

**Little Traverse Bay Bands of Odawa Indians  
7500 Odawa Circle  
Harbor Springs, MI 49740**

**TRIBAL RESOLUTION # 062223-02**

**Limited Waiver of Sovereign Immunity of the Little Traverse Bay Bands of Odawa  
Indians to Authorize Arbitration with Dropbox**

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

**WHEREAS** LTBB 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 are the Treaty of Detroit of 1855 (11 Stat. 621) and the Treaty of Washington of March 28, 1836 (7 Stat. 491) ;

**WHEREAS** LTBB organized under a Tribal Constitution duly adopted by the Tribal Citizenship on February 1, 2005, which provides in Article XVIII, section A:

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 . . . ;

**WHEREAS** the LTBB Accounting Department needs a way to exchange confidential digital documents with Tribal Citizens and has determined that Dropbox is the best suited vendor to fulfill the need; and

**WHEREAS** the Executive attempted to negotiate to revise the terms of Dropbox's Business Agreement, an adhesion contract, to provide for arbitration enforceable only in Tribal Court, but Dropbox refused to change any terms of its agreement.

**THEREFORE, BE IT RESOLVED** that by this resolution the Tribal Council expressly waives sovereign immunity to the benefit of Dropbox and no other party for the limited and sole purpose of consenting to arbitration, with any arbitration judgment enforceable in accordance with California law, provided, that this waiver is limited to the value of the contract.

## CERTIFICATION

As the Tribal Council Legislative Leader and Tribal Council Secretary, we certify that this Tribal 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 June 22, 2023 at which a quorum was present, by a vote of 7 in favor, 0 opposed, 0 abstentions, and 2 absent as recorded by this roll call:

	In Favor	Opposed	Abstained	Absent
Fred Kiogima				X
Tamara Munson	X			
William Ortiz	X			
Aaron Otto	X			
Melissa Pamp	X			
James Pontiac	X			
Leroy Shomin	X			
Marcella R. Reyes	X			
Emily Proctor				X

Date: 6/23/2023

Emily Proctor  
Emily Proctor, Legislative Leader

Date: 6/23/2023

Marcella R. Reyes  
Marcella Reyes, Tribal Council Secretary

Received by the Executive Office on 6-23-2023 by Sakota Worthington

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: 6-27-2023

Regina Gasco-Bentley  
Regina Gasco-Bentley, Tribal Chairperson

Received from the Executive on

06.27.2023

by

Gracie Boka