

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

ELOUISE PEPION COBELL, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Civil Action No. 96-1285 (RCL)
	)	
v.	)	
	)	
GALE A. NORTON, <i>et al.</i> ,	)	
	)	
Defendants.	)	

---

NOTICE OF FILING OF PROPOSED ORDER

Pursuant to the Court's request at the Status Conference held on October 19, 2004,  
Defendants respectfully submit the attached proposed order.

Dated: October 19, 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

/s/ Sandra P. Spooner  
SANDRA P. SPOONER  
D.C. Bar No. 261495  
Deputy Director  
JOHN T. STEMPLEWICZ  
Senior Trial Counsel  
CYNTHIA L. ALEXANDER  
Trial Attorney  
Commercial Litigation Branch  
Civil Division  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
(202) 514-7194

CERTIFICATE OF SERVICE

I hereby certify that, on October 19, 2004 the foregoing *Notice of Filing of Proposed Order* 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 DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

---

ELOUISE PEPION COBELL, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	Civil Action No. 96-1285 (RCL)
	)	
v.	)	
	)	
GALE A. NORTON, <i>et al.</i> ,	)	
	)	
Defendants.	)	

---

ORDER

Pursuant to the Status Conference held by the Court on October 19, 2004, the arguments of counsel, and the record herein, it is hereby

ORDERED that neither the Court's Order issued December 23, 2002 (Dkt. No. 1692) nor the Court's Order issued September 29, 2004 (Dkt. No. 2708), as modified by the Court's Order issued October 1, 2004 (Dkt. No. 2713), places any restrictions on communications, written or oral, between the Defendants, their agents, representatives, employees, officers, and counsel and members of the Plaintiff class regarding:

1. encumbrances, leasing, lease sales, permitting, rights-of-way, and timber sales of or on individually-owned Indian trust land;
2. the investment of trust funds in IIM accounts;
3. estate planning, will drafting and the probate of or relating to Indian trust assets;
4. the surveying or appraisal of trust assets;
5. title to trust lands;
6. ownership of trust funds or lands; or

7. physical improvements or alterations of trust assets.

It is further

ORDERED that the Court's Order issued September 29, 2004 (Dkt. No. 2708), as modified by the Court's Order issued October 1, 2004 (Dkt. No. 2713), is not applicable to oral communications between the Defendants, their agents, representatives, employees, officers, and counsel and members of the Plaintiff class related to the sale, exchange, transfer, or conversion of Indian trust land.

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_, 2004.

---

ROYCE C. LAMBERTH  
United States District Judge

cc:

Sandra P. Spooner  
John T. Stemplewicz  
Commercial Litigation Branch  
Civil Division  
P.O. Box 875  
Ben Franklin Station  
Washington, D.C. 20044-0875  
Fax (202) 514-9163

Dennis M Gingold, Esq.  
Mark Brown, Esq.  
607 - 14th Street, NW, Box 6  
Washington, D.C. 20005  
Fax (202) 318-2372

Keith Harper, Esq.  
Richard A. Guest, Esq.  
Native American Rights Fund  
1712 N Street, NW  
Washington, D.C. 20036-2976  
Fax (202) 822-0068

Elliott Levitas, Esq.  
1100 Peachtree Street, Suite 2800  
Atlanta, GA 30309-4530

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