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IN THE CHANCERY COURT FOR DAVIDSON COUNTY, TENNESSEE
AT NASHVILLE

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SEP - 3 2010

Day. Co. Chancery Court

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No. 10-1053-III

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FILED

MARK GREENE,)
)
Plaintiff,)
)
v.)
)
TENNESSEE COMMISSION OF)
INDIAN AFFAIRS,)
)
Defendant.)

FINAL AGREED ORDER

On June 30, 2010, the Plaintiff Mark Greene filed a complaint alleging that the Defendants had violated the Tennessee Open Meetings Act by failing to give adequate public notice of its June 19, 2010 meeting and by deliberating in secret prior to that meeting. On August 27, the Defendant Tennessee Commission of Indian Affairs filed an answer admitting that the notice of its June 19, 2010 meeting did not disclose that the TCIA intended to deliberate and/or vote on the adoption of Standing Rule 14 and on any applications for state recognition as an Indian tribe. The Defendant's answer further admitted that discussions between one or more Commissioners concerning the TCIA's proposed Standing Rule 14 and/or the applications for state recognition as Indian tribes were held either by electronic transmission or by telephone prior to the June 19, 2010 meeting.

Accordingly, as evidenced by the signature of counsel below, the parties have hereby agreed that, based upon these factual admissions set forth in the Defendant Tennessee


Commission on Indian Affairs' Answer to Plaintiff's Verified Complaint, the Defendant did not give adequate public notice of its June 19, 2010 meeting as required by the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101, *et seq.* and that Plaintiff is entitled to an order declaring such meeting to have been held in violation of the Act and the actions of the Defendant in adopting Standing Rule 14 and awarding state recognition as Indian tribes taken at that meeting to be void and of no effect pursuant to Tenn. Code Ann. § 8-44-105.

IT IS THEREFORE ORDERED, ADJUDGED and DECREED that:

1. The Defendant failed to give adequate public notice of its June 19, 2010 meeting in violation of the Tennessee Open Meetings Act, Tenn. Code Ann. §§ 8-44-101, *et seq.*;
2. The actions taken at the June 19, 2010 meeting by the Defendant in adopting Standing Rule 14 and in awarding state recognition as an Indian Tribe to the Remnant Yuchi Nation; United Eastern Lenape Nation of Winfield, Tennessee; Chikamaka Band; Central Band of Cherokee; Cherokee Wolf Clan; and Tanasi Council are declared void and of no effect pursuant to Tenn. Code Ann. § 8-44-105;
3. Costs are to be taxed to the Defendant for which execution may issue.

IT IS SO ORDERED.

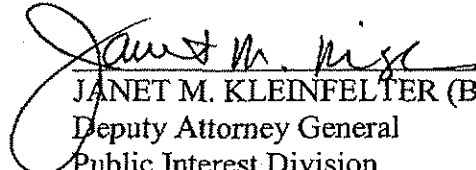
ENTERED THIS _____ DAY OF _____, 2010.



ELLEN HOBBS LYLE
CHANCELLOR


APPROVED FOR ENTRY:

ROBERT E. COOPER, JR.
Attorney General and Reporter



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