

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

RAMAH NAVAJO CHAPTER,
OGLALA SIOUX TRIBE, and PUEBLO
OF ZUNI, for themselves and on behalf
Of a class of persons similarly situated,

Plaintiffs,

Vs.

No. CIV 90-0957 LH/KBM ACE


DIRK A. KEMPTHORNE, Secretary of the
Interior, in his official capacity, et al.

RELEASE

In consideration of the mutual agreements and undertakings set out in the parties' Third Partial Settlement Agreement (PSA III) filed 5/19/08 (Docket No. 1138), as approved by the Court by Order of 8/27/08 (Docket No. 1159), the Class as defined in Section II.C.1 of PSA III, including each of the named Plaintiffs and each individual member of the Class, hereby release and discharge the Defendants as defined in Section II.C.2 of PSA III, from all Settled Claims as defined in Section VI.A. of PSA III.

Notwithstanding anything to the contrary herein, the Defendants are obligated to, and not released from, their promises set forth in Section III, IV of the PSA III or any other additional obligations as are prescribed in the PSA III. Such duties, promises and liabilities are not merged and survive the making of the release hereunder and the execution and delivery of the PSA III.

COUNSEL FOR PLAINTIFFS AND THE CLASS


Michael P. Gross

Class Counsel



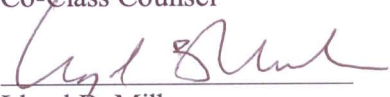
C. Bryant Rogers

Lloyd B. Miller
Co-Class Counsel for the
Direct Contract Support Cost Claim

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