

Northern Arapaho Business Council

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May 19, 2020

Co-Chairman Addison,

As you are well aware, the Northern Arapaho Tribe (“Tribe”) has been forced to sue our former attorneys from the firm Baldwin, Crocker and Rudd (“BCR”) to recover any and all funds held by them, any and all remaining tribal documents and for an accounting of all the Tribal money they held in trust. These are basic crystal clear rights that any former client has under the Wyoming Rules of Professional Conduct. However, BCR has taken a disrespectful and hurtful posture to the Tribe, our decisions, and the Northern Arapaho people in this litigation. We are extraordinarily disappointed with BCR’s actions and statements about our Tribe and our leaders in the course of this litigation, especially in light of its 30 years of employment by the Tribe.

We recognize that you share more of that 30 year history with BCR than the majority of the Northern Arapaho Business Council (“NABC”) and that you disagreed with the NABC’s decision to terminate our employment of BCR. Despite that disagreement, you still owe a duty of loyalty to the NABC and you swore an oath to the Northern Arapaho Tribe.

As we live through these challenging times of virus and pandemic we firmly belief that this is the time for us all to come together for our community. It is in that spirit that we send this letter in hopes you will begin to assist your own Tribe in the matters that remain in dispute in our litigation.

On the same date that our Tribe announced the lost four of our cherished citizens to the Coronavirus, BCR filed yet another motion in that case disparaging the Tribe. Within that motion was a affidavit by Kelly Rudd – sworn under penalty of perjury – [REDACTED]

We recognize that you strongly disagreed with the NABC’s decision to terminate BCR, and that you even went as far as suing our current law firm along with Councilman Dresser, Faith Wallowing Bull and Rosella Morin to in effect ask a state court to interfere in tribal matters thereby attempting to diminish the Tribe’s sovereignty. As you are certainly now aware, the Court in that case has disqualified your attorney, Joel Vincent, based on his conflict of interest in

previously representing the Tribe. We are particularly concerned about the Court's finding that Jim Conrad, with your apparent approval, paid Mr. Vincent \$75,000 of Tribal funds – paid without NABC approval. We believe these funds are being used in an individual capacity and not as a representative of the Tribe, to sue the Tribe's current attorneys. Over forty-five days ago, the Court disqualified Mr. Vincent from continuing as your attorney and no other attorney has yet filed a notice that they would be replacing him.

Likewise, it has come to our attention that you, in tandem with terminated tribal lobbyist Mark Howell, Jim Conrad and BCR, established, funded and controlled the Wyoming Public Policy Center ("WPPC"). The WPPC has recently caused the Tribe significant public embarrassment, and, we are concerned that it may have expended over \$250,000 of Tribal funds without proper authorization. Indeed, Mr. Howell specifically informed our current attorneys that you were the WPPC's sole member. Mr. Howell has also specifically stated that you and BCR have possession of all documents, materials, and correspondence regarding the WPPC's activities. Finally, Mr. Howell specifically stated that you have signing authority over the WPPC's bank accounts and were the signatory on all WPPC contracts. A review of public WPPC filings clearly shows those accounts to have at least \$19,444.12 in unspent funds.

When the NABC first learned of the WPPC, we promptly terminated Mark Howell, then the General Council unanimously affirmed his termination and permanently banned him from ever working for the Tribe again. In addition to the considerable embarrassment caused to the Tribe by the WPPC, we believe Mark Howell was also highly ineffective and exorbitantly expensive. We have since retained a well-respected Wyoming-based lobbyist who we feel has already achieved exponentially better results at a fraction of the cost.

As we discover additional facts and information, it is our duty as NABC elected officials to protect the rights of the Northern Arapaho Tribe, even if that means additional litigation concerning the activities of BCR, Mark Howell, Jim Conrad and Joel Vincent.

We are requesting your assistance for the good of the Northern Arapaho People going forward. Based on the speed and ease with which both BCR and Mark Howell are willing to blame you for their activities, we hope you will agree and cooperate with the following requests;

- 1) Return to the Tribe all funds remaining in the WPPC bank accounts and provide to the Chairman all documents, correspondence and financial and bank records of the WPPC;
- 2) Provide to the Chairman all documents, correspondence, financial records, correspondence and other materials in your possession associated with BCR's past representation of the Tribe; and
- 3) Provide to the Chairman, all documents, correspondence, financial records, e-mails and other materials associated with the payment of \$75,000 from the Wind River Hotel & Casino to Joel Vincent from the period he represented the Casino. (Note, we are not requesting any confidential or privileged information from his representation of you as an individual prior to his removal from the case by the Court.)

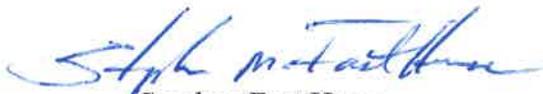
As you know, our current attorneys have been working tirelessly to help us address the countless issues arising in our response to the Coronavirus and other critical issues. Meanwhile, they continue to have to protect the Tribe against claims made by BCR in order to get a simple accounting of all the funds BCR required us to pay in advance and from which they then paid themselves, as well as the return of numerous Tribal documents which BCR has withheld. This is no longer a matter of an internal NABC dispute about whom our attorneys should be, that issue has been decided overwhelmingly by the General Council which forever banned BCR from ever representing the Tribe.

We respectfully request that you schedule a time to meet with the Chairman and Ryan Ortiz to arrange the voluntary return of the above listed materials and funds. Absent a voluntary return of these items, unfortunately the Tribe will be forced to take other appropriate action.


Lee Spoonhunter
Chairman


Clarinda Calling Thunder
Councilwoman

Samuel Dresser
Councilman


Stephen Fast Horse
Councilman


Kim Harjo
Councilwoman