

Lloyd Benton Miller, Esq.
Sonosky, Chambers, Sachse,
Miller & Munson, LLP
900 West Fifth Avenue, Suite 700
Anchorage, AK 99501
Telephone: (907) 258-6377

Attorneys for Appellant

UNITED STATES CIVILIAN BOARD OF CONTRACT APPEALS

PORT GAMBLE S'KLALLAM TRIBE,)	
)	
Appellant,)	
vs.)	
)	CBCA Nos. 1256-ISDA through 1263-ISDA
ROBERT G. McSWAIN, DIRECTOR,)	
INDIAN HEALTH SERVICE, U.S.)	
DEPARTMENT OF HEALTH AND)	
HUMAN SERVICES,)	
)	
Respondent.)	
_____)	

UNOPPOSED MOTION TO STAY PROCEEDINGS

Appellant Port Gamble S'Klallam Tribe, by its undersigned counsel, moves for entry of a stay of proceedings until October 14, 2008, or until further Order of this Board. In support of this Motion, Appellant states as follows.

1. Most of the legal issues involved in this appeal are the same as those involved in numerous other contract support costs cases pending before this Board. Most of those other cases have been stayed through at least October 14, 2008, pending the outcome of decisions in *Arctic Slope Native Association, Ltd. v. Leavitt, et al.*, CBCA 190-ISDA and 289-ISDA through

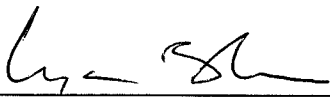
297-ISDA, *Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians v. Department of Health and Human Services, et al.*, CBCA 171-ISDA and 235-ISDA through 237-ISDA, and *Metlakatla Indian Community v. Department of Health and Human Services*, CBCA 181-ISDA and 279-ISDA through 282-ISDA. Recently this Board issued decisions in the foregoing three cases. In all the other stayed cases, the parties have since been directed to meet and confer, and to advise the Board on or before October 14, 2008 of their joint recommendations for further proceedings in light of the Board's rulings in *ASNA*, *Coos*, and *Metlakatla*. Since Appellant's appeals are in the same substantive posture as the other stayed contract support cost cases pending before this Board, Appellant requests that it be provided a similar opportunity to evaluate the claims and defenses at issue in this case in light of the Board's three decisions, to meet and confer with Respondent, and to formulate a recommended plan to present to the Board for future proceedings, all within the same October 14, 2008 deadline as the Board has set for other presently stayed appeals.

2. Appellant, through counsel, has conferred with counsel for Respondent and is authorized to state that Respondent does not oppose this Motion.

For the foregoing reasons, Appellant respectfully requests that this Unopposed Motion to Stay Proceedings be granted.

Respectfully submitted this 11th day of August 20068

SONOSKY, CHAMBERS, SACHSE,
MILLER & MUNSON, LLP

By:  _____

Lloyd B. Miller
D.C. Bar No. 317131
AK Bar No. 7906040

900 West Fifth Avenue, Suite 700
Anchorage, Alaska 99501-2029
Telephone: 907-258-6377
Facsimile: 907-272-8332

CERTIFICATE OF SERVICE

I hereby certify that I mailed, or caused to be mailed, a true and correct copy of the foregoing document by e-mail and by first class mail, postage prepaid, to the following attorney on this 11 day of August 2008:

Scott S. Driggs
Assistant Regional Counsel
Office of General Counsel
1961 Stout Street, Room 325
Denver, CO 80294

