



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Authorizing Dismissal of Pharmacy Buyers Association from the Tribe's Opioid Lawsuit)

WHEREAS, The Constitution of the White Mountain Apache Tribe ("Tribe") of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council ("Council") shall exercise the power, "To represent the Tribe and act in all matters that concern the welfare of the Tribe...; and

WHEREAS, By Council Resolutions No. 07-2020-174 and 03-2021-58 the Council authorized the Tribe to join the tribal class action suits against opioid manufacturers, distributors and marketers; and

WHEREAS, Tribal plaintiffs, including the Tribe, have reached settlements with the defendants in these cases, for which the Tribe has already received some funding, and will continue to receive for more than a decade; and

WHEREAS, The Tribe's lead litigation counsel in these cases, Fields, Hans & Cunniff, PLLC, has recommended to the Tribe that defendant, Pharmacy Buyers Association, is not a defendant that the Tribe should pursue based on their financial condition; and

WHEREAS, Pharmacy Buyers Association has not distributed pharmaceuticals within the state of Arizona; and

WHEREAS, Fields, Hans & Cunniff, PLLC has recommended to the Tribe that it dismiss Pharmacy Buyers Association from the suit, as other tribal plaintiffs have done; and

WHEREAS, Tribal Council agrees with the recommendation of the Tribe's attorneys and finds that dismissing Pharmacy Buyers Association from the opioid distributors suit is appropriate at this time, that it will not disadvantage the Tribe, and it is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribe hereby authorizes litigation counsel Fields, Hans & Cunniff, PLLC to move the court to dismiss Pharmacy Buyers Association as a party from the opioid distributors suit.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 06-2024-126

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on JUNE 05, 2024 duly adopted by a vote of ELEVEN for, ZERO against, and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1, of the WMAT Constitution, so ratified on November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

Kasey Velasquez 6.5.2024
Kasey Velasquez, Chairman Date

Vaneyssa Johnson 06/05/2024
Vaneyssa Johnson, Tribal Secretary Date