



**RESOLUTION OF THE GOVERNING BODY OF THE  
THREE AFFILIATED TRIBES OF THE  
FORT BERTHOLD INDIAN RESERVATION**

**A Resolution Entitled, “*Authorizing Execution of Settlement Agreement in Manago Litigation.*”**

**WHEREAS,** The Mandan Hidatsa and Arikara Nation (MHA Nation), also known as the Three Affiliated Tribes, having accepted the Indian Reorganization Act of June 18, 1934, the authority under said Act, and having adopted a Constitution and By-laws (the Constitution) under said Act, and

**WHEREAS,** Pursuant to Article III, Section 1 of the Constitution, the Tribal Business Council is the governing body of the MHA Nation; and

**WHEREAS,** The Constitution authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the MHA Nation and of the enrolled members thereof; and

**WHEREAS,** The Tribe is a named party in the class action suit entitled *Manago, et al. v. Cane Bay Partners VI, LLLP, et. al*, Civil Action No. 1:20-cv-00945-ELH and now before the Fourth Circuit Court of Appeals as *Manago, et al. v. Cane Bay Partners VI, LLLP, et. al*, Case No. 22-2044; and

**WHEREAS,** A negotiated settlement to finally resolve the matter has been presented (*Manago Settlement*); and

**WHEREAS,** Legal counsel has reviewed the *Manago Settlement* and has recommended accepting the settlement as it absolves the Tribe and Tribal Business Council of liability.

**NOW THEREFORE BE IT RESOLVED,** That the Tribal Business Council approves the Settlement agreement and authorizes the Chairman to execute the same.

**BE IT FINALLY RESOLVED,** That the Chairman is hereby authorized to execute such additional documents and take such further actions as are necessary to carry out the terms and intent of this Resolution.




**CERTIFICATION**

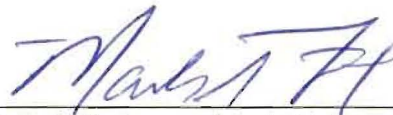
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation, hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 19<sup>th</sup> day of October, 2023, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 2 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ ] Voting. [ X ] Not Voting.

Dated this 19<sup>th</sup> day of October, 2023.

**ATTEST:**

  
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Tribal Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

  
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Tribal Chairman, Mark N. Fox  
Tribal Business Council  
Three Affiliated Tribes