



INTERIOR BOARD OF INDIAN APPEALS

Lenora Rogers, Marie Loper, Valerie Henry, Rosanna Marrujo,
Marcelle Rusk, Barbara Culbertson, and Judith Macias
v. Acting Western Regional Director, Bureau of Indian Affairs

40 IBIA 83 (08/20/2004)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

LENORA ROGERS, MARIE LOPER,
VALERIE HENRY, ROSANNA
MARRUJO, MARCELLE RUSK,
BARBARA CULBERTSON, and
JUDITH MACIAS,
Appellants,

v.

ACTING WESTERN REGIONAL
DIRECTOR, BUREAU OF
INDIAN AFFAIRS,
Appellee.

: Order Dismissing Appeals
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: Docket Nos. IBIA 01-137-A
: 01-166-A
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: August 20, 2004

Appellants in these two appeals sought review of decisions by the Bureau of Indian Affairs (BIA) concerning a tribal governance dispute within the Paiute-Shoshone Tribe of the Fallon Reservation and Colony, Nevada. In IBIA No. 01-137-A, Appellants sought review of a May 11, 2001, letter from the Acting Western Regional Director, BIA, recognizing the results of a January 13, 2001, tribal election. In IBIA No. 01-166-A, Appellants sought review of an August 6, 2001, letter issued by the Regional Director, recognizing the results of a Special Council meeting held on May 30, 2001. By order dated August 31, 2001, the Board of Indian Appeals (Board) stayed the proceedings in these cases pending an assessment of the viability of alternative dispute resolution mechanisms. The Board subsequently continued the stay to allow mediation efforts to proceed.

On August 9, 2004, the Board received from Appellants a notice of withdrawal of these appeals and a request for dismissal with prejudice, based upon a settlement agreement reached between Appellants and the other interested parties. The notice filed by Appellants, and a separate status report filed by the interested parties, indicate that settlement of the disputes involved in these appeals was reached by the parties in the context of an interpleader action filed by the Bank of America in federal district court. Bank of America v. The Fallon Paiute Shoshone Tribe, et al., No. CV-N-01-0715-HDM (VPC) (D. Nev.). Pursuant to the terms of that settlement, Appellants agreed to withdraw these appeals.

The Board accepts Appellants' withdrawal of these appeals, and appreciates the successful efforts by the parties to reach a settlement.

Therefore, pursuant to the authority delegated to the Board by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board dismisses these appeals with prejudice based on Appellants' notice of withdrawal and the settlement reached between the parties.

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Robert S. More
Director, Office of Hearings and Appeals
Ex Officio Member