

BEFORE THE INDIAN CLAIMS COMMISSION

THE PEORIA TRIBE OF INDIANS OF)
 OKLAHOMA, et al.,)
)
 Plaintiffs,)
)
 v.)
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

Docket No. 65

4-20-69

ORDER ALLOWING ATTORNEYS' FEES AND REIMBURSABLE EXPENSES

UPON CONSIDERATION of the petition for attorneys' fees in the amount of \$113,340.50, and the petition for reimbursement of allowable expenses in the amount of \$12,205.05, both petitions filed on February 14, 1969 by Jack Joseph, attorney of record for the plaintiffs in the above-captioned docket, and the response of the defendant thereto, filed on April 4, 1969, the Commission finds as follows:

1. On November 13, 1968 the Commission entered a final award in the above-captioned docket in the amount of \$1,133,404.97, together with an additional amount of damages, measured by simple interest at the rate of five percent per annum on the principal sum of \$172,726.04 from the date of the award to the date of payment of the principal sum.

2. The petitions now under consideration were filed by Jack Joseph on behalf of his law firm of Brown, Dashow, Langeluttig, Joseph, and Arons of Chicago, Illinois.

3. Authority to prosecute this case is governed by one contract. Contract No. I-1-ind. 42129, dated October 18, 1948, between the Peoria Tribe of Oklahoma and the law firm of Brown, Dashow, and Ziedman (now Brown, Dashow, Langeluttig, Joseph, and Arons) was approved on December 24, 1948 for a period of ten years beginning with the date of approval. It was extended for a period of five years beginning December 24, 1958 and later amended and extended for a period of ten years beginning December 24, 1963. The said contract, as amended and extended, fixed the compensation of the attorneys at

". . .ten per centum (10%) of any and all sums recovered or procured through efforts, in whole or in part, for the said Indians, whether by award of the Indian Claims Commission, suit, action of any department of the government, or the Congress of the United States."

4. The Department of the Interior has advised that it has no objection to the allowance of attorneys' fees in the amount of \$113,340.50, and the defendant has also responded that it has no objection to the allowance of such fees.

5. Pursuant to the terms of the contract, the said attorneys have rendered valuable legal services to the Peoria Tribe of Indians of Oklahoma and are entitled to an award of fees in the amount of \$113,340.50.


6. The Commissioner of Indian Affairs has advised that the items of claimed attorneys' expenses appear to fall within those categories of attorneys' expenses which are reasonable and proper for reimbursement except the item of \$1.00 for travel insurance on July 6, 1961 (voucher number 40). The said \$1.00 item is disallowed as a reimbursable expense.


7. The remaining items totaling \$12,204.05 should be allowed as reimbursable attorneys' expenses.

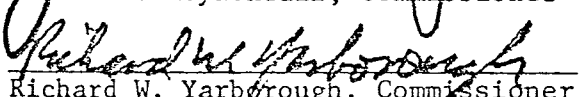
IT IS THEREFORE ORDERED that out of the final award entered in this case the firm of Brown, Dashow, Langeluttig, Joseph, and Arons, attorneys-at-law of Chicago, Illinois, the contract attorneys for the Peoria Tribe of Indians of Oklahoma, be, and the same is hereby, awarded the sum of \$113,340.50 for the attorney services rendered in the above-captioned case.


IT IS FURTHER ORDERED that from the final award entered in this case there shall be paid to the said law firm of Brown, Dashow, Langeluttig, Joseph, and Arons the sum of \$12,204.05 in full payment for reimbursable expenses incurred in the prosecution of the claims of the plaintiffs in the above-captioned case.

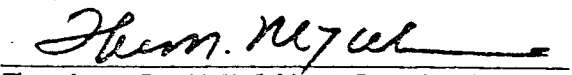
Dated at Washington, D. C., this 30th day of April, 1969.


John T. Vance, Chairman


Jerome K. Kuykendall, Commissioner


Richard W. Yarbrough, Commissioner


Margaret H. Pierce, Commissioner


Theodore R. McKeldin, Commissioner