

BEFORE THE INDIAN CLAIMS COMMISSION

THE IOWA TRIBE OF THE IOWA RESERVATION)
 IN KANSAS AND NEBRASKA, ET AL., THE)
 IOWA TRIBE OF THE IOWA RESERVATION IN)
 OKLAHOMA, ET AL., THE SAC AND FOX TRIBE)
 OF INDIANS OF OKLAHOMA, ET AL., THE SAC)
 AND FOX TRIBE OF MISSOURI, ET AL., THE)
 SAC AND FOX TRIBE OF THE MISSISSIPPI)
 IN IOWA, ET AL.,)
)
 Plaintiffs,)
)
 v.) Docket No. 153
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

ORDER ALLOWING REIMBURSEMENT OF EXPENSES OF THE ATTORNEYS
 FOR THE SAC AND FOX TRIBE OF THE MISSISSIPPI IN IOWA

Having considered the application for allowance of unreimbursed attorney expenses filed August 23, 1972, for the law firm of Mills and Garrett, attorneys for the Sac and Fox Tribe of the Mississippi in Iowa, one of the plaintiffs herein, by Lawrence C. Mills, Esquire, a partner in the firm and attorney of record for the said tribe; the documentation of the claimed expenses, including relevant documentation of shared expenses previously submitted with the expense applications of attorneys for other plaintiffs herein, the additional documentation supplied for examination in January, 1972, by Louis L. Rochmes, Esquire, an associate of applicant, and the additional explanations supplied by applicant in response to the Commission's request; the defendant's response to the said application filed November 3, 1972; the contracts under which the attorneys prosecuted this claim; and the record herein, the Commission finds as follows:

1. A final judgment awarding the Sac and Fox Tribe of the Mississippi in Iowa, the Sac and Fox Tribe of Indians of Oklahoma, and the Sac and Fox Tribe of Missouri jointly the sum of \$10,601,282.66, was rendered by this Commission February 4, 1970. 22 Ind. Cl. Comm. 385, 415. Congress appropriated funds to satisfy the award by Act of July 6, 1970 (84 Stat. 376).

2. Applicant requested on August 23, 1972, an order allowing reimbursement of expenses totaling \$57,879.79.

3. Notice of filing of the application was sent to all parties as required by our rules. An opposition filed by defendant on behalf of the Bureau of Indian Affairs on November 3, 1972, questioned certain expenses relating to court admission fees, travel and other expenses dated after the final award, and storage charges defendant contends are ordinary office expenses. No other oppositions were filed.

4. The attorneys' contracts with the Sac and Fox Tribe of the Mississippi in Iowa provide for reimbursement of reasonable expenses incurred by the attorneys in the prosecution of the claim.

5. Expenses withdrawn from the application by applicant are as follows:

<u>Exhibit Reference Number</u>	<u>Total Claimed</u>	<u>Amount Withdrawn</u>
A-1	\$ 136.41	\$ 5.00
A-2	177.82	25.00
A-5	236.00	236.00
A-13	131.24	131.24
A-14	147.65	147.65
A-15	114.40	114.40
A-16	168.44	168.44
Schedule B - Storage Charges	291.80	291.80
	Total	<u>\$1,119.53</u>

6. Expenses disallowed by the Commission are as follows:

<u>Exhibit Reference Number</u>	<u>Total Claimed</u>	<u>Amount Disallowed</u>	<u>Reason</u>
B-54	\$ 4.06	\$ 3.93	Unsupported by information supplied.
B-91	32.76	.25	Flight insurance insupportable as an Indian expense

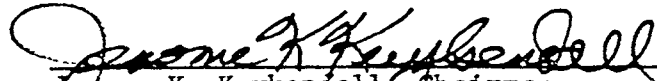
<u>Exhibit Reference Number</u>	<u>Total Claimed</u>	<u>Amount Disallowed</u>	<u>Reason</u>
B-175 thru B-182	\$175.16	\$62.97	Incurred after date of Congressional appropriation placing award to credit of tribe. (Exclusive of storage charges withdrawn by applicant.)
X-107	165.82	14.55	Unsupported by information supplied.
		.25	Flight insurance insupportable as an Indian expense.
X-112 thru X-198	21,478.37	.60	Overpayment to expert Swierenga.
X-133	287.64	.25	Flight insurance insupportable as an Indian expense.
X-143	682.56	1.00	Flight insurance insupportable as an Indian expense.
X-192	500.00	1.00	Flight insurance insupportable as an Indian expense.
X-197	595.86	<u>1.00</u>	Flight insurance insupportable as an Indian expense.
	Total	\$85.80	

7. After deducting disallowed expense, the remaining expenses, being reasonable and proper for reimbursement, are hereby fixed at \$56,674.46.


IT IS THEREFORE ORDERED that out of the funds appropriated to pay the final judgment entered herein on February 4, 1970, in favor of the Sac and Fox plaintiffs, there shall be disbursed to applicant, Mills

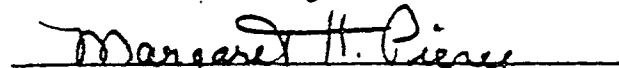
and Garrett, the sum of \$56,674.46 as payment in full of the said firm's claim for reimbursable expenses in this docket.

Dated at Washington, D. C., this 7th day of March 1973.


Jerome K. Kuykendall, Chairman


John F. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner