

BEFORE THE INDIAN CLAIMS COMMISSION

THE MIAMI TRIBE OF OKLAHOMA, et al.,)	
)	
Petitioners,)	
)	
v.)	Docket No. 251-A
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

Decided: January 9, 1969

Appearances:
 Edwin A. Rothschild, Attorney for
 Petitioners in Docket No. 251-A

W. Braxton Miller, with whom was
 Mr. Assistant Attorney General
 Clyde O. Martz, Attorneys for
 Defendant.

OPINION OF THE COMMISSION

PER CURIAM

It appears that the background events leading to this compromise settlement are fully set forth in the findings of fact filed herein.

Subsequently, on August 6, 1968, the petitioners herein and the defendant filed a joint motion in Docket No. 251-A for approval of a proposed compromise settlement. A "Stipulation For Entry Of Final Judgment" was also filed with the Commission at the same time. This stipulation sets forth the terms and conditions of the proposed settlement. The stipulation was executed on behalf of the Miami Tribe of Oklahoma by Attorney Edwin A. Rothschild. Assistant Attorney General Clyde O. Martz and Attorney W. Braxton Miller signed the stipulation on behalf of the defendant.


Under the stipulation it is proposed that a net final judgment in the sum of \$10,000 be entered in Docket No. 251-A. No appeal or review of the final judgment is to be taken by either party.

The entry of the above net final judgment in the amount of \$10,000 disposes of all claims or demands which the petitioners have asserted or could have asserted with respect to the subject matter of the claim in Docket No. 251-A and takes into consideration all allowable deductions, credits and offsets of the defendant. However, the defendant is barred from asserting offsets and counterclaims in other actions only as to those which it asserted or could have asserted in Docket No. 67.

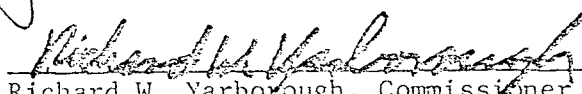
In reviewing the evidence in support of the proposed compromise settlement, the Commission has found that the petitioners have been fully advised by their respective counsel of all the circumstances surrounding the terms and conditions of the proposed settlement and that petitioners have given their voluntary approval to the settlement in the course of their meetings convened for the purpose of giving this proposition due consideration.

The Commission finds that the said proposed compromise settlement in Docket No. 251-A has been approved by the Secretary of the Interior. The Commission concludes from all the facts and circumstances surrounding the proposed compromise settlement that it is in the best interests of the petitioners and is a fair and equitable settlement for both the petitioners and the defendant. The Commission is satisfied that the parties herein have substantially complied with the Commission's

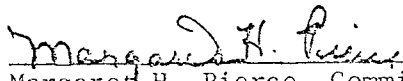
requirements with respect to obtaining valid approval of the proposed compromise settlement of the claims asserted in this docket.



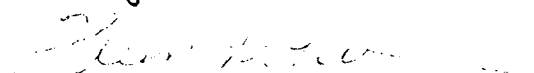
Jerome K. Kuykendall, Commissioner



Richard W. Yarbofough, Commissioner



Margaret H. Pierce, Commissioner



Theodore R. McKeldin, Commissioner