

**TO APPROVE A LIMITED WAIVER
OF SOVEREIGN IMMUNITY IN FAVOR OF SA AMERICAN DREAM VACATIONS LLC**

IN THE TRIBAL COUNCIL OF THE CHOCTAW NATION

RONALD PERRY INTRODUCED THE FOLLOWING COUNCIL RESOLUTION

A COUNCIL RESOLUTION

TO APPROVE a limited waiver of sovereign immunity in favor of SA American Dream Vacations LLC.

WHEREAS, in accordance with Article IX, Section 4 of the Constitution of the Choctaw Nation of Oklahoma, “The Tribal Council shall enact legislation, rules and regulations not inconsistent with this Constitution for the general good of the Choctaw Nation and for the administration and regulation of the affairs of the Choctaw Nation”;

WHEREAS, the Tribal Council (the “Council”) of the Choctaw Nation of Oklahoma (the “Nation”) has determined it is in the best interests of the Nation to provide motor homes for employees of the Nation who work at the annual Choctaw Nation Labor Day Festival (the “Festival”);

WHEREAS, SA American Dream Vacations LLC, a Texas Limited Liability Company (“American Dreams”), has been selected as the provider of motor homes for the Festival;

WHEREAS, the Nation has negotiated an agreement with American Dreams (the “American Dreams Agreement”) setting forth the terms and conditions under which American Dreams will provide motor homes to the Nation for the Festival;

WHEREAS, the American Dreams Agreement contains a limited waiver of sovereign immunity from suit in favor of American Dreams and as limited under the terms of the Agreement; and

WHEREAS, the Tribal Council has determined that it is in the best interest of the Nation to grant such a limited waiver of sovereign immunity in favor of American Dreams solely to the extent of, and in accordance with, the terms of the American Dreams Agreement.

THEREFORE BE IT ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Resolution be cited as approval and authority for the grant of a limited waiver of the sovereign immunity of the Nation in favor of SA American Dream Vacations, LLC, and in accordance with the terms of the agreement between the Choctaw Nation of Oklahoma and SA American Dream Vacations, LLC.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Resolution be cited as approval and authority that nothing contained herein is intended to, nor shall it be construed to, benefit any party other than SA American Dream Vacation, LLC.

BE IT FURTHER ENACTED by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Resolution be cited as approval and authority that nothing contained herein is intended to, nor shall it be construed to, waive the sovereign immunity of the Nation or any of its affiliates or subsidiaries except as specifically set forth herein.

BE IT FURTHER ENACTED, by the Tribal Council of the Choctaw Nation of Oklahoma that this Council Resolution be cited as approval and authority that nothing contained herein is intended to, nor shall it be construed to, waive the sovereign immunity of any elected official, officer, or employee of the Nation or any of its affiliates or subsidiaries, and no waiver of immunity is provided with respect to such parties.

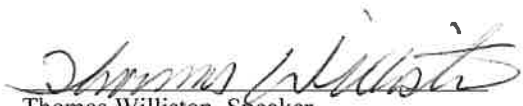
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CERTIFICATION

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 Eleven (11) members answered roll call and that a quorum was present at the Regular Session of the Tribal Council at Tuskahoma, Oklahoma on August 10, 2024. I further certify that the foregoing Council Resolution CR- 26 -24 was adopted at such meeting by the affirmative vote of Eleven (11) members, Zero (0) negative votes, and Zero (0) abstaining.



Ronald Perry, Secretary
Choctaw Nation Tribal Council


Thomas Williston, Speaker
Choctaw Nation Tribal Council



Gary Batton, Chief
Choctaw Nation of Oklahoma

Date 8-12-24

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Purpose/Need of Council Resolution: This Resolution approves a limited waiver of sovereign immunity to SA American Dreams Vacation, LLC as limited under the terms of the American Dreams Agreement. American Dreams has been selected to provide Motor Homes to employees of the Nation that work at the Annual Labor Day Festival. The Motor Homes allow employees to work at the Festival without commuting long hours back and forth at various hours of the day and night. The Motor Homes allow the Nation to provide plenty of employees to help with the Festival while promoting safety by keeping hundreds of employees off the road, especially at night. This legislation meets the Nation's strategic goal of protecting and promoting Choctaw culture by facilitating Festival activities in a safe manner.

Title of Council Resolution: TO APPROVE A LIMITED WAIVER OF SOVEREIGN IMMUNITY IN FAVOR OF SA AMERICAN DREAM VACATIONS LLC

Agency: Tribal Events

Budget: NA

Match Required: NA

Request by Project Director: Tracy Horst, Director of Environmental Compliance; Brian Danker, Senior Executive Officer, Legal & Compliance

Suggested Legislative Committee Review: Member Services