

# **EXHIBIT 1**

## AFFIDAVIT OF MOLLY MOORE

I, Molly Moore, being of lawful age, state the following:

1. I am the Tribal Administrator for the Alabama-Quassarte Tribal Town (“AQTT”).
2. I have worked with several tribes in various capacities, including Grant administrator, Director, Quality Assurance, Project Administrator, Project Manager and Chief of Operations.
3. I have personal knowledge of events and information related to the AQTT. However, the Wind-Marshall group took physical control of the Town’s buildings and accounting records in November 2021. As a result, I have been locked out of the building and denied access to the AQTT server, and I do not have documentation of the state of the Town’s accounts or many of these events.
4. I was hired as Tribal Administrator by Chief Wilson Yargee and Second Chief Rovenia Yargee in August 2021.
5. I spent the first two weeks after being hired interviewing staff and collecting information from all programs and departments of the AQTT, including the Accounting Department.
6. I met with the Accounting Director on a Tuesday or Wednesday, and at the end of our meeting, I requested the most recent bank statements. I received those documents on that following Friday.
7. The following Monday, the Accounting Director resigned without providing prior notice.
8. The bank statements indicated overdraft charges, negative account balances, as well as program account balances that didn’t seem to match the financial reporting to the Program Directors, Governing Committee, and Chiefs coming out of the AQTT Accounting Department.
9. Shortly thereafter, AQTT received notice of checks bouncing, so a request to transfer funds to cover these expenses was sent to the bank on or about August 26, 2021.
10. Around September or October 2021, I contacted the Town’s auditing firm regarding the 2020 audit.
11. The auditing firm provided emails between themselves and the former Accounting Director. In the correspondence, it seemed the Accounting Director was delaying the process and then just stopped communicating with the audit firm.
12. After I learned about the various problems discussed in the paragraphs above, I immediately started contacting the programs to find out how to access the federal financial systems for drawdowns and reporting. Using this information, I then discovered the lack

of drawdowns from federal funding sources and the absence of financial reports for these funds.

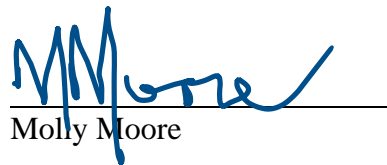
13. In addition to overdraft charges, and accounts running in the negative, drawdowns of the Federal monies in some programs had not been done in a year, and financial reporting for some of the programs had not been completed prior to Chief Yargee's election and swearing in.
14. Due to the abrupt resignation of the Accounting Director, the discovery of the history of bounced checks and negative balances, a widespread lack of financial reporting to Federal funding agencies for some programs for 1-3 years, as well as the state of disorder of accounting records and documents within the Accounting Department itself, I discussed the possibility of hiring an accountant or an accounting firm with the Chiefs.
15. As the state of the finances was being uncovered, the Chiefs and I discussed the possibility of making drawdowns for BIA, HUD, and other Federal Programs for the purpose of funding the programs AQT were administering. The general consensus was to be conservatively prudent with drawdowns until the Chiefs could be assured that the funds that had been previously drawn down had been appropriately expended and accounted for before any more Federal monies were utilized.
16. Documentation from the bank regarding drawdowns and accounts, Federal financial systems, auditors and programs was provided to the Governing Committee in September of 2021. Unfortunately, due to the lockout, this documentation is no longer available to me.
17. The retention of an accounting firm seemed the best route as they would bring a team that would be able to do reports, reconciling, work with the auditors, as well as help update Accounting Department policy and procedure, and appropriately train the two clerks in the Accounting Department.
18. RedW was chosen as the accounting firm and subsequently met with me, the Chiefs, and the Governing Committee members.
19. At some point after this, a transfer of about \$325,000.00 was made from various accounts to the Operating Account to cover checks for which there were no funds to cover and to stop the accrual of overdraft fees that were being charged to the Operating Account due to the fact that the former Accounting Director had issued checks without transferring the money or informing the Chiefs of the situation.
20. This led to the decision by Chief Yargee to stop issuing checks in an attempt to get a handle on the financial hemorrhaging, which led to the suspension of operations and the laying off of staff on or about October 19, 2021.
21. Due to the state of the Town's accounts and lack of reporting, at some point, I discussed my concern that AQT could be put on high-risk status with the Chiefs. They then

informed me that AQTT was put on high risk during Tarpie Yargee's administration and had worked for years to have the high-risk status removed.

22. This led to a discussion about Federal programs, and other operational concerns. The concerns discussed were the jeopardy the Federal programs were in due to the lack of reporting and drawdowns, what funds may have actually paid for the programs, overdraft charges, negative accounts, the possibility of funds being co-mingled, as well as the state of the Tribe's financial accounting, its physical record management, and the accuracy of the accounting.
23. A membership meeting was held in October 2021, I attended for the purposes of answering questions regarding the financial and program documentation regarding drawdowns, reporting, etc.
24. As the membership meeting was getting heated, I stepped out because I am not an AQTT member.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and recollection.

Executed on this 5th day of December, 2022.

  
Molly Moore