

RESOLUTION OF THE SUMMIT LAKE PAIUTE COUNCIL
SUMMIT LAKE PAIUTE TRIBE OF NEVADA
OF THE
SUMMIT LAKE PAIUTE RESERVATION

RESOLUTION NO.: SL - 16 - 2010

TITLE: RETAINING LAWYER TO REPRESENT TRIBE IN PETITION FOR REVIEW
BEFORE NINTH CIRCUIT U.S. COURT OF APPEALS

WHEREAS, the Summit Lake Paiute Tribe, is a modern entity of the Northern Paiute People known, in English, as Lake Trout and Wild Onion Eaters who, for thousands of years, controlled at least 2,800 square miles of land in and around Summit Lake as a tribe with sovereign, unlimited, powers and laws (customs, traditions, usages, etc.); and,

WHEREAS, in 1964, and after much consideration, the members of the Lake Trout and Wild Onion Eaters organized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended, adopting, for certain sovereign purposes, the name "Summit Lake Paiute Tribe" with a tribal constitution titled "Articles of Association," the latter which was approved by the Secretary of the U.S. Department of the Interior on January 8, 1965; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) certain sovereign powers, including the power to negotiate with federal agencies like the U.S. Department of Interior and others and their respective departments and agencies to improve the welfare and education of tribal members (see Article II, Section 1 (b), (k)); and,

WHEREAS, negotiation is an essential element of litigation; and,

WHEREAS, the Summit Lake Paiute Tribe's Articles of Association grant to the Summit Lake Paiute Council (see Article II, Section 1) the sovereign powers to employ or retain legal counsel (see Article II, Section 1(d)), and grant the Secretary of the U.S. Department of the Interior the power to fix the fees of experienced legal counsel (see Article II, Section 1(d)); and,

WHEREAS, on Thursday, September 9, 2010, after the Council's initial choice of legal counsel could not respond favorably by the Friday, September 10, 2010 deadline to file a Petition For Review with the Ninth Circuit U.S. Court of Appeals to challenge the U.S. Bureau of Land Management (BLM) issuance of the Ruby Pipeline Record of Decision (ROD) on July 12, 2010 and the decisions of the U.S. Fish and Wildlife Service and U.S. Army Corps of Engineers, the Council Chairman and Acting Chief Administrative Employee of the Tribe, as authorized by the Council on July 17, 2010 (see Page 1, Minutes of the July 17, 2010 Special Summit Lake Paiute Council Meeting (approved August 28, 2010)), drafted and

filed a Petition For Review with the Ninth Circuit, and served same on the U.S. Attorney General, Director of BLM, and Director of the U.S. Fish and Wildlife Service (see also Page 1-2, Minutes of the August 4, 2010 Special Summit Lake Paiute Council Meeting); and,

WHEREAS, on Thursday, September 9, 2010, the Council received notice that Lawyer and Assistance Professor of Law at William Mitchell College of Law, St. Paul, Minnesota, Colette Routel, who has taught Federal Indian Law, Environmental Law and Natural Resources Law for several years at various law schools and has practiced other bodies of law for years, and is permitted to practice before the Ninth Circuit, wanted to represent the Tribe before the Ninth Circuit on the above-identified Petition For Review pro bono (without charge); and,

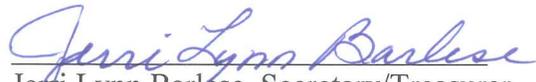
WHEREAS, one nationally known experienced Native American lawyer who practices Federal Indian and other bodies of law highly recommended Colette Routel be retained by the Council for the above-stated purpose,

THEREFORE BE IT RESOLVED, that the Summit Lake Paiute Council hereby retains Colette Routel for the above-stated purpose. Given Ms. Routel's experience and pro bono status the Secretary of the Interior or his delegate should not oppose the selection or fee.

CERTIFICATION

I, JERRI LYNN BARLESE, Secretary/Treasurer of the Summit Lake Paiute Council, hereby certify that the above Resolution, No. SL – 16 – 2010, was brought before the Summit Lake Paiute Council at a duly held meeting on the 11th day of September, 2010, with a quorum present, with the following votes to enact the Resolution: 4 FOR, 0 AGAINST; and 0 ABSTAINING, with the Council Chairman presiding and not voting because there was no tie vote, and that this Resolution has not been rescinded, revoked or amended.

September 11, 2010
Date


Jerri Lynn Barlese, Secretary/Treasurer
Summit Lake Paiute Council