

BEFORE THE INDIAN CLAIMS COMMISSION

THE S'KLALLAM TRIBE OF INDIANS,)	
)	
Plaintiff,)	
)	
v.)	Docket No. 134
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER ALLOWING ATTORNEY EXPENSES

HAVING CONSIDERED the application for attorney expenses filed October 28, 1977, by Frederick L. Noland, attorney of record for the plaintiff, the response from the Department of Justice and the Department of the Interior; and the entire record relating to expenses in this docket, the Commission finds and orders as follows:

1. Award. On November 5, 1976, the Commission entered a final award in favor of the plaintiff in the amount of \$385,280. Funds to satisfy the award were appropriated by the Act of May 4, 1977, 91 Stat. 61.

2. Attorney Contract. The case was prosecuted under Contract No. K51C14200922, entered into February 1, 1975, between the plaintiff and Attorney Frederick L. Noland. The contract was approved by the Commissioner of Indian Affairs on April 28, 1975, and is presently in force with an expiration date of February 14, 1980, and provides that the applicant is to be reimbursed for reasonable expenses incurred in the prosecution of this case as provided in section 15 of the Indian Claims Commission Act.

3. Application for Expenses. The applicant requests that we fix the amount of \$521.52 as reimbursable expenses in this docket, for the period of time the applicant was attorney of record for the plaintiff.

4. Notice to Parties. Notice of the filing of this application, with copies of the petition attached, were mailed by the Clerk of the Commission on October 31, 1977, to the Chairman of the S'Klallam Tribe, the Department of the Interior and the Department of Justice.

5. Response. No response has been received from the tribe. The Department of Justice filed a response February 2, 1978, wherein it took no position on the reimbursement of expenses. Enclosed therein was a

copy of a letter dated January 24, 1978, from the Department of the Interior with copies of a memorandum dated January 18, 1978, from the Bureau of Indian Affairs which show no objection to the expenses except for the sum of \$54.43. Of this amount \$20.57 was incurred prior to the date of the contract and \$13.96 was incurred after the final award was reported to Congress. \$19.90 of this amount was for the purchase of a volume on Indians from the National Geographic Society in lieu of direct payment for stenographic services.

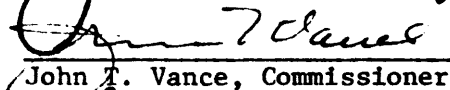
6. Determination of Reimbursable Expenses. The Commission, after an examination of the petition, schedules, and supporting vouchers and documents constituting the application to fix expenses determines that the applicant is entitled to reasonable expenses in the amount alleged, less the sum of \$54.43 referred to above.

7. Conclusion. For the reasons stated above, the Commission concludes that expenses in the sum of \$467.09, meet the requirements of the Commission, and are therefore reasonable and proper for reimbursement.


IT IS THEREFORE ORDERED that reimbursable expenses for Frederick L. Noland be and the same are fixed in the sum of \$467.09 and that this sum shall be disbursed to the applicant from the funds appropriated to pay the final award, as reimbursement in full for expenses incurred in prosecuting claims in this case.

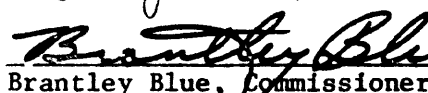
Dated at Washington, D. C., this 15th day of February 1978.


 Jerome K. Kuykendall, Chairman


 John T. Vance, Commissioner


 Richard W. Yarborough, Commissioner


 Margaret H. Pierce, Commissioner


 Brantley Blue, Commissioner