

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**TUNICA-BILOXI TRIBE OF LOUISIANA,
and RAMAH NAVAJO SCHOOL BOARD,
INC.,**

PLAINTIFFS,

vs.

UNITED STATES OF AMERICA, *et al.*

DEFENDANTS.

**No. 1:02CV02413
(RBW/DAR)**

ERRATA

Document No. 173-2, filed by plaintiffs on March 5, 2009, contains an error on the second page. (This document is Plaintiffs' memorandum in support of their motion for an order (1) declaring the Third Partial Settlement Agreement in *Ramah Navajo Chapter v. Salazar* binding for Indian Health Service contracts that use National Business Center rates to determine indirect costs; and(2) reinstating plaintiffs' motion for certification of a Rule 23(b)(2) class for equitable relief.)

The second sentence of the third full paragraph on the second page reads:

PSA III, however, does not bind IHS to accept those rates when the NBC rate is used to determine the indirect cost component of the contract price for an IHS Indian Self-Determination Act contractor.

The following language should be substituted in its place:

The Court should hold that PSA III binds IHS to accept those rates when the NBC rate is used to determine the indirect cost component of the contract price for an

IHS Indian Self-Determination Act contractor. *See* PSA III (Doc. No. 169, exh. A.), at 12 ¶ III.E.

Respectfully submitted,

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