

BEFORE THE INDIAN CLAIMS COMMISSION

MAKAH INDIAN TRIBE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket No. 60-A
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER DENYING PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND DEFENDANT'S MOTION TO STRIKE

On July 24, 1972, the plaintiff herein filed a motion for partial summary judgment with respect to the matter of consideration and offsets. On November 1, 1972, the Commission ordered plaintiff's motion for partial summary judgment held in abeyance pending the trial on January 15, 1973, of the issues of value and consideration. The Commission, having this day granted plaintiff's amended motion to amend the petition herein and plaintiff's motion to reopen the record for additional evidence, and, having set this matter for further hearing, has reconsidered plaintiff's motion for partial summary judgment, and is of the opinion that said motion should be denied,

IT IS THEREFORE ORDERED that plaintiff's motion for partial summary judgment be, and the same is hereby, denied.

IT IS FURTHER ORDERED that the defendant's motion of August 4, 1972, to strike the report of Barbara Lane that is attached to plaintiff's motion for partial summary judgment, supra, be, and the same is hereby, denied.

Dated at Washington, D. C., this 1st day of May 1974.

*Jerome K. Kuykendall*  
Jerome K. Kuykendall, Chairman

*John T. Vance*  
John T. Vance, Commissioner

*Richard W. Yarbrough*  
Richard W. Yarbrough, Commissioner

*Margaret H. Pierce*  
Margaret H. Pierce, Commissioner

*Brantley Blue*  
Brantley Blue, Commissioner