

BEFORE THE INDIAN CLAIMS COMMISSION

THE PEORIA TRIBE OF INDIANS OF)	
OKLAHOMA, ET AL.,)	
)	
Petitioners,)	
)	
v.)	Docket No. 314 Amended
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING REIMBURSEMENT
OF ATTORNEY EXPENSES

The Commission has before it the application of the law firm of Brown, Dashow and Langeluttig, attorneys for the petitioners, The Peoria Tribe of Indians of Oklahoma, et al., for an order allowing reimbursement of expenses incurred by the said firm in connection with its prosecution herein of the claims of the said petitioners. The defendant entered no objection to the said application after having had a copy thereof served upon it. The attorneys' fees were previously allowed by our order of August 16, 1965 (15 Ind. Cl. Comm. 571).

It appears that a final award was entered herein on July 29, 1963, in favor of the said petitioners in the amount of \$876,477.30. It also appears that the approved contract of the law firm of Brown, Dashow and Langeluttig provides for reimbursement of the firm out of such award of reasonable expenses incurred by it in the prosecution of the said petitioners' claims herein.

The said law firm withdrew from its application certain expense amounts totaling \$168.89, consisting of \$18.99 claimed as part of its cost of establishing title and value of lands in Indiana (Royce Area 99) that was in excess of \$6,523.50, its pro-rata share of the expense of such undertaking previously determined by the Commission as being reimbursable (14 Ind. Cl. Comm. 608, 616), and certain other expenditures that appeared to have been incurred for the benefit of the firm itself.

The said law firm also withdrew from its application the amounts of certain expenses incurred in connection with the prosecution of claims of the said petitioners arising primarily from other transactions than the transaction upon which the claim in Docket 314 Amended is based. These amounts and the related voucher and docket numbers are identified below:

<u>Voucher No.</u>	<u>Amount</u>	<u>Relates to:</u>
77	\$ 93.75	Docket 314-C
78	83.45	Docket 314-D
79	76.54	Docket 314-E
86	67.64	Docket 314-C

Withdrawn expense amounts continued:

<u>Voucher No.</u>	<u>Amount</u>	<u>Relates to:</u>
86	\$ 6.38	Docket 314-D
86	.62	Docket Nos. 314-C and 314-D
86	24.09	Docket 314-C (represents $\frac{1}{2}$ of \$48.18, the last expenditure shown on Voucher No. 86)
91	14.59	Docket 314-C
92	119.65	Docket 314-C
96	26.16	Docket 314-C
99	6.25	Docket 314-C
100	425.98	Docket 314-C
103	13.64	Docket 314-C
108	2.65	Docket 314-D
109	4.78	Docket 314-C
112	104.05	Docket 314-C
117	78.65	Docket 314-C
119	16.75	Docket 314-C
120	8.75	Docket 314-D
122	21.62	Docket 314-D
145	5.86	Docket 314-C
146	59.21	Docket 314-C
148	128.65	Docket 314-C
149	85.15	Docket 314-C
150	2.50	Docket 314-D
151	25.50	Docket 314-D
152	27.88	Docket 314-D
153	93.28	Docket 314-D
163	.51	Docket 314-E
166	2.09	Docket 314-C
183	2.20	Docket 314-C
184	71.67	Docket 341-C
187	93.30	Docket 314-D
189	8.75	Docket 314-C
203	.80	Docket 314-D
204	13.31	Docket 314-C
214	23.50	Docket 314-C
216	4.93	Docket 314-C
217	25.08	Docket 314-D
220	2.97	Docket 314-D
220	6.24	Docket 314-C
	<u>\$1,879.37</u>	

After an amendment to equate the amount requested in the said application to the total amount of expenses accounted for in its supporting papers, the application is in the amount of \$15,947.11. The withdrawal of the above mentioned expense amounts totaling \$168.89 and the above identified expense amounts totaling \$1,879.37 leaves a remaining balance of \$13,898.85. The Commission has found and concluded from the entire record herein that all

of such balance is properly allowable out of the award herein.

IT IS THEREFORE ORDERED AND ADJUDGED, that out of the above mentioned award of July 29, 1963, there shall be paid the sum of \$13,898.85 to the law firm of Brown, Dashow and Langeluttig in payment of reimbursable expenses incurred by the said firm in the prosecution of the said petitioners' claims herein.

Dated at Washington, D. C., this 1st day of August, 1966.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner