



RESOLUTION OF THE DELAWARE TRIBE OF INDIANS APPROVING AN AMENDMENT TO THE ARBITRATION SECTION OF THE EDWARD JONES AGREEMENT AND AUTHORIZING THE CHIEF OF THE DELAWARE TO EXECUTE THE AGREEMENT

RESOLUTION 2019-26

Authored by David McCullough

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe, including the establishment of banking and investment accounts; and

WHEREAS, the Delaware Tribal Council has previously established an account with Edward Jones for investment of Tribal funds; and

WHEREAS, Edward Jones requires that Federally-recognized Indian tribes execute the "Edward Jones Customer Acknowledgment for Federally Recognized Native American Tribal Entities" in addition to other documents associated with an Edward Jones account; and

WHEREAS, the Acknowledgment amends the "Arbitration Agreement" section of the Edward Jones Agreement by inserting the following language: Judgment upon any reward rendered by the arbitrators may be entered in, and the Client hereby submits to the jurisdiction of, any state or federal court in the state of Missouri having jurisdiction hereof. If for any reason arbitration is not available for the effective resolution of any dispute or controversy, the Client hereby submits to the jurisdiction of any state or federal court in the state of Missouri otherwise having jurisdiction {sic} thereof. The Client hereby waives any rights of sovereign immunity, any right to require exhaustion of trial remedies, and any right to seek tribal remedies with respect to any dispute or controversy arising out of or relating to this Agreement or the accounts, property or transactions contemplated hereby. The Client agrees not to revoke its waiver of sovereign immunity or the waivers with respect to tribal remedies contained in the preceding sentence. and


WHEREAS, the Tribal Council has determined it is in the best interest of the Delaware Tribe of Indians that the Chief of the Delaware Tribe of Indians be authorized to execute the "Edward Jones Customer Acknowledgment for Federally Recognized Native American Tribal Entities" attached hereto and made a part of this Resolution.

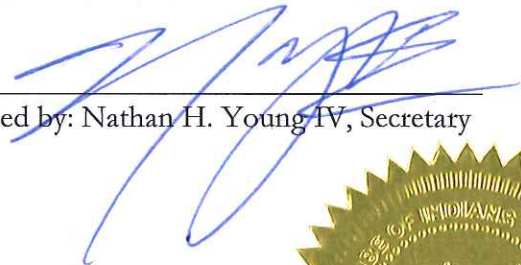
NOW THEREFORE BE IT RESOLVED that the Tribal Council of the Delaware Tribe of Indians does hereby approve the "Edward Jones Customer Acknowledgment for Federally Recognized Native American Tribal Entities" attached hereto and made a part of this Resolution; and

BE IT FURTHER RESOLVED that Chief Chet Brooks is authorized to execute the "Edward Jones Customer Acknowledgment for Federally Recognized Native American Tribal Entities" and to take any further action necessary for establishment of any accounts with Edward Jones.

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal council of the Delaware Tribe of Indians and adopted this 15 day of June, 2019 with a vote of 5 yes, 0 no, and 0 abstaining.


Chet Brooks, Chief


Attested by: Nathan H. Young IV, Secretary

