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March 12, 2020

***Sent Via Email and First Class Mail***

Mark Echo Hawk  
Echo Hawk & Olson, PLLC  
P.O. Box 213  
St. George, Utah 84770

***Re: Response to Request for Notice to Paiute Indian Tribe of Utah (PITU)  
Tribal Council Meetings***

Dear Mark:

My understanding is that the Shivwits Band of Paiutes and the Kanosh Band of Paiutes have opted out of participating in PITU Tribal Council meetings. As explained below, the Shivwits and Kanosh Bands do not currently have a representative on the PITU Tribal Council, and therefore, are not permitted to participate in Tribal Council proceedings, until the vacancies are filled as outlined in the Constitution.

The Shivwits Band's vacancy on the PITU Tribal Council was created on April 30, 2019, when members of the Shivwits Band Council submitted a letter to the PITU Tribal Council stating that the Band would no longer be participating in further Tribal Council proceedings. To my knowledge, the Shivwits Band has not rescinded this letter and it continues to remain in effect. If this is not the case, please provide a copy or update the letter and send it to my office. The Interim-Vice Chairperson for the Shivwits Band can participate, once all the criteria as outlined in the Election Ordinance is met.

The Kanosh Band's vacancy on the PITU Tribal Council was created on June 12, 2019, when Corrina Bow, Kanosh Band Chairwoman, was removed from her position by the adoption of Resolution No. 2019-48. A vacancy such as this under the PITU Constitution created by the removal of a PITU Tribal Council member is to be filled by a special election held within thirty (30) days after a Council member is removed. PITU Constitution, Art. XII, Sec. 2(b)(5). The Kanosh Band has failed to work with the PITU Election Board Chairperson to fill the vacancy seat on the Tribal Council.

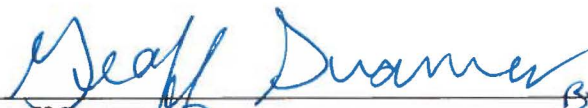
There is no requirement under Tribal law that entitles the Shivwits and Kanosh Bands to receive notice of upcoming PITU Tribal Council emergency or special meetings in the absence of participation on the Council. PITU Constitution, Art. IV, Section 1(f). The PITU Tribal Council continues to be willing to work with the Shivwits and Kanosh Bands to resolve the issues involving their refusal to participate in Council proceedings,

though the recently filed multiple strands of needless and expensive litigation are not helping matters.

The Tribal Council requests the Shivwits and Kanosh Bands to promptly provide written notice on when the Bands plan to hold special elections to fill the current vacancies on the Council. As noted above, vacancies on the Council must be filled through a special election

Sincerely,

HOBBS, STRAUS, DEAN & WALKER, LLP

  
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Geoff Strommer *BY: NAM*

cc: PITU Tribal Council