

BEFORE THE INDIAN CLAIMS COMMISSION

THE ALEUT TRIBE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Docket No. 369
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING DEFENDANT'S MOTION FOR JUDGMENT
ON THE PLEADINGS AND FOR OTHER PURPOSES

UPON CONSIDERATION of the defendant's motion to dismiss, filed herein on February 26, 1974, the plaintiffs' response thereto, filed on March 18, 1974, the plaintiffs' supplemental memorandum, filed on April 24, 1974, in opposition to the motion to dismiss, the defendant's response to said supplemental memorandum, and the defendant's motion for judgment on the pleadings, filed on June 27, 1974, and the plaintiffs' response, filed on August 23, 1974, in opposition to the latter motion, and for the reasons set forth in the accompanying opinion which is hereby made part of this order, the Commission has concluded that the defendant's said motions should be denied.

IT IS THEREFORE ORDERED that the defendant's motion, filed February 26, 1974, to dismiss for failure to state a claim upon which relief can be granted, and the defendant's motion, filed June 27, 1974, for judgment on the pleadings be, and the same hereby are, denied, and

IT IS FURTHER ORDERED that the defendant's motion of March 28, 1974, to strike a portion of the plaintiffs' response to the defendant's motion to dismiss be, and the same hereby is, denied.

Dated at Washington, D. C., this 17th day of October 1974.

Margaret H. Pierce
Margaret H. Pierce, Commissioner

John T. Vance
John T. Vance, Commissioner

Brantley Blue
Brantley Blue, Commissioner

Richard W. Yarborough
Richard W. Yarborough, Commissioner