

# SQUAXIN ISLAND TRIBE

Resolution No. 97-52  
of the  
Squaxin Island Tribal Council

WHEREAS, the Squaxin Island Tribal Council is the governing Body of the Squaxin Island Indian Reservation by authority of the Constitution and By-Laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965;

WHEREAS, the Tribe is a federally recognized Indian Tribe possessing reserved powers, including the powers of self-government;

WHEREAS, the Constitution and By-Laws of the Tribe and its reserved powers, the Squaxin Island Tribal Council is charges with the duty of protecting the health, security, education and general welfare of tribal members;

WHEREAS, under Article III and Section 1 of the Constitution and By-Laws of the Tribe and under its reserved powers, the Squaxin Island Tribal Council is authorized to compromise claims and enter into settlement agreements and make expenditures;

WHEREAS, there is presently pending before the Squaxin Island Tribal Court, Cause No. SQI-CI94-12-191 an action titled Rhonda Foster v. Squaxin Island Tribe. Rhonda Foster, the Employee, was employed by the Squaxin Island Tribe. Ms. Foster filed a complaint for wrongful termination and damages, including punitive damages against the Tribe. The litigation was filed in 1994, has proceeded through appeal, and has now been remanded to the Tribal Court for trial.

WHEREAS, the Tribe and Rhonda Foster wish to resolve all claims and causes of actions which have been raised or could have been raised in the Lawsuit or in any other proceeding that arose from her employment with and termination by the Squaxin Island Tribe without further cost or expense, and without adjudicating or determining the merits of those claims or causes of action; further, each wishes to end all disputes between them by settlement and compromise.

WHEREAS, the Squaxin Island Tribal Council finds that settlement and compromise of asserted claims is in the best interest of the Squaxin Island Tribal Community.

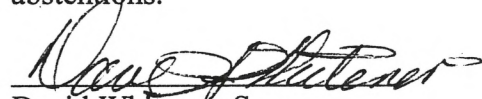
THEREFORE BE IT RESOLVED, the Council approves the Settlement Agreement dated October 1, 1997, by and between the Squaxin Island Tribe and Rhonda Foster and the Joint Statement. The Council acknowledges that the Settlement Agreement dated October 1, 1997, after being fully executed, constitutes a legal, valid and binding obligation of the Tribe enforceable by its terms through a limited waiver of sovereign immunity.

THEREFORE BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council hereby authorizes Chairman David Whitener, Sr., Cal Peters and Sue McFarlane to execute in its behalf the Settlement Agreement.

FINALLY BE IT RESOLVED, that the Squaxin Island Tribal Council hereby authorizes Chairman David Whitener, Sr. to take any and all acts necessary to obtain the necessary federal, state or local approvals, if any, required for the Settlement Agreement.

#### CERTIFICATION

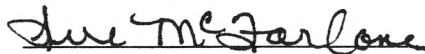
The Squaxin Island Tribal Council does hereby certify that the foregoing Resolution was adopted at a special meeting of the Squaxin Island Tribal Council, held on this 1st day of October, 1997, at which a quorum was present and was passed by a vote of 4 for, and 0 against with 0 abstentions.



David Whitener, Sr.  
Tribal Chairman



Cal Peters  
Vice Chairman



Sue McFarlane  
Secretary