



INTERIOR BOARD OF INDIAN APPEALS

David and Cathleen Lundgren, and Olson Bros. Enterprises LLC v. Midwest Regional
Director, BIA

52 IBIA 273 (12/06/2010)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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DAVID AND CATHLEEN)	Order Dismissing Appeals
LUNDGREN, AND)	
OLSON BROS. ENTERPRISES)	
LLC,)	
Appellants,)	
)	Docket Nos. IBIA 08-56-A
v.)	08-59-A
)	
MIDWEST REGIONAL DIRECTOR,)	
BUREAU OF INDIAN AFFAIRS,)	
Appellee.)	December 6, 2010

David and Cathleen Lundgren, and Olson Bros. Enterprises LLC (collectively Appellants), appealed to the Board of Indian Appeals (Board) from two February 11, 2008, decisions of the Midwest Regional Director (Regional Director), Bureau of Indian Affairs, finding Appellants liable for damages for timber trespass for salvaging timber originating on lands held in trust by the United States for the Menominee Indian Tribe, which had blown onto the Lundgrens' property in a wind event.

On November 30, 2010, the Board received from the Regional Director, through counsel, an Unopposed Motion to Dismiss with Prejudice. The motion states that the parties have entered into a settlement agreement resolving all of the issues on appeal and that Appellants concur in the motion. The Board appreciates the parties' successful efforts in resolving this dispute.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses these appeals.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge