

BEFORE THE INDIAN CLAIMS COMMISSION

THE SEMINOLE NATION,)	
)	
Plaintiff,)	
v.)	Docket No. 204
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING MOTION TO DISMISS

UPON CONSIDERATION of defendant's motion, filed on April 28, 1969, to dismiss the subject claim because the plaintiff has failed to prove damages and the plaintiff's objections thereto, filed on May 2, 1969, and the oral arguments of counsel heard by the Commission on September 17, 1969, and the plaintiff's memorandum, filed on September 19, 1969, in furtherance of the oral argument, the Commission, being fully advised in the premises, concludes that the motion should be denied.

IT IS THEREFORE ORDERED that the motion be, and the same is hereby, denied.

IT IS FURTHER ORDERED that the defendant have 40 days from the date of this order within which to file its requested findings of fact, objections to plaintiff's requested findings of fact (dated March 20, 1969), and brief on the issue of damages.

Dated at Washington, D. C., this 7th day of July 1971

Margaret H. Pierce
Margaret H. Pierce, Commissioner

John I. Vance
John I. Vance, Commissioner

Brantley Blue
Brantley Blue, Commissioner

Richard W. Yarbrough
Richard W. Yarbrough, Commissioner

Chairman Kuykendall, being of the opinion that the motion should be granted, dissents from the entry of this order.

George K. Kuykendall
George K. Kuykendall, Chairman