

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

**RESOLUTION # 102305-01**

Specific Designation of Assets When Waiving Sovereign Immunity

**WHEREAS** Article XVIII of the Tribal Constitution states: “The Little Traverse Bay Bands of Odawa Indians, including all subordinate entities, shall be immune from suit except to the extent that the Tribal Council clearly and expressly waives its sovereign immunity, and officials and employees of the Tribe acting within the scope of their duties or authority shall be immune from suit.”

**WHEREAS** the Tribal Council’s duty to the Tribe and members requires it to ensure that it only waives sovereign immunity as allowed under Article XVIII after carefully determining that the best interests of the Tribe and members are served by doing so, and that the Tribe’s assets are never unintentionally put at risk;

**THEREFORE BE IT RESOLVED** that it is the policy of the Tribal Council that any official action taken to waive the sovereign immunity of the Tribe by the Tribal Council or the Gaming Board of Directors must expressly designate the Tribal assets that may be used the enforce such waiver, and that no other assets can be put at risk.

**CERTIFICATION**

As Tribal Council Secretary, I 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 October 23, 2005 at which a quorum was present, by a vote of 6 in favor, 1 opposed, 2 abstentions, and 0 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Dexter McNamara	X			
Rita Shananaquet		X		
Alice Yellowbank	X			
Regina Gasco Bentley	X			
Beatrice Law	X			
Fred Harrington, Jr.	X			
Melvin L. Kiogima	X			
Mary Roberts			X	
Shirley Oldman			X	

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

\_\_\_\_\_  
Melvin L. Kiogima, Secretary

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