

BEFORE THE INDIAN CLAIMS COMMISSION

THE CITIZEN BAND OF POTAWATOMI)	
INDIANS OF OKLAHOMA,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 96
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING ATTORNEYS' FEES

UPON CONSIDERATION of the petition of March 10, 1969 of Louis L. Rochmes, the attorney of record for the Citizen Band of Potawatomi Indians of Oklahoma, tribal plaintiff herein, for allowance of attorneys' fees to the contract attorneys equivalent to ten per centum (10%) of the final judgment of \$797,508.99 entered herein on August 27, 1968 in favor of the Citizen Band of Potawatomi Indians of Oklahoma, and the defendant having been served a copy of said petition and not objecting thereto, the Commission has found and concluded from the record in the case that:

1. Final judgment was entered in this docket in favor of the Citizen Band of Potawatomi Indians of Oklahoma on August 27, 1968 in the amount of \$797,508.99, and as of this date no further proceedings are required to terminate the issues involved in this docket except the awarding of attorneys' fees and expenses.

2. The attorneys for the Citizen Band of Potawatomi Indians of Oklahoma are petitioning for the allowance of attorneys' fees under the approved attorney contract No. I-1-ind. 42065, dated April 17, 1948, between the Citizen Band of Potawatomi Indians of Oklahoma and the law firms of Adams, Moses and Culver of Chicago, Illinois, and Blake, Voorhees and Stewart of New York, New York, and approved August 4, 1948 for a period of ten years from the date of approval. This contract was extended several times, the last approved extension to August 5, 1978. This contract provided for the attorneys' compensation to be fixed at ten per centum (10%) of any and all sums received for the Indians. By an amendment to this contract approved January 7, 1966, Louis L. Rochmes was added to the contract as an additional attorney.

3. Pursuant to the terms of the above approved attorney contract, the contract attorneys for the Citizen Band of Potawatomi Indians of Oklahoma have faithfully rendered valuable legal services to the said Citizen Band of Potawatomi Indians of Oklahoma in the successful prosecution of the claims asserted in this docket and they are entitled to the attorneys' fees as requested in their petition.

4. The members of the firm of Adams, Moses and Culver who during the period of the contract were Howard D. Moses and Charles G. Culver, are now deceased. Representatives of the estates of Howard D. Moses and Charles G. Culver have an interest in the fee. The estates are being probated in the Circuit Court of Cook County, County Department, Probate Division. An order entered October 14, 1968 by that Court authorizes Thomas J. Downs, Administrator with the Will Annexed of the Estate of Howard D. Moses, Deceased, to receive and receipt for amounts due the partnership of Adams, Moses and Culver as fees herein. By an affidavit executed February 28, 1969 the said Thomas J. Downs has requested that the Commission's order allowing the attorneys' fee herein may be made in favor of Blake, Voorhees and Stewart and Louis L. Rochmes and has authorized Blake, Voorhees and Stewart and Louis L. Rochmes to receive such fee and give an appropriate discharge therefor.

IT IS THEREFORE ORDERED that out of the final judgment of \$797,508.99 entered in this docket on August 27, 1968, the sum of \$79,750.89 for the attorney services rendered herein be awarded to the contract attorneys as described above and that the said \$79,750.89 be paid to Blake, Voorhees and Stewart and Louis L. Rochmes.

Dated at Washington, D. C., this 21st day of May, 1969.

John T. Vance
John T. Vance, Chairman

Jerome K. Kuykendall
Jerome K. Kuykendall, Commissioner

Richard W. Yarboough
Richard W. Yarboough, Commissioner

Margaret H. Pierce
Margaret H. Pierce, Commissioner

Brantley Blue
Brantley Blue, Commissioner