



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE

#### APPOINTMENT OF JUSTICE PRO TEMPORE FOR SUPREME COURT CASE SU 13-07

#### RESOLUTION 10-22-13 L

**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 Judge pro tempore to the Trial Court of the Ho-Chunk Nation to fill any vacancy due to recusal; and

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

**WHEREAS,** the Legislature received notice that Associate Justice Todd Matha recused himself from the pending Supreme Court Case No. SU 13-07, *Money Centers of America, Inc. and MCA of Wisconsin, Inc. v. Ho-Chunk Nation*; and

**WHEREAS,** Trial Court Judge Jo Deen Lowe, in her ministerial capacity as Chief Judge of the Trial Court, provided notice to the Legislature and recommended the appointment of John Wabaunsee, who has served in a similar capacity in the past; and

**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 authorizes the Supreme Court to retain John Wabaunsee to serve as Supreme Court Justice Pro Tempore in the above case; and the Supreme Court is authorized to contact Mr. Wabaunsee to make the necessary arrangements, including compensation, for him to serve as a Justice Pro Tempore of the Ho-Chunk Nation.

#### **Executive Offices**

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**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 **12** constituting a quorum were present at the meeting duly called and convened and held on the **22<sup>nd</sup>** day of October 2013, adopted the foregoing resolution at said meeting by an affirmative vote of **12 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.

*Kathleen Lone Tree-Whiterabbit*  
Kathy Lone Tree-Whiterabbit, Tribal Secretary

*10.22.13*

Date

