

NOTE: This order is nonprecedential.

# United States Court of Appeals for the Federal Circuit

2009-5027

YANKTON SIOUX TRIBE,

Plaintiff-Appellant,

v.

UNITED STATES,

Defendant-Appellee.

Appeal from the United States Court of Federal Claims  
in 05-CV-1291, Judge Lawrence J. Block.

ON MOTION

Before MOORE, Circuit Judge.

## ORDER

The United States submits a status report in response to this court's November 13, 2009 order, requesting without opposition that the stay of proceedings in this case continue until the Supreme Court's final disposition of United States v. Tohono O'odham Nation, S. Ct. No. 09-846.

Upon consideration thereof,

IT IS ORDERED THAT:

The stay of the briefing schedule remains in effect pending the Supreme Court's final disposition of Tohono O'odham Nation. The parties are directed to inform this court, within 14 days of the Supreme Court's final disposition of Tohono O'odham Nation, concerning how they believe that this appeal should proceed.

FOR THE COURT

FEB 26 2010

Date

/s/ Jan Horbaly

Jan Horbaly

Clerk

cc: Stuart S. Mermelstein, Esq.  
Aaron P. Avila, Esq.

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

FEB 26 2010

JAN HORBALY  
CLERK