

# Oneida Tribe of Indians of Wisconsin

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Oneida, WI 54155



UGWA DEMOLUM YATEHE  
Because of the help of  
this Oneida Chief in  
cementing a friendship  
between the six nations  
and the colony of  
Pennsylvania, a new  
nation, the United States  
was made possible.



Oneidas bringing several  
hundred bags of corn to  
Washington's starving army  
at Valley Forge, after the  
colonists had consistently  
refused to aid them.

## Oneida Business Committee

Resolution 01-28-09-J

### *Approving a Limited Waiver of Sovereign Immunity for The Northern Trust Company Master Custody Agreement*


- WHEREAS,** the Oneida Tribe of Indians of Wisconsin is a federally recognized government and Treaty Tribe recognized by the law of the United States; and
- WHEREAS,** the Oneida General Council is the governing body of the Oneida Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section I of the Oneida Constitution by the Oneida General Tribal Council; and
- WHEREAS,** as part of its fiduciary responsibility, the Oneida Business Committee evaluates custodians, money managers, advisors and service providers from time to time; and
- WHEREAS,** the Oneida Business Committee has determined that it is financially prudent and in the best interest of the trust beneficiaries to establish one custodial relationship that can meet the growing financial needs of the Oneida Tribe; and
- WHEREAS,** a Custodian Search Team, comprised of the Finance, Accounting and Trust Departments, reviewed nine (9) proposals, interviewed three candidates and determined that a new custodian would be a benefit for the Oneida Funds based on fees, technology, customer service and overall responses, and selected The Northern Trust Company; and
- WHEREAS,** The Northern Trust Company's Master Custody Agreement provides that The Northern Trust Company may from time to time provide credit or an advancement of Northern funds to the Oneida Trust account(s) pursuant to Sections 5 and 6 of the Agreement; and
- WHEREAS,** the Master Custody Agreement provides for a limited waiver of sovereign immunity to allow Northern to collect against the Account assets for the express and limited purpose of collecting payment, if any, and applicable fees, with respect to any provisional credit or advancement of Northern's own funds to the Account under Sections 5 and 6 of the Agreement; and
- WHEREAS,** the Oneida Tribe and The Northern Trust Company agree that the amount collected against the Account, if any, as provided above, will not exceed the amount of the applicable provisional credit or advancement of Northern funds, and any applicable fees in connection therewith, to the Account; and

**WHEREAS,** all waivers of sovereign immunity shall be made in accordance with the Oneida Nation Sovereign Immunity Ordinance; and

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee hereby approves the limited waiver of sovereign immunity as provided in The Northern Trust Company Master Custody Agreement.

ONEIDA BUSINESS COMMITTEE CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 constitute a quorum. 7 members were present at a regular meeting duly called, noticed, and held on 28<sup>th</sup> day of January 2009; that the foregoing resolution was duly adopted at such meeting by a vote of 6 members for; 0 members against, 0 members abstaining; and that said resolution has not been amended or rescinded in any way.



Tribal Secretary, Oneida Business Committee  
ONEIDA TRIBE OF INDIANS OF WISCONSIN

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."