

BEFORE THE INDIAN CLAIMS COMMISSION

THE IOWA TRIBE OF THE IOWA RESERVATION)
 IN KANSAS AND NEBRASKA, et al., THE)
 IOWA TRIBE OF THE IOWA RESERVATION IN)
 OKLAHOMA, et al., THE SAC AND FOX)
 TRIBE OF INDIANS OF OKLAHOMA, et al.,)
 THE SAC AND FOX TRIBE OF MISSOURI,)
 et al., THE SAC AND FOX TRIBE OF THE)
 MISSISSIPPI IN IOWA, et al.,)
)
 Plaintiffs,)
)
 v.) Docket No. 153
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

ORDER FIXING REIMBURSEMENT OF EXPENSES OF THE ATTORNEYS
FOR THE SAC AND FOX TRIBE OF MISSOURI

HAVING CONSIDERED the application to fix reimbursement of expenses, totalling \$51,850.83, filed May 29, 1973, for Pritzker, Pritzker & Clinton, Esquires, counsel of record for the Sac and Fox Tribe of Missouri; the record in the case; and, the attorneys' contract of employment; the Commission finds that:

1. The Commission entered final awards in this docket on February 4, 1970, awarding \$10,601,282.66 jointly to the Sac and Fox Tribe of Missouri, the Sac and Fox Tribe of Indians of Oklahoma, and the Sac and Fox Tribe of the Mississippi in Iowa; and awarding \$2,783,700 jointly to the Iowa Tribe of the Iowa Reservation in Kansas and Nebraska and the Iowa Tribe of the Iowa Reservation in Oklahoma. 22 Ind. Cl. Comm. 385, 415 (1970).

2. The Commission reported these awards to Congress May 7, 1970, and Congress appropriated funds to satisfy them by Act of July 6, 1970, 84 Stat. 376.

3. The Commission approved an attorneys' fee of \$1,060,128.27 for the three firms representing the three Sac and Fox plaintiffs by order of January 27, 1971. 24 Ind. Cl. Comm. 378.

4. The Clerk of the Commission, as required by our rules, notified all appropriate parties by correspondence dated May 30, 1973, of the pendency of applicant's application to fix expenses.

5. The defendant, on behalf of its Bureau of Indian Affairs, filed a response dated August 30, 1973. The only items questioned by defendant are those which are similar to items which the Commission disallowed in its decision of March 7, 1973, in fixing expenses for another firm representing one of the other Sac and Fox Tribes in this docket. 29 Ind. Cl. Comm. 477. The tribe has filed no response.

6. The attorneys' contract with the Sac and Fox Tribe of Missouri provides for reimbursement of reasonable expenses incurred by the attorneys in the prosecution of the claim.


7. Expenses disallowed by the Commission are as follows:

<u>Entry Reference</u>	<u>Amount Claimed</u>	<u>Amount Rejected</u>	<u>Reason</u>
----	-----	\$ 50.33	Mathematical error in addition of all entries.
A-32	\$ 42.52	.17	Applicant's portion of trip insurance premiums not supportable as Indian expenses.
A-36	32.75	.25	
A-59	562.53	186.87	Not justified by information supplied.
B-1	12.24	12.24	" " " " "
B-3	1.84	1.84	" " " " "
B-6	2.31	2.31	" " " " "
B-10	6.12	6.12	" " " " "
B-42	1.55	1.55	" " " " "
B-43	1.92	1.92	Expense dated after final award.
B-44	.30	.30	" " " " "
X-107	41.45	3.63 .18	Not justified by information supplied. Expert witness travel insurance premium not supportable as an Indian expense.
X-133 X-143 X-192, and X-197	516.51	.83	Total of travel insurance premiums not supportable as Indian expenses.
	Total	<u>\$268.54</u>	

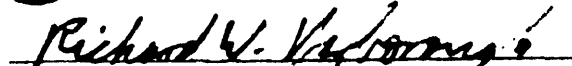
8. After deducting disallowed expenses of \$268.54 from the total claimed, the remaining expenses, reasonable and proper for reimbursement, are hereby fixed at \$51,582.29.

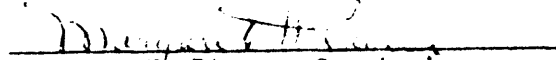
IT IS THEREFORE ORDERED that out of the funds appropriated to pay the final award of February 4, 1970, in favor of the Sac and Fox plaintiffs jointly, there shall be disbursed to applicant, Pritzker, Pritzker & Clinton, Esquires, the sum of \$51,582.29 as payment in full to the firm for its reimbursable expenses in this docket.

Dated at Washington, D. C., this 7th day of November 1973.


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner