

BEFORE THE INDIAN CLAIMS COMMISSION

THE NAVAJO TRIBE OF INDIANS,)	
)	
Plaintiff,)	
)	
v.)	Docket Nos. 69, 299 and 353
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING MOTIONS TO DISMISS
AND VACATING ORDER TO SHOW CAUSE

On July 6, 1972, we issued orders to plaintiff to show cause why the claims in Dockets 299 and 353 should not be dismissed. On July 11, 1972, and August 7, 1972, defendant filed motions to dismiss the plaintiff's claims in Dockets 299 and 353. Thereafter, on August 14, 1972, plaintiff filed oppositions to the motions to dismiss the claims in these dockets.

On July 25, 1973, we issued an opinion and order consolidating Dockets 69, 299 and 353, 31 Ind. Cl. Comm. 40, and rulings on plaintiff's motions for a fuller accounting and partial summary judgment. We did not address ourselves specifically to the order to show cause, or defendant's motions to dismiss the claims set forth in Dockets 299 and 353.

WHEREFORE, in consideration of defendant's motions to dismiss, and plaintiff's opposition thereto, and of our opinion of July 25, 1973, and our opinion this date entered herein, and being fully informed in the premises,

IT IS HEREBY ORDERED that defendant's motions to dismiss the claims in Dockets 299 and 353 are hereby denied, and our order to show cause, issued on July 6, 1972, is hereby vacated.

Dated at Washington, D. C., this 23rd day of August 1974.

Margaret H. Pierce
Margaret H. Pierce, Commissioner

Brantley Blue
Brantley Blue, Commissioner

Jerome K. Kuykendall
Jerome K. Kuykendall, Chairman

John J. Vance
John J. Vance, Commissioner

Richard W. Yarborough, Commissioner