



# **WHITE MOUNTAIN APACHE TRIBE**

**A Sovereign Tribal Nation**

**(Approving the Attorney Representation Agreement between the White Mountain Apache Tribe and Fields, Han, Cunniff PLLC and DiCello Levitt LLP, for the *In re: Social Media Adolescent Addiction/Personal Injury Products Liability Litigation Multidistrict Litigation*)**

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**WHEREAS,** The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(d) that the Tribal Council (“Council”) shall exercise the power, “To employ legal counsel...”; and

**WHEREAS,** On August 6, 2024, via Resolution No. 08-2024-175, the Council authorized the Tribe to join in a multi-district lawsuit (“MDL”) against social media companies, alleging, among other potential claims, that their products are designed to be addictive to youth, and that they have caused harm to the mental health of minors living on the Fort Apache Indian Reservation; and

**WHEREAS,** The Tribe’s litigation team in this matter is comprised of the firms Fields, Han, Cunniff, PLLC and DeCello Levitt, (collectively “the Attorney Group”) both of which have extensive expertise in this type of litigation, and one of whom helped the Tribe make substantial recovery in the recent opioid suit settlement; and

**WHEREAS,** The Attorney Group has proposed an Attorney Representation Agreement (attached and incorporated herein by reference), that provides that the Attorney Group shall be paid on a contingency fee basis or 33.33% of any recovery, after payment of applicable legal expenses; and

**WHEREAS,** If no funds are recovered, the Tribe shall not be liable to the Attorney Group for any fees; and

**WHEREAS,** The Tribe’s Attorney General, and the Tribe’s special legal counsel have reviewed the Attorney Representation Agreement, and find its terms agreeable, should the Council wish to pursue this case; and

**WHEREAS,** Council has reviewed the Attorney Representation Agreement, and 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 attached Attorney Representation Agreement is hereby approved.

**Resolution No. 10-2024-221**

**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.

**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 **OCTOBER 02, 2024** duly adopted by a vote of **SEVEN** for, **ZERO** against, and **ONE** abstention 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 10.3.24  
Kasey Velasquez, Chairman Date

Vaneyssa Johnson 10/8/2024  
Vaneyssa Johnson, Tribal Secretary Date