



Mashpee Wampanoag Tribe

2020-RES-006

RATIFICATION AND REAPPROVAL OF PAYMENTS RELATED TO LAW OFFICES OF MICHAELA D. MCCUISH AGREEMENT

WHEREAS, the Mashpee Wampanoag Tribe (“Tribe”), is a federally recognized Indian Tribe with duly-enacted Constitution and the governing body of the Tribe is known as the Mashpee Wampanoag Tribal Council (“Tribal Council”);

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

WHEREAS, Article VI, § 2.D. of the Constitution empowers the Tribal Council to negotiate and enter into contracts and agreements with state and local governments, private persons and corporate entities;

WHEREAS, on January 28, 2020, at an Emergency Meeting duly called and held, the Tribal Council approved payment of an agreement with the Law Offices of Michael D. McCuish (the “Agreement”) attached hereto as Attachment A related to legal representation in defense of aboriginal fishing rights in the matter *Commonwealth v. Pocknett and Harding*; and

WHEREAS, the Tribal Council desires to express its authorization for the Tribal Council Chairman, or his designee, to approve payments related to the Agreement, and to take such other actions as are reasonable or necessary in furtherance of the execution or performance of the Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Tribal Council hereby



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approves of and authorizes payment of fees associated with the agreement with Law Offices of Michaela D. McCuish in substantial conformity as the Agreement attached hereto at Attachment A;

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 FINALLY RESOLVED, that the Tribal Council authorizes the Chairman of the Tribal Council, or his designee, to execute the Agreement and to take such other actions as are reasonable and necessary in furtherance of the execution or performance of the Agreement.

All resolutions or parts of resolutions inconsistent with this resolution are repealed.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.



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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 meeting thereof, duly and regularly called, noticed, convened, and held on the 29th day of January, 2020, and that the foregoing Resolution was duly adopted by the affirmative vote of 8 members, with 0 opposing, and with 2 not voting.

DATED this 29th day of January, 2020

A handwritten signature in blue ink, reading "Cedric Cromwell", written over a horizontal line.

Cedric Cromwell, Chairman
Mashpee Wampanoag Tribal Council

ATTEST:

A handwritten signature in black ink, reading "Ann Marie Askew", written over a horizontal line.

Ann Marie Askew, Secretary
Mashpee Wampanoag Tribal Council