

BEFORE THE INDIAN CLAIMS COMMISSION

THE SAC AND FOX TRIBE OF INDIANS OF)	
OKLAHOMA, THE SAC AND FOX TRIBE OF)	
MISSOURI, SAC AND FOX TRIBE OF THE)	
MISSISSIPPI IN IOWA, ET AL.,)	
)	
Plaintiffs,)	
)	Docket No. 143
v.)	
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING REIMBURSEMENT OF EXPENSES OF THE ATTORNEYS
FOR THE SAC AND FOX TRIBE OF MISSOURI

HAVING CONSIDERED the application for allowance of unreimbursed attorneys' expenses filed on December 20, 1968, for the law firm of Pritzker, Pritzker & Clinton, attorneys for the Sac and Fox Tribe of Missouri, one of the plaintiffs herein, by Stanford Clinton, Esquire, a partner in the firm and attorney of record for the Sac and Fox Tribe of Missouri; the documentation of the claimed expenses, including relevant documentation of shared expenses previously submitted with the expense applications of attorneys for the other Sac and Fox plaintiffs herein, and the additional documentation of some of the claimed expenses supplied for examination in June of 1971 by Louis L. Rochmes, Esquire, an associate of Pritzker, Pritzker & Clinton in the prosecution of the claims of the Sac and Fox Tribe of Missouri; the defendant's response to the application filed on May 7, 1971; the contracts under which the attorneys prosecuted the claims of the Sac and Fox Tribe of Missouri; and the remainder of the record herein, the Commission finds as follows:

1. On May 19, 1965, a final order was entered in this docket awarding to the Sac and Fox plaintiffs the sum of \$1,789,201.45 (15 Ind. Cl. Comm. 381, et seq.). Funds to pay the award were appropriated by the Act of October 31, 1965 (79 Stat. 1133, 1152).

2. The attorneys' application prays for an order allowing reimbursement of claimed expenses totaling \$1,776.84 out of the award funds.

3. The defendant's response to the application transmitted, with other papers, a copy of a memorandum dated April 18, 1969, from the Acting Deputy Commissioner of the Bureau of Indian Affairs reporting on an examination of the application and the papers filed with it, and requested that consideration to be given to the views expressed in the memorandum on the evidence to support some of the claimed expenses.

The memorandum, after explaining that the Bureau's examination was of a general nature and not a detailed or comprehensive audit, observed, among other things, that "Due to lack of itemizations and explanations, we are unable to determine whether many of the items fall into those categories which are reasonable for reimbursement."

About 90 percent of the total of the expenses listed in the application consisted of amounts disbursed to Louis L. Rochmes and other attorneys as payment of the Missouri Sac and Fox portions of litigation costs shared with counsel for the other Sac and Fox plaintiffs in this docket. Explanations, itemizations and evidence not furnished by Mr. Clinton as to the need for and the payment of such shared costs to those who actually supplied the materials or rendered the services involved were available to the Commission in papers supporting prior expense applications filed herein by the attorneys for the Sac and Fox Tribe of Indians of Oklahoma and the Sac and Fox Tribe of the Mississippi in Iowa, and in papers furnished for the Commission's examination during June 1971 by Mr. Rochmes.

4. A notice of the filing of the attorneys' application was sent on October 10, 1969 to the Chairman of the Sac and Fox Tribe of Missouri. No response to the notice has been received.

5. The attorneys' contracts with the Sac and Fox Tribe of Missouri provide for reimbursement of reasonable expenses incurred by the attorneys in the prosecution of the Tribe's claims.

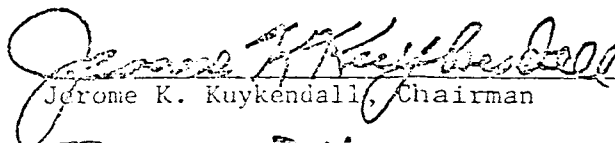
6. The following expense amounts claimed in the application are not proper for reimbursement:

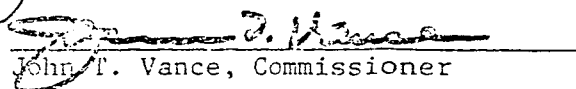
<u>Amount Claimed</u>	<u>Exhibit Number</u>	<u>Comment</u>
\$14.29	B-1	Not justified by the information supplied.
2.14	B-3	Not justified by the information supplied.
2.79	B-6	Not justified by the information supplied.
7.14	B-8	Not justified by the information supplied.
11.00	B-10	Not justified by the information supplied.
<u>1.81</u>	B-42	Not justified by the information supplied.
\$39.17	Total	

7. After deducting the above-listed amounts, the expenses remaining in the application total \$1,737.67. The expenses included in this total are reasonable and properly reimbursable to the attorneys.

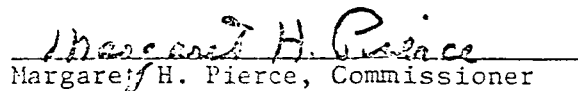
IT IS THEREFORE ORDERED that out of the funds appropriated to pay the final award entered in this docket on May 19, 1965, in favor of the Sac and Fox plaintiffs there shall be disbursed to the law firm of Pritzker, Pritzker & Clinton of Chicago, Illinois, the sum of \$1,737.67 as payment in full of the said firm's claim herein for unreimbursed expenses.

Dated at Washington, D. C., this 16th day of June 1971.


Jerome K. Kuykendall, Chairman


John F. Vance, Commissioner

Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner