

BEFORE THE INDIAN CLAIMS COMMISSION

THE CREEK NATION,)	
)	
Plaintiff)	
)	
THE CREEK NATION EAST OF THE)	
MISSISSIPPI,)	
)	
Intervenor)	
)	
v.)	Docket No. 21
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING REIMBURSEMENT OF ATTORNEY EXPENSES

The Commission has before it the application of Claude Pepper of Miami, Florida for an order allowing reimbursement of expenses incurred by him in connection with his prosecution herein of the claims of the Intervenor, The Creek Nation East of the Mississippi. Mr. Pepper served as an attorney for the said intervenor during a period of some twelve years, from the first part of 1951 through most of 1962, when he was not in office as a member of the Congress of the United States.

It appears that a final judgment was entered herein on September 10, 1962 (11 Ind. Cl. Comm. 53), awarding to the Creek Nation of Oklahoma, plaintiff, and the Creek Nation East of the Mississippi, intervenor, the sum of \$3,913,000.00. It also appears that the approved contract under which Mr. Pepper served the said intervenor provides for reimbursement of reasonable expenses incurred by him in the prosecution of the said intervenor's claims herein. The attorneys' fees were previously allowed by our order of August 16, 1965 (15 Ind. Cls. Comm. 546).

The said application is entitled "Amended Schedule of Expenses of Claude Pepper". It was filed herein on February 14, 1967 and was the subject of a hearing before the Commission on March 21, 1967. Counsel for the defendant was present at the hearing and indicated that the defendant had no objection to the amended schedule of expenses.

After certain mathematical corrections, effected at Mr. Pepper's direction, the said application totals \$4,287.90 or \$4.37 less than as filed on February 14, 1967. The Commission has found and concluded from the entire record herein that all of such total is properly allowable out of the award herein.

IT IS THEREFORE ORDERED AND ADJUDGED that out of the above mentioned award of September 10, 1962 there shall be paid the sum of \$4,287.90 to Claude Pepper in payment of reimbursable expenses incurred by him in the prosecution of the said intervenor's claims herein.

This order shall be dispositive of all prior claims filed herein for reimbursement of Claude Pepper's expenses.

Dated at Washington, D. C., this 22nd day of March, 1967.

Arthur V. Watkins
Chief Commissioner

Wm. M. Holt
Associate Commissioner

T. Harold Scott
Associate Commissioner