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April 4, 2008
Via Facsimile

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Beatrice Jones, Clerk
Civilian Board of Contract Appeals
1800 M Street, N.W.
Washington, D.C. 20036

Re: Arctic Slope Native Association, Ltd.;
CBCA 190-ISDA and 289-ISDA through
297-ISDA

Dear Ms. Jones:

Enclosed for filing in this matter is *Appellant's Motion That the Board Take Judicial Notice of IHS's Admission.*

Additionally, by regular mail we will forward one extra copy of this filing so that it may be conformed and returned to us.

Respectfully submitted,

SONOSKY, CHAMBERS, SACHSE,
MILLER & MUNSON, LLP


Lloyd Benton Miller

Enclosures

cc: Judge Candida Steel (w/encl., via e-mail)
Sean Dooley (w/encl., via e-mail and standard mail)

Leavitt, No. CBCA 547-ISDA.

The Federal Rules of Evidence authorize a court to take judicial notice of pleadings in other cases, because the existence of those pleadings is “capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.” F.R.E. 201(b)(2).² See 21B Wright & Graham, FEDERAL PRACTICE AND PROCEDURE § 5106.4 (2005); *Biomedical Patent Management Corporation v. California, Department of Health Services*, 505 F.3d 1328, 1331 n.1 (Fed. Cir. 2007). Such notice is particularly apt here, since IHS’s statement in *Fort Mojave* directly contradicts IHS’s prior assertions in this appeal.

Respectfully submitted this 4th day of April 2008.

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By: _____

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² Although a court has discretion to take such notice whether requested or not, a court must take judicial notice if “requested by a party and supplied with the necessary information.” F.R.E. 201(c) and (d).

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CERTIFICATE OF SERVICE

I hereby certify that I mailed, or caused to be mailed, a true and correct copy of the foregoing document by electronic mail and first class mail to the following parties of record this 7th day of April 2008:

Sean Dooley
Senior Attorney, Public Health
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