

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.	)	Docket Nos. 138 and 339
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER ALLOWING REIMBURSEMENT  
OF ATTORNEY EXPENSES

The Commission has before it the application of Nicholas Conover English, attorney of record for the petitioner, The Iowa Tribe of the Iowa Reservation in Oklahoma, for an order allowing reimbursement to the law firm of McCarter & English of expenses incurred and paid in connection with the prosecution of the claims of the said petitioner in Dockets Nos. 138 and 339. The defendant entered no objection to the said application after having had a copy thereof served upon it. A hearing on the said application was held before the Commission on June 8, 1965. The attorneys' fees were previously allowed by our order of May 18, 1965.

It appears that a final judgment was entered herein on March 22, 1965 in favor of the Iowa Tribe of the Iowa Reservation in Oklahoma and the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska in the amount of \$1,372,267.50 (subject to the terms and provisions of a certain stipulation for entry of final judgment). It also appears that the approved contract of the law firm of McCarter & English provides for their reimbursement out of such recovery of reasonable expenses incurred by them in the prosecution of the claims.

Subsequent to the hearing of June 8, 1965, Mr. English, the attorney of record, requested that the Commission regard as withdrawn from the said application certain Iowa valuation cost items aggregating \$522.92 that were incurred in connection with the prosecution of claims of the

Iowa tribes in other dockets than the dockets involved herein. These valuation cost items are identified with their voucher numbers as follows:

<u>Voucher No.</u>	<u>Amount</u>
B-48	\$ 68.90
B-50	13.35
B-52	12.25
B-54	33.34
B-55	39.27
B-56	42.58
B-57	48.27
B-58	1.92
B-60	2.04
B-62	37.19
B-63	46.50
B-65	20.02
B-68	31.86
B-71	34.34
B-73	28.54
B-75	32.15
B-77	30.40
Total	<u>\$522.92</u>

The said application is in the total amount of \$11,509.64. The withdrawal of the above listed items totaling \$522.92 leaves a remaining balance of \$10,986.72. The Commission has found and concluded from the entire record herein that all of such balance, except an amount of \$15.33, is properly allowable out of the award herein. The amount of \$15.33 represents one-half of \$30.66 in expenses claimed on Voucher No. C-2 for travel to Washington in connection with a matter involving Dockets 79 and 339, which the Commission regards as reasonably allocable to expenses incurred under Docket 79 and not properly allowable out of the award herein.

IT IS THEREFORE ORDERED AND ADJUDGED that out of the above mentioned award of March 22, 1965, there shall be paid the sum of \$10,971.39 to the law firm of McCarter & English in payment of reimbursable expenses incurred by them in the prosecution of the said petitioner's claims herein.

Dated at Washington, D. C., this 23rd day of May, 1966.

Arthur V. Watkins  
Chief Commissioner

Wm. M. Holt  
Associate Commissioner

T. Harold Scott  
Associate Commissioner