



The Navajo Nation Council — Office of the Speaker

Contact: Joshua Lavar Butler, Communications Director

Phone: (928) 871-6384

Cell: (928) 255-2946

Fax: (928) 871-7255

joshualavarbutler@navajo.org

joshualavarbutler@yahoo.com

www.navajonationcouncil.org

May 12, 2010

FOR IMMEDIATE RELEASE

Case against Speaker Morgan dismissed by District Court

Dismissal concludes two year legal battle

WINDOW ROCK, Ariz. – Window Rock District Court Judge T.J. Holgate dismissed a nearly two year case against Navajo Council Speaker Lawrence T. Morgan and Morgan's Chief of Staff Dr. James Davis Jr. by Will Graven, owner of North American Building and Development Construction Co. of Chandler, Ariz.

The case was dismissed based on sovereign immunity. According to 1 N.N.C. § 553 (A), "The Navajo Nation is a sovereign nation which is immune from suit." This means a plaintiff can only sue the Navajo Nation in certain circumstances, and only if certain specific procedures are followed. The Navajo Sovereign Immunity Act establishes those circumstances and procedures.

The dismissal concludes a nearly two year legal battle that resulted in false accusations from Graven. He alleged Morgan did not pay for preliminary construction work when he was solicited as a possible contractor for a proposed Legislative Building for the Navajo Nation.

Graven was only one of many other companies seeking the bid for the project. He alleged a contract was signed, but a contract was never signed. It was merely a letter of intent to seek services from his company, which was a letter Graven encouraged.

In the process of seeking design information from Graven, Speaker Morgan requested a due diligence report on Graven's company and found a slew of questionable business practices. Once that was discovered, Morgan stopped the process, and so, the two year legal battle ensued from Graven.

Morgan and Davis were represented by Patrick T. Mason, an attorney with Mason & Isaacson of Gallup, N.M.

###