

QUAPAW NATION

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Resolution No. 082121-A

A RESOLUTION TO EQUALLY DISTRIBUTE TO EACH ENROLLED MEMBER OF THE QUAPAW NATION AS OF SEPTEMBER 27, 2019, THE ENTIRE SETTLEMENT PROCEEDINGS OF \$137,500,000.00 FROM THE CASE OF THOMAS CHARLES BEAR, et al., CLAIMANTS v. UNITED STATES, DEFENDANT, CASE NO. 13-51X, FILED IN THE UNITED STATES COURT OF CLAIMS, AND TO ESTABLISH THE BEAR LITIGATION SETTLEMENT FUND TO ENSURE EQUAL DISTRIBUTIONS TO ALL ENROLLED MEMBERS OF THE QUAPAW NATION AS OF SEPTEMBER 27, 2019, WHO ARE LIVING AT THE TIME THE SETTLEMENT FUNDS ARE RECEIVED BY THE QUAPAW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal ") and is governed by the Resolution Authorizing the Quapaw Tribal Business Committee to Speak and Act on Behalf of the Quapaw Tribe of Indians-known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal business, including enacting resolutions, laws, and policies for the best interest of the Quapaw Nation;

WHEREAS, the Quapaw Nation of Oklahoma has established through the passage of Resolution, the Quapaw Election Ordinance of 2004 (the "Ordinance");

WHEREAS, pursuant to Section 16 of said Ordinance, members of the Quapaw Nation have the power to independently propose ordinances, resolutions, or other enactments affecting the Quapaw Nation;

WHEREAS, pursuant to Section 16.1 of said Ordinance, the Business Committee may either adopt the initiative measure by a majority vote without alteration or call an election for the purpose of allowing Registered Voters to vote on the initiative measure and said election shall be held within 120 days from the date a valid petition is presented to the Business Committee under the

requirements of said Ordinance. The vote of a majority of the Registered Voters in response to such petitions shall be binding, final, and non-appealable in any tribunal;

WHEREAS, there is much concern regarding how settlement funds in the amount of \$137,500,000.00 from the lawsuit Thomas Charles Bear, et al., v. United States, Case No. 13-51x will be distributed when said money is received by the Quapaw Nation; and

WHEREAS, there is much concern regarding who will distribute the settlement funds accurately and quickly in the amount of \$137,500,000.00 when said money is received by the Quapaw Nation;

NOW THEREFORE BE IT RESOLVED THAT when the settlement funds in the amount of \$137,500,000.00 are paid from the case of Thomas Charles Bear, et. al., v. United States, Case No. 13-51x filed in the United States Court of Claims that the entire amount of \$137,500,000.00 shall be distributed equally to each enrolled member of the Quapaw Nation as of September 27, 2019, and who are living at the time the settlement funds are received by the Quapaw Nation.

BE IT FURTHER RESOLVED THAT immediately upon receipt by the Quapaw Nation of any settlement funds from the case of Thomas Charles Bear, et. al., v. United States, the Business Committee shall pass a Resolution establishing a Bear Litigation Settlement Account at the Bank of Oklahoma or a similar Bank for the purpose of establishing an account to distribute the \$137,500,000.00 in equal shares to all enrolled members of the Quapaw Nation as of September 27, 2019, who are living at the time the funds are received by the Quapaw Nation and shall, within 7 days of receipt of the settlement funds, pay the entire amount received by the Quapaw Nation to said Bank for said Bank to make immediate distribution under the terms of this resolution. Said Business Committee Resolution shall address how settlement payments to minors under the age of 18 will be addressed by the Bank of Oklahoma or a similar Bank.

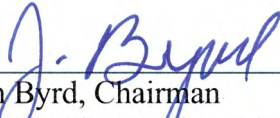
BE IT FURTHER RESOLVED THAT if the settlement is not received in one lump sum, then any amount received in payments shall within 7 days be paid under the provisions of this Resolution as set out above and that if the settlement is received in payments, then the tribal member must be living at the time the payment is received by the Quapaw Nation to receive an equal distribution.

BE IT FURTHER RESOLVED THAT if the Business Committee does adopt this Resolution without alteration, they must have a vote of the General Council to amend this Resolution in the future.

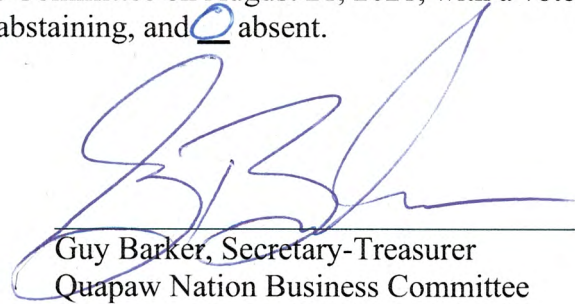
BE IT FURTHER RESOLVED THAT if any provision of this Resolution is finally held to be invalid, illegal, or unenforceable by a Court of law (whether in whole or in part), such provision will be deemed modified to the extent, but only to the extent, of such invalidity, illegality or unenforceability and the remaining provisions will not be affected thereby provided that if any of such provision is finally held to be invalid, illegal, or unenforceable by a Court of law because it exceeds the maximum scope determined to be acceptable to permit such provision to be enforceable, such provision will be deemed to be modified to the minimum extent necessary to modify such scope in order to make such provision enforceable hereunder.

CERTIFICATION

The foregoing resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on August 21, 2021, with a vote reflecting 7 yes, 0 no, 0 abstaining, and 0 absent.



Joseph Byrd, Chairman
Quapaw Nation Business Committee



Guy Barker, Secretary-Treasurer
Quapaw Nation Business Committee