

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

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

Plaintiffs,

vs.

GALE NORTON, Secretary of the
Interior, in her official capacity,
**UNITED STATES DEPARTMENT OF
THE INTERIOR, NEIL McCALEB,**
Assistant Secretary of the
Interior for Indian Affairs, in his official
capacity, **EARL DEVANEY,** Inspector
General, in his official capacity, and **THE
UNITED STATES OF AMERICA,**

Defendants.

No. CIV 90-0957 LH/WWD

**SUPPLEMENTAL AFFIDAVIT OF C. BRYANT ROGERS IN SUPPORT OF
APPLICATION FOR ATTORNEY'S FEES AND COSTS**

STATE OF NEW MEXICO)

: ss.

COUNTY OF SANTA FE)

I, CARL BRYANT ROGERS, being first duly sworn, depose and state:

1. This Supplemental Affidavit is offered in support of the pending Application for Attorney's fees and Costs filed in this case on September 30, 2002 and supplements the Affidavit of the undersigned dated September 26, 2002.


2. In Paragraph 13.G. of my original Affidavit, I identified \$19,687.88 in costs for which reimbursement was sought in connection with this fee application if the Second PSA were approved. Three of the entries summarizing those costs (in the amount of \$4,805.67 each) were for the period 7/1/00 - 8/31/02, although this timeframe was erroneously referenced in Paragraph 13.G. as covering the period 7/1/00 - 8/31/00.

3. At Paragraph 13.H. of that Affidavit, I noted that \$12,170.04 of those \$19,687.88 in costs could be paid out of the Reserve Account for the First PSA upon concurrence of Defendants' counsel and approval of the Court.

4. After filing my original Affidavit, I did prepare and did secure concurrence of Defendants' counsel for reimbursement of that \$12,170.04 in costs from the Reserve Account for the First PSA and did on December 3, 2002 duly file Applications requesting the Court's approval for disbursement of that amount, together with some additional costs incurred in connection with implementation of the First PSA, and in pursuit of equitable relief in connection with the First PSA and this Court's Order of June 1, 2001, and did secure the approval of Defendants' counsel for Agreed Orders approving payment of those costs from the Reserve Account for the First PSA which are to be submitted to the Court on December 5, 2002.

5. In view of the above, the total amount of costs for which reimbursement is sought by the undersigned in connection with the Second PSA is \$7,517.84 as noted at Paragraph 13.G. of my original Affidavit.

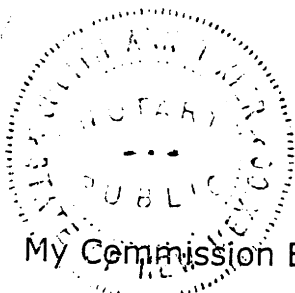
Further, Affiant sayeth naught.



C. BRYANT ROGERS
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SANTA FE, NM 87504-1447
(505) 988-8979

STATE OF NEW MEXICO)
 :
COUNTY OF SANTA FE) **SS**

Subscribed and sworn to before me this 3rd day of December, 2002,
by **C. BRYANT ROGERS.**





NOTARY PUBLIC

My Commission Expires:
9-21-04

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that he caused the below listed document to be delivered via first class mail to the following counsel of record:

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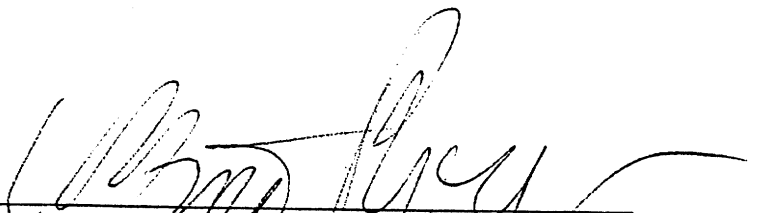
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this 3rd day of December, 2002.

Supplemental Affidavit of C. Bryant Rogers in Support of
Application for Attorney's Fees and Costs.



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