

CIVILIAN BOARD OF CONTRACT APPEALS

CHICKASAW NATION OF OKLAHOMA )
Appellant, )
vs. )
MICHAEL O. LEAVITT, SECRETARY )
U.S. DEPARTMENT OF HEALTH AND )
HUMAN SERVICES, et al. )
Appellees. )

IBCA Nos. 4827 through 4837-2006

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CIVILIAN BOARD OF CONTRACT APPEALS

PARTIES' JOINT MOTION TO EXTEND SUSPENSION OF PROCEEDINGS TO MAY 31, 2007

Appellant Chickasaw Nation, and Appellees Michael O. Leavitt, Secretary, U.S. Department of Health and Human Services; Charles Grim, Director, Indian Health Service; and the United States of America, by their undersigned counsel, move to extend the stay of all proceedings in this appeal from March 30, 2007 until May 31, 2007. In support of this motion, the parties show as follows:

- 1. On January 29, 2007, this Board granted the parties' joint motion to suspend proceedings until March 30, 2007.
2. In part, the motion was granted to permit resolution of similar legal issues that are a part of several other appeals pending before the Civilian Board of Contract Appeals ("CBCA"), including Arctic Slope Native Association, Ltd. v. Leavitt, et al., IBCA Nos. 4794-2006 through 4803-2006 ("ASNA"), Metlakatla Indian Community v. IHS, CBCA Nos. 181-ISDA, 279-ISDA through 282-ISDA ("Metlakatla"), and Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians v. IHS, IBCA Nos. 4724-2005 through 4727-2005 ("Coos"). Oral argument in ASNA took place on February 28, 2007, and oral argument in the Metlakatla and Coos appeals are scheduled for March 15, 2007 and March 22, 2007, respectively. The disposition of the motions in

these cases will assist the parties in addressing similar legal issues arising in this appeal.

3. Given the proceedings in the above-referenced cases, the parties agree that the most efficient course of action is to extend the stay of this appeal from March 30, 2007 until May 31, 2007, reserving to either party the right to request that the stay be lifted prior thereto for good cause shown.

4. The parties agree that this Joint Motion to Extend Suspension of Proceedings does not prejudice either party from filing dispositive motions in the future. Furthermore, the parties agree that Appellee may supplement its Appeal File during the pendency of this suspension without causing the suspension to be lifted.

For the foregoing reasons, the parties respectfully request that this Motion to Extend Suspension of Proceedings be granted.

Respectfully submitted this 12th day of March, 2007.

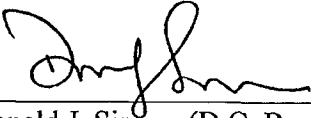
Attorneys for Appellant:

SONOSKY, CHAMBERS, SACHSE,  
MILLER & MUNSON, LLP

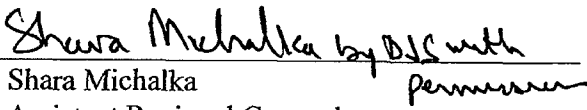
By: \_\_\_\_\_

*Lloyd B. Miller by DJS*  
Lloyd B. Miller (D.C. Bar No. 317131),  
(AK Bar No. 7906040)  
Melanie Baca Osborne (AK Bar No. 9911068)  
900 West Fifth Avenue, Suite 700  
Anchorage, Alaska 99501-2029  
Telephone: (907) 258-6377  
Facsimile: (907) 272-8332

SONOSKY, CHAMBERS, SACHSE,  
ENDRESON & PERRY, LLP

By:   
Donald J. Simon (D.C. Bar No. 256388)  
1425 K Street, Suite 600  
Washington D.C. 20007  
Telephone: (202) 682-0240  
Facsimile: (202) 682-0249

Attorneys for Appellees:

By:   
Shara Michalka  
Assistant Regional Counsel  
Office of the General Counsel  
U.S. Department of Health and Human Services  
1301 Young Street, Suite 1138  
Dallas, Texas 75202  
Telephone: (214) 767-9227  
Facsimile: (214) 767-4663

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IBCA Nos. 4827 through 4837-2006

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CIVILIAN BOARD OF  
CONTRACT APPEALS

**ORDER GRANTING JOINT MOTION TO EXTEND SUSPENSION OF  
PROCEEDINGS TO MAY 31, 2007**

The parties' Joint Motion to Extend Suspension of Proceedings to May 31, 2007 is hereby GRANTED. The appeal is suspended until May 31, 2007, and either party may move that the suspension be lifted prior thereto for good cause shown.

In addition, this suspension does not prejudice either party from filing dispositive motions in the future, and Appellee may supplement its Appeal File during the pendency of this suspension without causing the suspension to be lifted.

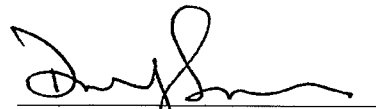
SO ORDERED this \_\_\_ day of \_\_\_\_\_, 2007.

\_\_\_\_\_  
Candida Steel  
Administrative Judge

**CERTIFICATE OF SERVICE**

I hereby certify that I emailed and mailed by first-class mail, postage prepaid, a true and correct copy of the foregoing document to the following attorney of record this 12th day of March 2007:

Shara Michalka  
Assistant Regional Counsel  
Office of the General Counsel  
U.S. Department of Health and Human Services  
1301 Young Street, Suite 1138  
Dallas, Texas 75202  
[shara.michalka@hhs.gov](mailto:shara.michalka@hhs.gov)

  
\_\_\_\_\_  
Donald J. Simon