



## Mashpee Wampanoag Tribe

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**2020-RES-005**

### **RATIFICATION AND REAPPROVAL OF TRANSFER OF TRIBAL FUNDS HELD IN TILDEN TOELUPE LLC TRUST ACCOUNT TO THE TRIBE FOR PURPOSES OF ABORIGINAL RIGHTS DEFENSE**

**WHEREAS**, the Mashpee Wampanoag Tribe (“Tribe”) is a federally-recognized Indian tribe with a duly-enacted Constitution;

**WHEREAS**, the Mashpee Wampanoag Tribal Council (“Tribal Council”), the governing body of the Tribe, deems it essential under Article VI, § 2.A. of the Mashpee Wampanoag Tribal Constitution (“Constitution”) to promote and protect the political integrity, economic security and general welfare of the Tribe and members of the Tribe;

**WHEREAS**, the law firm of Tilden Toelupe LLC holds Tribal funds in the amount \$10,918.75 in its Trust Account for the purposes of defending litigation matters related to Gooseberry Island that threaten to impact aboriginal rights to be exercised in the surrounding marsh (“Trust Funds”);

**WHEREAS**, on January 28, 2020, at an Emergency Meeting duly called and held, the Tribal Council approved a transfer of Trust Funds from Tilden Toelupe LLC to the Tribe to be used for aboriginal rights legal defense – a matter of great import to the Tribe;

**WHEREAS**, Tribal Council desires to ratify and reapprove this transfer of Trust Funds and to authorize the law firm of Tilden Toelupe LLC to take any such action necessary to immediately transfer the Trust Funds to the Tribe to facilitate its use for aboriginal rights legal defense.

**NOW THEREFORE BE IT RESOLVED**, that the Tribal Council ratifies, reapproves and authorizes the law firm of Tilden Toelupe LLC to transfer the Trust Funds to the Tribe immediately to facilitate its use for aboriginal rights legal defense.



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**BE IT FURTHER RESOLVED**, nothing in this resolution or the Agreement shall be read or construed to effect, modify, limit, or waive the sovereign immunity of the MWT, its departments, agencies, organizations, officers, agents, employees and/or instrumentalities; and  
**BE IT FURTHER RESOLVED**, that the Tribal Council authorizes the Tribal Council Chairman, or other authorized Tribal representative, to take such other actions as are reasonable or necessary in furtherance of the execution or performance of the transfer of Trust Funds to the Tribe for the purposes set forth in this Resolution.

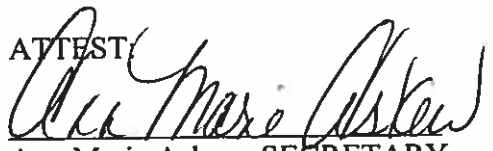
All resolutions or parts of resolutions inconsistent with this resolution are repealed. This resolution is effective immediately and shall continue pursuant to the authority vested in the Tribal Council pursuant to Article VI, §§ 2.A. and D. of the Constitution.

### CERTIFICATION

We, the undersigned Chairperson and Secretary of the Mashpee Wampanoag Tribal Council, do hereby certify that the Tribal Council is composed of 13 members of whom 10, constituting a quorum, were present at a Regular meeting thereof, duly and regularly called, noticed, convened, and held on the 29<sup>th</sup> day of January, 2020, and that the foregoing resolution was duly adopted by the affirmative vote of 9 members, with 0 opposing, and with 1 not voting.

DATED this 29<sup>th</sup> day of January, 2020.

  
Cedric Cromwell, CHAIRMAN  
Mashpee Wampanoag Tribal Council

ATTEST:  
  
Ann Marie Askew, SECRETARY  
Mashpee Wampanoag Tribal Council