

**Delaware Tribe of Indians**  
**Tribal Court**

6. On April 9, 2014 the hearing was held in the Caney, Kansas Court Room where arguments of the Petitioners and the Respondent were heard and all Exhibits reviewed.
  - 6.1. Exhibit 1 - Minutes for December 2, 2013 Council Meeting reflect discussion of Gray & Gray contract as to whether to terminate the contract and maybe review it later. Secret vote was read with votes as follows: Yes = 3, No = 3, tie vote.
  - 6.2. Exhibit 2 – Letter from Chief Paula Pechonick dated December 4, 2013 to Mr. and Mrs. Gray terminating the contract with 30-day notice.
  - 6.3. Exhibit 3 – Interoffice Memo from Councilwoman Verna Crawford dated December 16, 2013 notifying all employees that the Gray and Gray contract was still in full effect.
  - 6.4. Exhibit 4 – Interoffice Memo from Chief Paula Pechonick, dated December 20, 2013 superseding and nullifying the memo issued by Councilwoman Verna Crawford.
7. After hearing all arguments and review of the records, the Delaware Tribal Court finds that **the termination of the contract with Gray & Gray to be in DIRECT VIOLATION of the Constitution and Delaware By-Laws** based on:
  - 7.1. CONSTITUTION
    - 7.1.1. Article 1 – Supreme Authority
    - 7.1.2. Article IV – Governing Body
      - 7.1.2.1. Section 2. There is created by this Constitution a governing body which shall be known as the Delaware Tribal Council.
    - 7.1.3. Article V - Powers of the Tribal Council
      - 7.1.3.1. B. To negotiate and make contracts with Federal, State, and Local Government and individuals, firms or companies.
  - 7.2. DELAWARE BY-LAWS
    - 7.2.1. Article I – Duties of Officers
      - 7.2.1.1. Section 2. The Chief and the Tribal Council
    - 7.2.2. Article II - Meetings of the Tribal Council
      - 7.2.2.1. Section 5. Matters of business for the Council shall be decided by a Majority vote.

**THEREFORE IT IS ORDERED, ADJUDGED, AND DECREED** that the Council shall decide what action is to be taken according to Article X Section 1 of the DELAWARE TRIBE OF INDIANS CONSTITUTION AND BY-LAWS.

**IT IS SO ORDERED.**



Charles Randall

Delaware Associate Judge