

COPY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

RAMAH NAVAJO CHAPTER,
and OGLALA SIOUX TRIBE, for
themselves and on behalf of a
Class of persons similarly situated,

Plaintiffs,

vs.

BRUCE BABBITT, Secretary of the
Interior; KEVIN GOVER, Assistant
Secretary of the Interior; ROBERT J.
WILLIAMS, Acting Inspector General,
U.S. Department of the Interior;
and THE UNITED STATES OF AMERICA,

Defendants.

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Robert M. Marsh
CLERK AT BUREAU

No. CIV 90-0957 LH/WWD

**STIPULATED ORDER AUTHORIZING
WITHDRAWAL OF FUNDS FROM CRIS
SUB-ACCOUNT NO. 1:90-CV-0957-01 AND
TRANSFER TO THE WELLS FARGO BANK**

THIS MATTER comes before the Court in connection with the Court's prior Orders of January 16, 2001 (Docket 503) and of February 8, 2001 (Docket 515), and the Clerk of this Court and Class Counsel having now filed all required Certificates of Compliance confirming that all Wells Fargo Bank account and collateralization arrangements as previously ordered by the Court have been completed, and that all required collateral has now been duly posted in the book entry sub-account No. 107002192/J4VS at the Federal Reserve Bank of Kansas City, Denver, Colorado Branch to secure all

funds to be deposited into Wells Fargo Account No. 1352200320, it is hereby ordered:

1. The Clerk of this Court shall forthwith submit a request to the Clerk of the U.S. District Court, Southern District of Texas for immediate withdrawal of \$70,738,749.91 from CRIS sub-account No. 1:90-CV-0957-01, pursuant to the usual and ordinary procedures for processing CRIS account withdrawals applicable to this case.
2. The Clerk of the Court, Southern District of Texas, is hereby authorized and ordered to release that sum from the same CRIS sub-account upon request of the Clerk, District of New Mexico.
3. The Clerk, District of New Mexico, is hereby authorized and ordered to promptly prepare a Treasury check in the amount of \$70,738,749.91 made payable for deposit only to the Ramah Navajo Chapter Class Action Settlement Fund Wells Fargo account No. 1352220320, and to cause the said check to be duly deposited into said Wells Fargo Bank account on the same day the said check has been duly issued.
4. The Clerk of the Court shall be discharged from any further responsibility as to the funds in Wells Fargo account No. 1352220320 upon and after deposit of the said funds into that account.
5. Class Counsel, the Independent CPA and the Class Monitor shall forthwith carry out the distributions heretofore approved by the Court in its Order of January 16, 2001 (Docket 505).

6. The Clerk of this Court shall forthwith submit a request to the Clerk of the U.S. District Court, Southern District of Texas for immediate withdrawal of \$1,200,000.00 from CRIS sub-account No. 1:90-CV-0957-02, pursuant to the usual and ordinary procedures for processing CRIS account withdrawals applicable to this case, to implement this Court's distribution order of January 16, 2001, (Docket 506) regarding the DCA Tribes and the Red Lake Band of Chippewa Indians.

7. The Clerk of the Court, Southern District of Texas, is hereby authorized and ordered to release that sum from the same CRIS sub-account upon request of the Clerk, District of New Mexico.

8. Class Counsel, the Independent CPA, the Class Monitor and the Clerk shall forthwith proceed to carry out the additional distributions to the DCA Tribes and to the Red Lake Band of Chippewa Indians heretofore approved by the Court on January 16, 2001 (Docket 506).

9. Class Counsel shall file with the Court a monthly report on the status of the funds in the said Wells Fargo bank account and the progress of the distribution to the Class and to the other tribal payees heretofore or hereafter approved by the Court, and shall likewise continue to make monthly reports to the Court as to the funds remaining in the CRIS account

on the same basis as previously ordered by the Court per its Order of August 13, 1999 (Docket 321).


DISTRICT JUDGE

SUBMITTED:

s/Michael P. Gross
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APPROVED AS TO FORM:

Telephonically approved
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