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MICHAEL PAUL GROSS

**SOLO PRACTICE IN FEDERAL INDIAN LAW AND
OF COUNSEL TO GALLEGOS LAW FIRM, OIL & GAS LAW**

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

PUBLICATIONS

- 2002 71 The Bar Examiner, No. 3, August 2002.
"New Mexico Pioneers Indian Law on the Bar Exam."
- 1996 New Mexico Trial Lawyers Association (article on land use law)
- 1991 Brown Alumni Monthly (photos and narrative of the 1966 Meredith March for Freedom in Mississippi)

- 1978 Texas Law Review (history and analysis of The Indian Self-Determination and Education Assistance Act)
- 1973 Notre Dame Lawyer (problems in providing effective legal services to Indians in educational reform)
- 1973 North Dakota Law Review (Indians' right to control their own schools)

CIVIC

- 1985-91 Santa Fe School Board, 1985-1991; President, 1990-91
- 1986-92 Brown University Trustee, 1986-1992; Emeritus (1990-1993), Standing Committee on Relations with Tougaloo College, an historically Black college in Mississippi; Chair (1987-1988), Chair, President's Special Committee on Continuing Education (members included Ted Sizer and John Carter Brown)
- 1992- Brown University Trustee Emeritus
- Ongoing Volunteer mediator for First Judicial Circuit, Santa Fe, New Mexico
- 1999 - Member, New Mexico Board of Bar Examiners

NOTABLE LEGAL DECISIONS

- 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.
- 1982 *Ramah Navajo School Board v. NM Bureau of Revenue*, 458 U.S. 832 (1982). First U.S. Supreme Court decision on Indian education, a case confirming the importance of the Indian self-determination policy by shielding such projects as Ramah Navajo from indirect state taxation.
- 1986 Achieved a \$425,000 settlement for Busby School, Northern Cheyenne, from BIA for failing to keep school facilities in repair.
- 1997 - continuing *Ramah Navajo Chapter v. Lujan*, 112 F.3d 1405 (10th Circuit 1997). Lead class counsel in Indian class action holding United States government liable for damages for underpayments of indirect costs since 1989 from BIA and related agencies; partial settlement concluded and paid in amount of \$82 million, September 1999. Litigation pending on reserved claims for class comprised of most Indian tribes in the country.

- 1998 *Benalli v. First National Insurance Co.*, Docket No. SC-CV-56-96 (June 23, 1998). Navajo Supreme Court holds "stacking" to be the policy of the Navajo Nation with regard to uninsured motorist insurance on the Navajo Reservation. Settlement concluded.
- 1999 *Ramah Navajo School Board, Inc. v. Taxation & Revenue Dept.*, ____ N.M. ____ (1999), cert. den. ____ U.S. ____ (1999), holding State gasoline tax preempted by Indian Self-Determination Act from imposition on Indian School Board.

NATURE OF PRACTICE

Practice devoted to Federal Indian Law.

Since 1970, I have practiced mostly in the field of Indian Self-Determination, playing an instrumental role in the formation of the pioneering Ramah Navajo School Board. I also helped establish the Coalition of Indian Controlled Boards in 1971 and several other Indian community schools in Wyoming, South Dakota, Wisconsin, Arizona, and elsewhere. Since the mid-1980's, I have been pro bono counsel to the Navajo Code Talkers Association, Inc.