

## BEFORE THE INDIAN CLAIMS COMMISSION

THE SAC AND FOX TRIBE OF INDIANS	)	Docket No. 158
OF OKLAHOMA, et al.,	)	
	)	
THE IOWA TRIBE OF THE IOWA	)	Docket No. 209
RESERVATION IN KANSAS AND	)	
NEBRASKA, et al.,	)	
	)	
THE SAC AND FOX TRIBE OF INDIANS	)	Docket No. 231
OF OKLAHOMA, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER FIXING REIMBURSEMENT OF EXPENSES OF THE ATTORNEYS  
FOR THE IOWA TRIBE OF THE IOWA RESERVATION  
IN OKLAHOMA

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HAVING CONSIDERED the application to fix reimbursement of expenses filed March 9, 1973, for McCarter & English, Esquires, counsel of record for the Iowa Tribe of the Iowa Reservation in Oklahoma; the attorneys' contract of employment; and the record, the Commission finds that:

1. The Commission entered a final decision herein on May 12, 1969, (20 Ind. Cl. Comm. 439, 505), modified by order of February 12, 1970, (22 Ind. Cl. Comm. 439), awarding the Iowa Tribe of the Iowa Reservation in Oklahoma and the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska, the two Iowa plaintiffs in these consolidated cases, jointly a total of \$1,795,506.40. The Iowa plaintiffs took no appeal and the Commission reported the Iowa awards to Congress on May 14, 1970. Congress appropriated funds to satisfy them by Act of July 6, 1970.
2. The same final decision awarded the three Sac and Fox plaintiffs jointly a total of \$4,474,378.00. These plaintiffs appealed their awards but the appeal does not affect the finality of awards in favor of the Iowa plaintiffs.
3. The Commission approved an attorneys' fee of \$179,550.64 for the two firms representing the Iowa plaintiffs by order dated November 10, 1970.

4. Notice of filing of the application to fix expenses was sent to all parties as required by our rules. Defendant, on behalf of the Bureau of Indian Affairs of the Department of the Interior, filed a response May 25, 1973, taking no position on the amount of expenses awarded. The tribal council responded by telegram April 6, 1973, agreeing to reimbursement of expenses to applicant.

5. The attorneys' contract with the Iowa Tribe of the Iowa Reservation in Oklahoma provides for reimbursement of reasonable expenses incurred by applicant in the prosecution of the claims.

6. Expenses withdrawn by applicant in its letter to the Commission filed June 20, 1973, total \$131.45, and included \$128.60 paid Louis L. Rochmes, Esq., an associate attorney, for exhibit Q storage charges; and \$2.85 in trip insurance premiums.

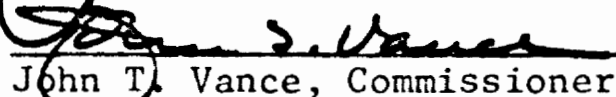
7. Expenses rejected by the Commission total \$.63. These relate to applicant's share of an expert's shoe shine, laundry and valet expenses, expenses insupportable as Indian expenses.

8. After deducting withdrawn and rejected expenses of \$132.08 from the total of \$13,672.18 claimed, the remaining expenses, reasonable and proper for reimbursement, are hereby fixed at \$13,540.10.

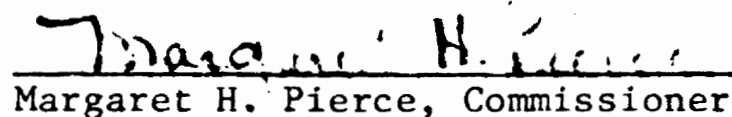
IT IS THEREFORE ORDERED that out of the funds appropriated to pay the final award entered herein on May 12, 1969, in favor of the Iowa plaintiffs jointly, there shall be disbursed to applicant, McCarter & English, Esquires, the sum of \$13,540.10 as reimbursement in full to the firm for its reimbursable expenses in this docket.

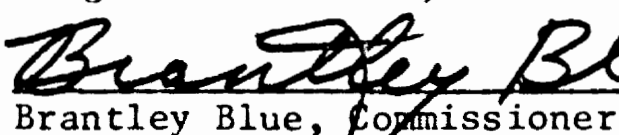
Dated at Washington, D. C., this 5<sup>th</sup> day of September 1973.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner