

BEFORE THE INDIAN CLAIMS COMMISSION

THE SISSETON AND WAHPETON BANDS)	Docket No. 142
OR TRIBES, ETC.,)	
)	
THE LOWER SIOUX INDIAN COMMUNITY,)	Docket Nos. 359, 360, 361,
ETC.)	362 and 363
)	
Plaintiffs,)	
)	
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING ATTORNEY'S REIMBURSABLE EXPENSES

HAVING CONSIDERED the application for reimbursement of expenses filed on February 28, 1968 by Mr. Emerson Hopp, one of the attorneys for the above-named plaintiffs, the corrected version of the said application filed by Mr. Hopp on March 27, 1968, the supporting documentation of the claimed expenses supplied with Mr. Hopp's letters to the Commission dated June 24, 1968 and June 28, 1968, filed on June 28, 1968 and July 1, 1968, respectively, Mr. Hopp's supplement to his application filed on July 1, 1968, the defendant's response to Mr. Hopp's application filed on September 9, 1968, the defendant's amended response to the said application filed on February 6, 1969, Mr. Hopp's reply to the defendant's amended response, filed on April 21, 1969, the contracts under which Mr. Hopp served the aforementioned Indian plaintiffs, and the remainder of the record herein, the Commission finds that:

1. After deducting \$241.51 in expenses that Mr. Hopp, in effect, eliminated from his application by his above-mentioned reply of April 21, 1969 and \$4.85 in items listed in the application from November 3, 1952 through December 8, 1952 that appear to have been expenses relating to the obtaining of authenticated copies of the attorney's claims contracts numbered 10 and 13, that he should reasonably be expected to bear, the unreimbursed expenses claimed in Mr. Hopp's application total \$1,757.81. All of the expenses included in such total are reasonable and properly reimbursable out of the awards herein.

2. On July 25, 1967 final awards aggregating \$12,250,000.00 were entered in Docket Nos. 142, 359, 360, 361, 362 and 363. For reasons indicated in our order of September 10, 1968 (19 Ind. Cl. Comm. 436) that allowed reimbursement of attorney expenses claimed herein by Mr. Marvin J. Sonosky, the sum of \$1,757.81 that we find is reimbursable to Mr. Hopp should be prorated percentagewise against the said awards as follows:

Percent of \$1,757.81:

Prorate against award in:

41.612858
 12.676971
 9.219257
 0.528000
 35.416465
 0.546449
100.000000

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 Docket No. 359
 Docket No. 360
 Docket No. 361
 Docket No. 362
 Docket No. 363

IT IS THEREFORE ORDERED that there shall be disbursed to Mr. Emerson Hopp of Minneapolis, Minnesota, as payment in full of his unreimbursed expenses incurred herein, the sum of \$1,757.81, and the charge for the disbursement of this sum shall be prorated against the awards herein as follows: \$731.47 against the award in Docket No. 142; \$222.84 against the award in Docket No. 359; \$162.06 against the award in Docket No. 360; \$9.28 against the award in Docket No. 361; \$622.55 against the award in Docket No. 362; and \$9.61 against the award in Docket No. 363.

Dated at Washington, D. C., this 17th day of June, 1969.

John T. Vance
 John T. Vance, Chairman

Jerome K. Kuykendall
 Jerome K. Kuykendall, Commissioner

Richard W. Yarborough
 Richard W. Yarborough, Commissioner

Margaret H. Pierce
 Margaret H. Pierce, Commissioner

Brantley Blue
 Brantley Blue, Commissioner