

NOTE: This order is nonprecedential.

**United States Court of Appeals
for the Federal Circuit**

SHELDON PETERS WOLFCHILD, ERNIE PETERS
LONGWALKER, SCOTT ADOLPHSON, MORRIS J.
PENDLETON, BARBARA FEEZOR BUTTES,
WINIFRED ST. PIERRE FEEZOR, AUTUMN
WEAVER, ARIES BLUESTONE WEAVER, ELIJAH
BLUESTONE WEAVER, RUBY MINKEL, LAVONNE
A. SWENSON, WILLIS SWENSON, AARON
SWENSON, BEVERLY M. SCOTT, LILLIAN
WILSON, MONIQUE WILSON, SANDRA
COLUMBUS GESHICK, CHERYL K. LORUSSO,
JENNIFER K. LORUSSO, CASSANDRA
SHEVCHUK, JASON SHEVCHUK,
JAMES PAUL WILSON, EVA GRACE WILSON,
BENITA M. JOHNSON, AND KEVIN LORUSSO,
Plaintiffs-Cross Appellants,

AND

ANITA D. WHIPPLE ET AL., DESCENDANTS OF
LUCY TRUDELL, BONNIE RAE LOWE, ET AL.,
DESCENDANTS OF JOSEPH GRAHAM, ET AL.,
LENOR ANN SCHEFFLER BLAESER ET AL.,
DESCENDANTS OF JOHN MOOSE,
AND MARY BETH LAFFERTY, ET AL.,
Plaintiffs,

AND

COURSOLLE DESCENDANTS AND ROCQUE AND
TAYLOR DESCENDANTS,

Plaintiffs,

AND

**DEBORAH L. SAUL, LAURA VASSAR, ET AL.,
LYDIA FERRIS ET AL., DANIEL M TRUDELL, ET
AL., ROBERT LEE TAYLOR, ET AL., AND DAWN
HENRY,**
Plaintiffs,

AND

**RAYMOND CERMAK, SR., (ACTING
INDIVIDUALLY AND UNDER A POWER OF
ATTORNEY FOR STANLEY F. CERMAK, SR.),
MICHAEL STEPHENS, ET AL., JESSE CERMAK,
ET AL., DENISE HENDERSON, DELORES
KLINGBERG, SALLY ELLA ALKIRE, PIERRE
ARNOLD, JR., AND GETRUDE GODOY ET AL.,**
Plaintiffs,

AND

**JOHN DOES 1-30, WINONA C. THOMAS ENYARD,
AND KITTO, ET AL.,**
Plaintiffs,

AND

FRANCINE GARREAU, ET AL.,
Plaintiffs,

AND

FRANCIS ELAINE FELIX,
Plaintiff,

AND

KE ZEPHIER, ET AL.,

Plaintiffs,

AND

LOWER SIOUX INDIAN COMMUNITY,
Plaintiff,

AND

PHILIP W. MORGAN,
Plaintiff,

AND

REBECCA ELIZABETH FELIX,
Plaintiff,

AND

VERA A. ROONEY, ET AL.,
Plaintiffs,

AND

DANNY LEE MOZAK,
Plaintiff-Cross Appellant,

AND

DAWN BURLEY, ET AL.,
Plaintiffs-Cross Appellants,

AND

HARLEY ZEPHIER, SR.,
Plaintiff-Cross Appellant,

AND

JOHN DOES 1-433,
Plaintiffs-Cross Appellants,

AND

JULIA DUMARCE, ET AL.,
Plaintiffs-Cross Appellants,

AND

**RAYMOND COURNOYER, SR., ET AL., JERRY
ROBINETTE, ET AL., SANDRA KIMBELL, ET AL.,
CHARLENE WANNA, ET AL., AND LESLIE LEE
FRENCH, ET AL.,**
Plaintiffs-Cross Appellants,

AND

KRISTINE ABRAHAMSON,
Plaintiff-Cross Appellant,

AND

VICTORIA ROBERTSON VADNAIS,
Plaintiff-Cross Appellant,

v.

UNITED STATES,
Defendant-Appellant.

2012-5035, -5036, -5043

Appeals from the United States Court of Federal
Claims in consolidated case nos. 03-CV-2684 and 01-CV-
0568, Judge Charles F. Lettow.

ON MOTION

O R D E R

The Wolfchild Cross-Appellants move for this court to take judicial notice of the United States Department of the Interior's "Notice of Decision" dated August 20, 2012. The government did not give consent.

IT IS ORDERED THAT:

- 1) The motion for leave to take judicial notice is deferred for consideration by the merits panel assigned to hear this case.
- 2) A copy of the motion, any responses or replies, and this order shall be transmitted to the merits panel.

FOR THE COURT

FEB 06 2013

Date

/s/ Jan Horbaly

Jan Horbaly
Clerk

cc: Wood R. Foster, Jr., Esq.
Scott Allen Johnson, Esq.
Garrett J. Horn, Esq.
Jack E. Pierce, Esq.
Elizabeth T. Walker, Esq.
Jay C. Shultz, Esq.
Francis Elaine Felix
Douglas R. Kettering, Esq.
Philip William Morgan
Rebecca Elizabeth Felix
Bernard Joseph Rooney, Esq.
Erick G. Kaardal, Esq.
Creighton A. Thurman, Esq.
Kelly Stricherz, Esq.

FILED
U.S. COURT OF APPEALS FOR
THE FEDERAL CIRCUIT

FEB 06 2013

JAN HORBALY
CLERK

Larry B. Leventhal, Esq.
Robin L. Zephier, Esq.
Gary John Montana, Esq.
Randy Vern Thompson, Esq.
John L. Smeltzer, Esq.
Barry P. Hogan, Esq.
Royce D. Edwards, Sr., Esq.

s21