



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

APPOINTMENT OF JUSTICE PRO TEMPORE FOR SUPREME COURT CASE SU11-04

RESOLUTION 07-19-11 A

WHEREAS, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation formerly known as the Wisconsin Winnebago Tribe; and

WHEREAS, the Ho-Chunk Nation ("Nation") is a federally recognized Indian tribe, organized pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article VII, Section 13 of the Constitution of the Ho-Chunk Nation requires the Legislature to appoint a Justice Pro Tempore to the Supreme Court of the Ho-Chunk Nation to fill any vacancy due to recusal; and

WHEREAS, based upon a notification from the Nation's Supreme Court to the Legislature, through a Revised Scheduling Order in Case No. SU 11-04, Associate Justice Todd R. Matha of the Ho-Chunk Supreme Court, has recused himself in the case of *Kyle Funmaker v. HCN Dept. of Treasury, et al.*; and

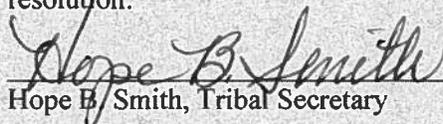
WHEREAS, the prompt resolution of SU 11-04 cannot occur without the appointment of a Pro Tempore Justice; and

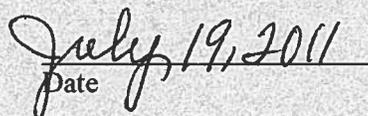
WHEREAS, previously, the Supreme Court has suggested, and the Legislature has authorized, the appointment of JoDeen Lowe and John Wabaunsee as Pro Tempore Justices for various cases;

NOW THEREFORE, BE IT RESOLVED that the Legislature of the Ho-Chunk Nation, pursuant to Article VII, Section 13 of the Constitution of the Ho-Chunk Nation, hereby appoints JoDeen Lowe, Joan Greendeer-Lee or John Wabaunsee, to the extent they are available, as Justice Pro Tempore for the purpose of hearing Case No. SU 11-04 and authorizes the Ho-Chunk Supreme Court to contact JoDeen Lowe, Joan Greendeer-Lee and John Wabaunsee and make the necessary arrangements for him or her to serve as a Justice Pro Tempore of the Ho-Chunk Nation.

CERTIFICATION

I, the undersigned, as Tribal Secretary for the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **11** constituting a quorum were present at the meeting duly called and convened and held on the **19th** day of July, 2011 that the foregoing resolution was adopted at said meeting by an affirmative vote of **11 members, 0 opposed, and 0 abstaining**, pursuant to the authority of the Article V, Section 2(a) through (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.


Hope B. Smith, Tribal Secretary


Date

Executive Offices

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