

BEFORE THE INDIAN CLAIMS COMMISSION

THE IOWA TRIBE OF THE IOWA RESERVATION )  
 IN KANSAS AND NEBRASKA, THE IOWA TRIBE )  
 OF THE IOWA RESERVATION IN OKLAHOMA, )  
 ET AL., OMAHA TRIBE OF NEBRASKA, ET AL., )  
 THE SAC AND FOX TRIBE OF INDIANS OF )  
 OKLAHOMA, THE SAC AND FOX TRIBE OF )  
 MISSOURI, SAC AND FOX TRIBE OF THE )  
 MISSISSIPPI IN IOWA, ET AL., )  
 )  
 Petitioners, )  
 )  
 v. )  
 )  
 THE UNITED STATES OF AMERICA, )  
 )  
 Defendant. )

Docket No. 138

ORDER ALLOWING ATTORNEYS' FEES TO ATTORNEYS  
 FOR THE IOWA TRIBE OF THE IOWA RESERVATION  
 IN KANSAS AND NEBRASKA, AND THE IOWA TRIBE  
 OF THE IOWA RESERVATION IN OKLAHOMA

Upon consideration of the petition of the attorneys for the Iowa tribes herein for an order allowing attorneys' fees equivalent to ten per centum (10%) of the final award entered herein on March 22, 1965, in favor of the tribal petitioners, the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, and the Iowa Tribe of the Iowa Reservation in Oklahoma, and, the defendant having been served a copy of the above petition and not objecting thereto, the Commission has found and concluded from the entire record in this case that;

1. The Iowa attorneys are petitioning for the allowance of attorneys fees under the following approved attorney contracts:
  - (a) A contract, No. 14-20-0200-1857, between the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska (the "Kansas and Nebraska Iowa") and the law firm of Dykema, Wheat, Spencer, Goodnow and Trigg, Brian Sullivan, attorney of record, and
  - (b) A contract, Symbol No. I-1-ind. 42016, as amended, between the Iowa Tribe of the Iowa Reservation in Oklahoma (the "Oklahoma Iowa") and the law firm of McCarter and English, Nicholas Conover English, attorney of record.

2. The two approved attorney contracts provide for compensation to the Iowa attorneys in the amount of ten per centum (10%) of any and all sums recovered or procured for said Iowa tribes through the efforts whole or in part of said attorneys.

3. Any award of attorneys fees to the Iowa attorneys equivalent to ten per centum (10%) of the final award in this docket to the Iowa Indians, or the sum of \$137,226.75, is subject to the terms and conditions of the "Stipulation For Entry Of Final Judgment", which stipulation was made a part of said Iowa final award; and, wherein it was provided that from the net final judgment to the Iowa tribes, \$150,000, together with any accrued interest thereon shall be withheld from disbursement from the Treasury of the United States unless and until there be a final determination in Docket No. 332-A before the Commission denying the conflicting claim of the Yankton Sioux tribe, petitioner in Docket No. 332-A, for compensation for lands within Royce Area 151 lying south of the line described in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272) as found by the Commission in its order of November 25, 1959.

4. Pursuant to the terms of the approved attorney contracts of employment, the Iowa attorneys have rendered valuable legal services herein to the Iowa tribes in the prosecution and settlement of their claims, and they are therefore entitled to the attorneys fees as requested.

IT IS THEREFORE ORDERED that the Iowa attorneys as described in sub-paragraph (1) above, be and they are hereby allowed the sum of \$137,226.75 for attorney services rendered in the prosecution and settlement of the Iowa claims herein, subject to the condition that \$122,226.75 of said attorneys' fees shall be paid out of \$1,222,267.50 of the final award of \$1,372,267.50, or out of interest which may accrue on said \$1,222,267.50, and that the remaining \$15,000 of the attorneys' fees shall be withheld from disbursement and payment pending the final determination (including any appeal or review as provided by law) of the conflicting claim of the Yankton Sioux Tribe, petitioner in Docket No. 332-A, for compensation for land within Royce Area 151 lying south of the line described in Article 2 of the Treaty of August 19, 1825 (7 Stat. 272), as found by the Commission in its order of November 25, 1959; and, subject to the further condition that said sum of \$15,000 shall not, in any event, be disbursed and paid unless

and until a final determination (including any appeal or review as provided by law) is entered in said Docket No. 332-A denying the conflicting claim of the Yankton Sioux Tribe, petitioner in Docket No. 332-A.

Dated at Washington, D. C., this 18th Day of May, 1965.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner