

Lori Villegas, Power of Attorney for Donnelly
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Appearing *Pro Se*

UNITED STATES COURT OF APPEALS
FOR DISTRICT OF COLUMBIA CIRCUIT

ELOUISE COBELL, *et al.*,

Appellants;

v.

KENNETH SALAZAR, *et al.*,

Defendants and Appellee.

NO. 11-5229

APPELLANTS' UNOPPOSED
MOTION TO DISMISS APPEAL

On Appeal From the United States District Court
for the District of Columbia

No. 1:96-cv-01285-TFH

Thomas F. Hogan, U.S. Sr. District Judge

Pursuant to Federal Rule of Appellate Procedure 42(b), plaintiff-appellants

Lori Villegas, Power of Attorney for Donnelly Villegas, and Ortencia Ford, move for an order dismissing this appeal on terms agreed to by the parties or fixed by the Court. Counsel for the defendants-appellees has informed the moving parties that defendants-appellees do not oppose this motion and agree to dismissal under which the parties will bears their own costs.

I. Status of Appeal

This appeal is in its earliest stage. Plaintiff-appellants' notice of appeal was docketed on August 12, 2011. A clerk's order was issued that same day; the Court set deadlines for procedural motions and numerous other filings, to be due on October 12, 2011. Defendants-appellees have yet to make a single filing in the matter.

II. Reasons to Dismiss the Appeal

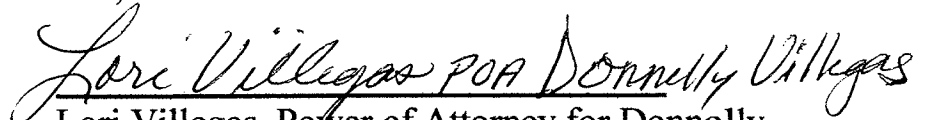
After reviewing the record and inquiring into the pertinent law on the issues involved, plaintiff-appellants believe that their efforts would be best served seeking remedies outside of this appellate litigation. Plaintiff-appellants have decided to dismiss the appeal and to leave for another day resolution of the issues the appeal raises insofar as plaintiff-appellants' Indian trust assets are concerned.

CONCLUSION

Counsel for defendants-appellees has indicated that defendants-appellees do

not oppose this motion. The parties have agreed that the parties will bear their own costs. Plaintiff-appellants thereby respectfully request that this motion be granted and this appeal be dismissed.

DATED this 11th day of October, 2011.

Handwritten signature of Lori Villegas in cursive script, reading "Lori Villegas POA Donnelly Villegas".

Lori Villegas, Power of Attorney for Donnelly
Villegas

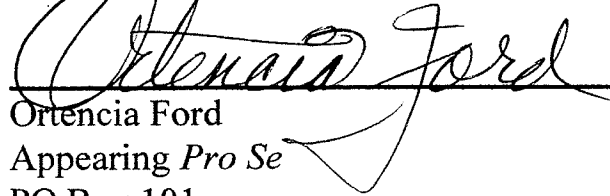
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Handwritten signature of Ortencia Ford in cursive script, reading "Ortencia Ford".

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CERTIFICATE OF SERVICE

I, Lori Villegas, declare as follows:

1. I am now and at all times herein mentioned a legal and permanent resident of the United States and the State of Washington, over the age of eighteen years, and competent to testify as a witness.
2. On October 11, 2011, I filed the foregoing document via U.S. Mail, and provided service via U.S. Mail to the following:

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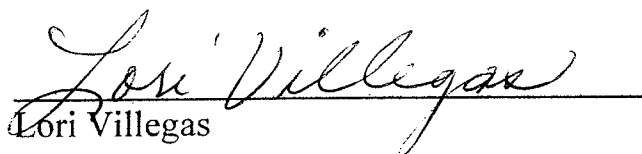
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The foregoing statement is made under penalty of perjury and under the laws of the State of Washington and is true and correct.

Signed at Spokane, Washington, this 11th day of October 2011.


Lori Villegas