

BEFORE THE INDIAN CLAIMS COMMISSION

THE PAPAGO TRIBE OF ARIZONA,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 102
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER AND NOTICE OF
PRETRIAL HEARING AND TRIAL

Upon consideration of defendant's motion for summary judgment, filed on November 1, 1974, and plaintiff's opposition thereto, filed on November 14, 1974, and the record in this case,

IT IS HEREBY ORDERED that defendant's motion for summary judgment be, and the same is hereby, denied.

IT IS FURTHER ORDERED that the parties appear for a pretrial hearing before Commissioner Yarborough in the hearing room of the Commission at 10:00 A. M. on Thursday, February 13, 1975. Each party shall bring to said conference a statement in writing of the issues it contends remain to be tried and of its position in regard thereto. Documentary evidence proposed for use at the trial shall be filed and exchanged at said conference, in accordance with Rule 23(e) of this Commission.


The hearing will be held under Rule 22(e) of the General Rules of Procedure and the pretrial instructions contained in the Commission's General Policy Statement § 101, effective on July 15, 1968. At the hearing all matters will be considered which would simplify the issues and expedite the trial and ultimate disposition of the case.

The pretrial statements of the parties shall be filed with the Commission and served upon opposing counsel on or before February 6, 1975. An original and two copies shall be filed.

Each party should be represented by the attorney who expects to conduct the actual trial and its accountant. The said attorney should familiarize himself with the Commission's pretrial rules and instructions and come with full authority to admit and stipulate undisputed facts, and to waive requirements for formal proof of documents; to discuss possibility of settlement; to furnish names and addresses of witnesses and the nature of their testimony; to submit a list of all documents and other exhibits to be offered at the trial, along with a digest describing each document or exhibit; and to discuss points of law. The parties should

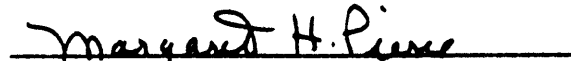
be prepared to discuss the possibility of having the case decided on the briefs, without trial.

Dated at Washington, D. C., this 23rd day of January, 1975


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner