

BEFORE THE INDIAN CLAIMS COMMISSION

YANKTON SIOUX TRIBE,	)	
	)	
Petitioner,	)	
	)	
v.	)	Docket No. 332-A
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

Decided: January 28, 1969

Appearances:

John W. Cragun of Wilkinson, Cragun and Barker, Attorney of Record, and Angelo A. Iadaorla of Counsel, Attorneys for Petitioner.

Craig A. Decker, 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.

On December 11, 1968, the petitioner herein and the defendant filed a joint motion in Docket No. 332-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 in the above docket. The stipulation was executed on behalf of the Yankton Sioux Tribe by Attorney of Record, John W. Cragun, and Assistant Attorney General Clyde O. Martz and Attorney Craig A. Decker signed the stipulation on behalf of the defendant.


Under the stipulation it is proposed that a net final judgment against the defendant in the sum of \$1,250,000 be entered in Docket No. 332-A.

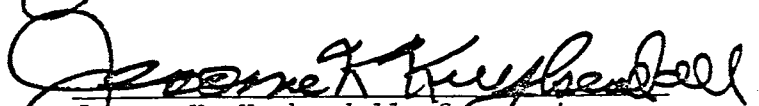
The entry of the above net final judgment in the amount of \$1,250,000 disposes of all claims or demands which the petitioner has asserted or could have asserted with respect to the subject matter of the claim in Docket No. 332-A and the consideration paid on said claim by the defendant. However, this judgment does not include nor affect the claim of the United States to any offsets which it might have against the petitioner in Docket Nos. 332-B and 332-C from the date said offsets would have been allowable in Docket No. 332-A.

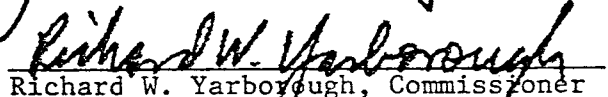
In reviewing the evidence in support of the proposed compromise settlement, the Commission has found that the petitioner has been fully advised by their counsel of all the circumstances surrounding the terms and conditions of the proposed settlement and that the petitioner has given its voluntary approval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

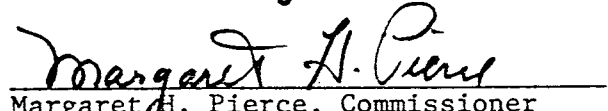
The Commission finds that the said proposed compromise settlement in Docket No. 332-A has been approved by the Secretary of the Interior. The Commission concludes from all the facts and circumstances surrounding the proposed compromise settlement that it is in the best interest of the petitioner and is a fair and equitable settlement for both the petitioner 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.

  
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John T. Vance, Chairman

  
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Jerome K. Kuykendall, Commissioner

  
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Richard W. Yarborough, Commissioner

  
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Margaret H. Pierce, Commissioner

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Theodore R. McKeldin, Commissioner