

BEFORE THE INDIAN CLAIMS COMMISSION

ALEUT COMMUNITY OF ST. PAUL ISLAND,)	
)	
Plaintiff,)	
v.)	Docket No. 352
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

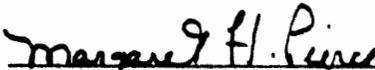
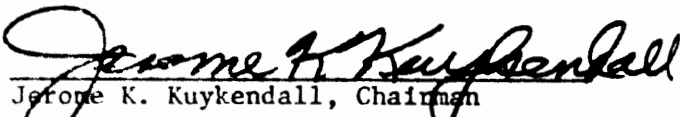
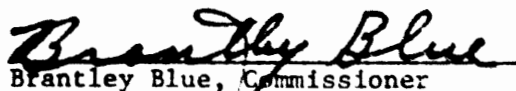
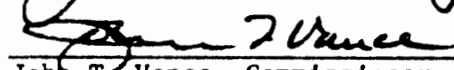
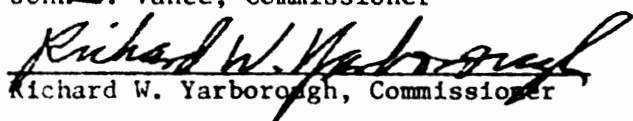
ORDER DENYING DEFENDANT'S MOTION FOR A MORE DEFINITE STATEMENT

THE COMMISSION has considered the motion for a more definite statement filed herein by the defendant on February 26, 1974, together with the plaintiff's response thereto filed March 11, 1974, and the defendant's reply filed March 20, 1974. In connection with its consideration of said motion, the Commission has taken note that the defendant filed its answer under this docket on January 27, 1970, and that Rule 11(e) of the Commission's General Rules of Procedure, 25 C.F.R. § 503.11(e), requires that such a motion be filed prior to answer. The Commission has also taken note of the instructions relating to the trial ordered for the claim alleged under this docket in the opinion of the Court of Claims remanding this docket to the Commission. See Aleut Community v. United States, 202 Ct. Cl. 182 (1973) (aff'g in part, rev'g in part Dockets 352 and 369, 27 Ind. Cl. Comm. 177 (1972)).

UPON SUCH CONSIDERATION, the Commission has concluded that the defendant's motion for a more definite statement is both untimely and unnecessary and should therefore be denied.

IT IS THEREFORE ORDERED that the defendant's motion for a more definite statement, filed herein on February 26, 1974, be, and the same hereby is, denied.

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

	
Margaret H. Pierce, Commissioner	Jerome K. Kuykendall, Chairman
	
Brantley Blue, Commissioner	John T. Vance, Commissioner
	
	Richard W. Yarborough, Commissioner