

KIOWA TRIBE

P.O. Box 369 · Carnegie, Oklahoma · 73015
Phone: (580) 654-2300 · Fax: (580) 654-1788
OFFICE OF THE LEGISLATURE

KIOWA TRIBAL LEGISLATURE PIPELINE EASEMENT LITIGATION AGREEMENT RESOLUTION: KL-CY-2021-0003

A RESOLUTION DULY PROPOSED TO THE KIOWA LEGISLATURE FOR APPROVAL OF CONTRACTING OF A LAW FIRM TO FILE AND TO PROSECUTE CLAIMS ON BEHALF OF THE KIOWA TRIBE AGAINST THE OWNERS OF PIPELINES THAT ARE CROSSING TRIBAL LANDS WITHOUT APPROVED LEASES OR OTHER AGREEMENTS AUTHORIZING THEIR USE OF TRIBAL LANDS.

WHEREAS, the Kiowa Legislature is the lawmaking body of the government of the Kiowa Tribe and has a constitutional duty and authority to approve contracts by law on behalf of the Kiowa government; and

WHEREAS, the Kiowa Legislature has determined there is one or more continuing trespasses by pipeline owners who are transporting oil, gas, or other valuable products across tribal lands without the required leases or agreements permitting them to use tribal lands for those purposes; and

WHEREAS, the nature of the engagement of law firms to handle these matters are based on contingency fees and will require no appropriation or expenditure of tribal funds, nor the amendment of the approved annual budget; and

WHEREAS, the Legislature authorizes the engagement of The Whitten Burrage Law Firm, and its affiliated attorneys and law firms to prosecute these claims on behalf of the Kiowa Tribe; and

NOW THEREFORE BE IT RESOLVED that the Kiowa Legislature hereby authorizes and approves the execution of the Legal Services Agreement engaging The Whitten Burrage Law Firm to timely make claims, file suit and to represent the Kiowa Tribe under the terms and conditions delineated in the negotiated Agreement.

CERTIFICATION

The foregoing **Resolution No. KL-CY-2021-0003** was duly voted at a duly called Regular Session by the Legislature on **February 13th, 2021**, with a vote of **(6) in favor and (0) opposed, (0) abstaining, and (0) absent**, pursuant to the authority vested in the Legislature by the

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Constitution of the Kiowa Tribe


Anita Onco Johnson, District V
Legislative Secretary


LEGISLATURE – RESOLUTION NUMBER: KL-CY-2021-0003

SPONSOR: Marilyn Bread, District III of the Kiowa Tribe Legislature.

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
VACANT District I				
Michael Primus District II	X			
Marilyn Bread District III	X			
Jessie Svitak District IV	X			
Anita Johnson District V	X			
Ben Wolf District VI	X			
Jacob Tsotigh District VII	X			

DELIVERY OF THE RESOLUTION AND LAW TO THE CHAIRMAN

Resolution No. KL-CY-2021-0003, was presented to the Chairman of the Kiowa Tribe on the _____ day of _____ 2021, pursuant to the Article VI, Section 8(a)(iv) of the Constitution of the Kiowa Tribe, and will become effective after signature by the Chairman or veto override by the Legislature, and as otherwise required by the Constitution.


Anita Johnson, District V
Legislative Secretary



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CHAIRMAN'S ACTION:

APPROVED

VETO – RETURNED TO LEGISLATURE WITH EXPLANATION:

On this 3 day of March, 2020. *HK*

Matthew M. Komalty
Matthew M. Komalty
Chairman of the Kiowa Tribe

LEGISLATURE'S ACTION:

Override of Chairman's veto:

YES

NO

LEGISLATORS	YES	NO	ABSTAIN	ABSENT
VACANT District I				
Michael Primus District II				
Marilyn Bread District III				
Jessie Svitak District IV				
Anita Johnson District V				
Ben Wolf District VI				
Jacob Tsoitigh District VII				



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CERTIFICATION

The foregoing **Resolution KL-CY-2021-0003**, was duly voted upon by the **Kiowa Tribe Legislature** at a duly called _____ **Session** _____, **2021**, with a vote of () in favor and () opposed, () abstaining, and () absent, pursuant to the authority vested in the Kiowa Tribe Legislature by the Constitution of the Kiowa Tribe.

Anita Johnson, District V Legislator
Legislative Secretary