

BEFORE THE INDIAN CLAIMS COMMISSION

PUEBLO OF SANTO DOMINGO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Docket No. 355
	)	
THE UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	

ORDER DENYING REHEARING AND CALLING CONFERENCE

WHEREAS the plaintiff has filed a motion for rehearing of this Commission's denial of summary judgment, entered herein on December 22, 1976 (39 Ind. Cl. Comm. 241-251), and for an extension of time in which to file additional exhibits and a brief, and defendant has responded in opposition thereto, and plaintiff has filed a reply memorandum;

AND WHEREAS it appears to the Commission that the factual questions in this case require the weighing of evidence, which cannot be done on motion for summary judgment;


AND WHEREAS plaintiff has moved for a call upon the Attorney General to produce certain documents, and defendant has responded with an affidavit of its attorney stating that to the best of said attorney's knowledge and belief the requested material is not in possession of the United States; now therefore:

IT IS ORDERED that plaintiff's motion for rehearing and for extension of time in which to file brief and exhibits be, and it hereby is, denied.


IT IS FURTHER ORDERED that the parties appear by their attorneys before Commissioner Yarborough in the hearing room of the Commission at 10:30 A. M. on April 25, 1977, to determine a date and procedure for trial

of this case, to discuss plaintiff's motion for a call, and to consider such other matters as may be relevant to a just and early disposition of all phases of this case.

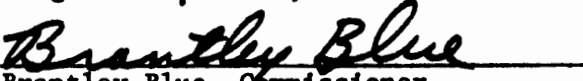
Dated at Washington, D. C., this 18th day of April 1977.

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner