

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

**RAMAH NAVAJO CHAPTER,  
OGLALA SIOUX TRIBE, and PUEBLO  
OF ZUNI**, for themselves and on behalf  
of a class of persons similarly situated,

Plaintiffs,

vs.

No. CIV 90-0957 LH/KBM

**DIRK KEMPTHORNE**, Secretary of the  
Interior, *et al.*,

Defendants.

**FINAL JUDGMENT**

**THIS MATTER** came before the Court for an August 26, 2008 Fairness Hearing on a Joint Motion for Preliminary and Final Approval of Third Partial Settlement Agreement and For an Order That Notice Be Sent to the Class (Docket No. 1138). An Order Approving the Third Partial Settlement Agreement, an Order Approving Attorneys' Fees, and an Order Approving Costs have been entered on this date. The Court's entry of these orders resolves all remaining disputed claims in this case.

**IT IS HEREBY ORDERED** that the Third Partial Settlement Agreement is approved and incorporated herein as the Judgment of the Court.

**IT IS FURTHER ORDERED** that, pursuant to the Court's Order Approving Attorneys' Fees, Class Counsel are awarded \$700,000 in fees plus gross receipts tax not to exceed \$57,000, based on the Santa Fe County Gross Receipts Rate, to be paid from the Reserve Accounts. Class

Counsel shall receive post-judgment interest on this fee, to be paid from the Reserve Accounts, from the date of the award until paid, at a rate allowed by law. These fees shall be paid in the time-frame specified in the Court's Order Approving Attorneys' Fees.


**IT IS FURTHER ORDERED** that, pursuant to the Court's Order Approving Attorneys' Fees, Class Counsel are awarded an additional \$25,000 in fees, plus supplemental costs, to be determined by the Court and paid from the Reserve Accounts, at the conclusion of the training program.

**IT IS FURTHER ORDERED** that, pursuant to the Court's Order Approving Costs, Class Counsel are awarded \$17,873 in costs, to be paid from the Reserve Accounts, at the time that payment of Counsel's fee of \$700,000 is made.

**IT IS FURTHER ORDERED** that this Court retains jurisdiction to enforce the Third Partial Settlement Agreement and to handle issues specifically delineated in Section XII of the Third Partial Settlement Agreement.

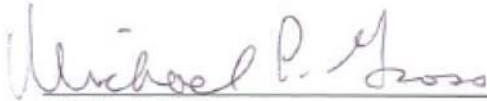
**IT IS FURTHER ORDERED** that Final Judgment is entered in favor of Plaintiffs. The "Settled Claims" as defined in the Third Partial Settlement Agreement are hereby dismissed with prejudice. This Final Judgment adjudicates all existing claims and liabilities of the parties. This case is **DISMISSED with prejudice**.

**IT IS SO ORDERED.**

  
\_\_\_\_\_  
SENIOR UNITED STATES DISTRICT JUDGE

Approved as to form

For Plaintiffs



Michael P. Gross  
Lead Class Counsel



C. Bryant Rogers  
Co-Class Counsel

Telephonically Approved 08/26/08

Lloyd B. Miller  
Co-Class Counsel DCSC Claim

For Defendants

Telephonically Approved 08/26/08

James Todd  
US Department of Justice