

**Affidavit of Class Counsel Michael P. Gross
In Support of Application for Attorney's Fees and Costs
and Final Settlement Agreement**

Exhibit A

**Michael P. Gross
Curriculum Vitae**

EXHIBIT A

M. P. GROSS LAW FIRM, P.C.

460 St. Michael's Drive, Suite 401

Santa Fe, New Mexico 87505-7602

MICHAEL P. GROSS

Licensed in NM and AZ (inactive)

E-mail: mike@mpgrosslaw.com

Telephone: (505) 995-8066

Facsimile: (505) 989-1096

DANIEL H. MACMEEKIN

110 University Blvd W #3442

Silver Spring, MD 20918

Telephone: (202) 223-1717

Email: dan@macmeekin.com

Licensed in DC; not licensed in MD

Of Counsel

RESUME

MICHAEL PAUL GROSS

EDUCATION

- 1968 **LL.B.**, Yale Law School. Founder and editor of The Yale Advocate, the Law School newspaper
- 1965 **B.A.**, Brown University. Magna Cum Laude, Phi Beta Kappa, Francis Wayland Scholar, High Honors in International Relations, Junior Year in Vienna, Austria

PROFESSIONAL MEMBERSHIPS

Arizona Bar and Federal Court, 1969
New Mexico Bar and Federal Court, 1971
U.S. Supreme Court, 1975
Ninth Circuit Court of Appeals, 2001
Tenth Circuit Court of Appeals, 1978
U.S. Tax Court, 1977
U.S. Claims Court, 1982
Eighth Circuit Court of Appeals, 1984
Federal Circuit Court of Appeals, 1999
American Bar Association
American Trial Lawyers Association
New Mexico Trial Lawyers Association
Rocky Mountain Mineral Law Institute

TEACHING EXPERIENCE

University of New Mexico Law School, Fall 2005: Indian Education and Equity with Professor Kenneth Bobroff

Brown University, Spring Semester 2004: Seminar on Indian Education Reform with Professor Evelyn Hu-DeHart, Director, Brown Center for Race and Ethnicity

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Franklin Pierce Law Center, 1974 – 1977, Assistant Professor (started and directed externship program in Santa Fe, New Mexico)

PUBLICATIONS

- 2014 “New Battle in Turf War Over Indian Education.” Indian Country Today 9/17/2014
- 2014 “Tribes Must Pull Together to Protect Indian Self-Determination,” Indian Country Today, 7/2/2014
- 2002 “New Mexico Pioneers Indian Law on the Bar Exam.” 71 The Bar Examiner, No. 3, August 2002.
- 1996 New Mexico Trial Lawyers Association (article on land use law)
- 1991 92 Brown Alumni Monthly, No. 2, Oct. 1991 (photos and narrative of the 1966 Meredith March for Freedom in Mississippi)
- 1978 “Indian Self-Determination And Tribal Sovereignty: An Analysis of Recent Federal Indian Policy,” 56 Texas Law Review 1195 (1978)
- 1973 “Reckoning for Legal Services: A Case Study of Legal Assistance in Indian Education,” 49 Notre Dame Lawyer 78 (1973)
- 1973 “Indian Control for Quality Indian Education,” 49 North Dakota Law Review 237 (1973)

CIVIC

- 1985-2009 Pro bono legal counsel to the Navajo Code Talkers Association Suggested and then helped organize, fund, and carry out two filming expeditions of five weeks in late 2005 and early 2006 with six Navajo Code Talkers called “Back to The Battlefields” [Guam, Saipan, Tinian, Iwo Jima and Okinawa] in conjunction with the New Mexico Department of Indian Affairs and Starbright Media Corp.
- 1986- present Member, Brown University Corporation – Board of Trustees; emeritus member since 1991; serving on the Brown – Tougaloo College (Mississippi) Partnership (the longest continuously functioning partnership between a northern university or college and a southern historically Black college)

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- 2005 (Fall Semester) Guest Instructor, UNM Law School, Albuquerque, New Mexico. Course on "Indian Education and Equity" with Professor Kenneth Bobroff
- 2004 Pro bono Guest Instructor Brown University seminar called "*Brown v. Board of Education: The Indian Perspective*"
- 2003 - 2008 Member, New Mexico Civil Legal Services Commission
- 1999 - 2006 Member, New Mexico Board of Bar Examiners
- 1987-88 Chair, Brown University President's Special Committee on Continuing Education (members included Ted Sizer and John Carter Brown)
- 1985-91 Santa Fe School Board, 1985-1991; President, 1990-91

NOTABLE LEGAL DECISIONS

- 2012 *Salazar v. Ramah Navajo Chapter*, 132 S. Ct. 2181 (2012)(upholding 10th Circuit decision in favor of Plaintiff Class of Tribes and tribal organization contractors under Indian Self-Determination Act on claims for unpaid contract support costs).
- 1997 *Ramah Navajo Chapter v. Lujan*, 112 F.3d 1405 (10th Circuit 1997). (Government Contracts) Lead counsel in Indian class action holding United States liable for underpayments of indirect costs since 1989 from BIA and related agencies; partial settlement concluded and paid in amount of \$82 million, September 1999; second partial settlement of \$29 million approved December 6, 2002. Litigation pending on reserved claims. Class consists of most Indian tribes in the country.
- 1982 *Ramah Navajo School Board v. NM Bureau of Revenue*, 458 U.S. 832 (1982). First U.S. Supreme Court decision on Indian education and self-determination, a case confirming the importance of the Indian self-determination policy by holding projects funded through it exempt from state taxation.
- 1978 *Livingston v. Ewing*, 681 F.2d 1110 (10th Circuit 1979), *cert. den.* 444 U.S. 870. Confirming the right of Indian craftspeople and jewelers to exclusive use of the Portal at the Palace of the Governors in Santa Fe in the face of a reverse discrimination challenge brought by a self-styled "Indian jeweler," an Anglo from New Jersey.

NATURE OF PRACTICE

Practice primarily devoted to representation of Indian tribes and organizations in regard to Indian self-determination, 25 U.S.C. §§ 450 *et seq.*