



**UNITED STATES  
CIVILIAN BOARD OF CONTRACT APPEALS**

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ORDER: June 21, 2007

CBCA 193-ISDA, 298-ISDA, 299-ISDA, 300-ISDA, 301-ISDA, 302-ISDA  
303-ISDA, 304-ISDA, 305-ISDA

ST. CROIX CHIPPEWA INDIANS OF WISCONSIN,

Appellant,

v.

DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Donald J. Simon, Lloyd Benton Miller, Melanie Baca Osborne, of Sonosky, Chambers, Sacsh, Endreson & Perry, LLP, Washington, DC, counsel for Appellant.

Fred R. Garzino, Office of the General Counsel, Department of Health and Human Services, Chicago, IL, counsel for Respondent.

Order Granting Motion to Extend Stay of Proceedings

Appellant seeks an extension of the stay granted in the fall of 2006 by Judge Bernard Parrette until a decision on the Motion for Class Certification issued from the United States District Court of New Mexico in *Pueblo of Zuni v. United States of America*, Civil No. 01-1046 WJ/WPL. That decision, filed May 22, 2007, denied class certification, but an interlocutory petition for permission to appeal that decision has been taken.

In the instant case, the Government has pending a motion to lift the stay in order that its Motion to Dismiss might be heard. However, since the case would most likely be stayed in any event pending decisions in other cases before this Board<sup>1</sup>, Appellant's motion to

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<sup>1</sup> In the appeals of *Arctic Slope Native Association, Ltd.*, CBCA 289-297-ISDA, *Confederated Tribes of Coos Lower Umpqua*, CBCA171-ISDA, CBCA 235-237-ISDA, and *Metlakatla Indian Community*, CBCA 279-282-ISDA.

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**Extend Stay of Proceedings is hereby GRANTED. The appeal is retroactively stayed from May 22, 2007 until the Tenth Circuit Court of Appeals acts on the petition, and, if granted, until the Tenth Circuit acts on the appeal of the District Court's class certification determination.**

*Candida Steel*

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Candida S. Steel  
Board Judge



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**ACKNOWLEDGMENT OF RECEIPT OF INFORMATION  
FACSIMILE TRANSMITTAL SHEET**

**DATE:** June 21, 2007  
**FROM:** LSA, A. Lewis 202-606-8817  
**CBCA:** St. Croix Chippewa Indians of Wisconsin v. Indian Health Service  
**SUBJECT:** Order Motion to Stay

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