

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

| | | |
|----------------------------------------|---|------------------|
| ELOUISE PEPION COBELL, <u>et al.</u> , |) | |
| |) | |
| Plaintiffs, |) | No. 1:96CV01285 |
| v. |) | (Judge Lamberth) |
| |) | |
| GALE A. NORTON, Secretary of |) | |
| the Interior, <u>et al.</u> , |) | |
| |) | |
| Defendants. |) | |

**DEFENDANTS' SECOND SUBMISSION IN COMPLIANCE
WITH MAY 28, 2004 MEMORANDUM AND ORDER
REGARDING HISTORICAL STATEMENTS OF ACCOUNT**

In accordance with the Court's Memorandum and Order dated May 28, 2004,
Defendants hereby submit a sample of the supplemental notice to be mailed to the Individual
Indian Money account holders who received historical statements of account in October 2002.¹
The sample notice is attached as Exhibit 1.

Dated: August 18, 2004

Respectfully submitted,

ROBERT D. McCALLUM, JR.
Associate Attorney General
PETER D. KEISLER
Assistant Attorney General
STUART E. SCHIFFER
Deputy Assistant Attorney General
J. CHRISTOPHER KOHN
Director

^{1/} As required by the Court, the sample document is redacted to remove all personally identifying information regarding the recipient. See Memorandum and Order at 5 n.3 (May 28, 2004).

/s/ Cynthia L. Alexander
SANDRA P. SPOONER
D.C. Bar No. 261495
Deputy Director
JOHN T. STEMPLEWICZ
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P.O. Box 875
Ben Franklin Station
Washington, D.C. 20044-0875
(202) 514-7194

CERTIFICATE OF SERVICE

I hereby certify that, on August 18, 2004 the foregoing *Defendants' Second Submission in Compliance with May 28, 2004 Memorandum and Order Regarding Historical Statements of Account* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Pro se*)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417
Fax (406) 338-7530

/s/ Kevin P. Kingston
Kevin P. Kingston



United States Department of the Interior

OFFICE OF HISTORICAL TRUST ACCOUNTING

1801 Pennsylvania Avenue, NW, Suite 500

Washington, DC 20240

Phone (202) 327-5300

Fax (202) 327-5375

[Date]

Re: Individual Indian Money Account # [REDACTED]

Dear Parent(s) or Guardian:

Please be aware that many Individual Indian Money account holders are members of a class action lawsuit, Cobell v. Norton, No. 1:96CV01285 (D.D.C.) (Judge Lamberth). In October 2002 the above referenced account holder received a Historical Statement of Account, along with a cover letter notifying the account holder of the action they should take if they wanted to challenge the accuracy of that statement. Nothing in that notice should be interpreted as eliminating any rights that the account holder may have if they are a class member in that litigation. If the account holder is a class member and fails to challenge this Historical Statement of Account they do not lose any rights that they have as a class member. For further information you may contact the lawyers for the class members: Dennis M. Gingold, Esq., 607 14th Street, N.W., 9th Floor, Washington, DC 20005, phone: (202) 824-1448, fax: (202) 318-2372, email: dennismgingold@aol.com, or Keith Harper, Esq., Native American Rights Fund, 1712 N Street, N.W., Washington, DC 20036-2976, phone: (202) 785-4166, fax: (202) 822-0068, email: harper@narf.org. You may also access further information at the plaintiffs' website, www.indiantrust.com.

Very truly yours,

Bert T. Edwards, Executive Director