

the same issues and legal defenses the IHS is expected to raise in this appeal: statute of limitations, laches, and improper presentment of claims to the contracting officer. The parties in the *Metlakatla* and *Coos* cases have briefed these issues, and oral arguments were held on March 15, 2007 and March 22, 2007, respectively. It is likely that decisions will be issued by the CBCA in the next few months. The disposition of the pending *Coos* and *Metlakatla* motions in all likelihood will establish the law within the CBCA concerning some of the critical issues in the above-captioned appeal.

3. Given the pendency of the motions now before the Board in the *Metlakatla* and *Coos* cases, the most efficient course of action is to stay proceedings in the above-captioned appeal pending the outcome of those motions, reserving to the parties the right to request that the stay be lifted prior thereto for good cause shown.

4. IHS counsel in other CSC cases before this Board have agreed to a stay pending the *Coos* and *Metlakatla* rulings, recognizing that a stay will conserve agency, tribal, and Board resources by avoiding duplicative briefing of the same issues.

For the foregoing reasons, the Tribe respectfully requests that this Motion to Stay be granted.

Respectfully submitted,

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MOTION TO STAY