

TO APPROVE A LIMITED WAIVER OF SOVEREIGN IMMUNITY - SURETY

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

THOMAS WILLISTON INTRODUCED THE FOLLOWING COUNCIL BILL

A COUNCIL BILL

**TO APPROVE** Limited Waiver of Sovereign Immunity for the purpose of obtaining bonds on behalf of the Choctaw Nation of Oklahoma (Nation).

**WHEREAS**, it is in the best interest of the people of the Nation to authorize the Chief of the Choctaw Nation of Oklahoma or the Assistant Chief of the Choctaw Nation of Oklahoma to secure surety bonding from various surety companies ("Surety") for the purpose of surety contracting on behalf of the Nation; and

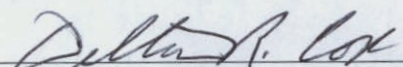
**WHEREAS**, to induce a Surety to act as surety, the Nation wishes to make a limited waiver of sovereign immunity for these specific purposes.

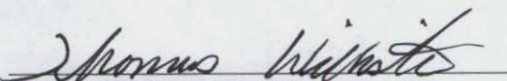
**THEREFORE BE IT ENACTED** by the Tribal Council of the Choctaw Nation of Oklahoma that this Act be cited as approval for a limited waiver of sovereign immunity under the conditions described herein.

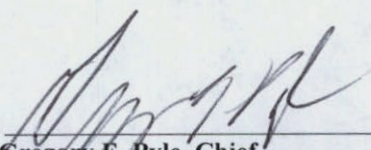
**BE IT FURTHER RESOLVED** that, the Chief of the Choctaw Nation of Oklahoma or the Assistant Chief of the Choctaw Nation of Oklahoma may provide a Surety who the Nation wishes to contract with a limited waiver of its sovereign immunity, as to any suit, demand, claim or cause of action, whether legal, equitable, or otherwise, arising out of or relating to any and all surety bonds issued by Surety to Nation in accordance with the applicable contract between the Surety and the Nation, and specifically grants the Surety the authority to bring an action for specific performance, money damages or the right to enforce any judgment, lien, garnishment, or attachment against any non-trust property of the Nation to the limits of the obligation of the Surety provided to the Nation, or any other legal remedy, to enforce the obligations of the Nation as provided for in the applicable contract.

CERTIFICATION

*I, the undersigned, as speaker of the Tribal Council of the Choctaw Nation of Oklahoma, do hereby certify that the Tribal Council is composed of twelve (12) seats. Eight (8) members must be present to constitute a quorum. I further certify that twelve (12) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on November 9, 2013. I further certify that the foregoing Council Bill CB- 21 -14 was adopted at such meeting by the affirmative vote of twelve (12) members, zero (0 ) negative votes, and zero (0 ) abstaining.*

  
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Delfon Cox, Speaker  
Choctaw Nation Tribal Council

  
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Thomas Williston, Secretary  
Choctaw Nation Tribal Council

  
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Gregory E. Pyle, Chief  
Choctaw Nation of Oklahoma

Date 11/13/13