\_\_\_\_  
Regina Gasco Bentley, Secretary

Received by the Executive Office on \_\_\_\_\_ by \_\_\_\_\_

Pursuant to Article VII, Section D, Subsection 1 of the Little Traverse Bay Bands of Odawa Indians Constitution adopted on February 1, 2005 the Executive concurs in this action of the Tribal Council.

Date: \_\_\_\_\_

\_\_\_\_\_  
Frank Ettawageshik, Tribal Chairperson