

White Earth Band of Ojibwe  
Tribal Court  
Court Administrator Cover Sheet

Date: August 26, 2021  
Regarding Case: General Civil  
File No. GC21-0428

To: (list names and addresses)

Oliver Larson  
Assistant Attorney General via E-mail

Colin O'Donovan  
Assistant Attorney General via E-mail

Frank Bibeau  
Attorney via E-mail

Joe Plumer  
Attorney via E-mail

Lenny Fineday  
Attorney via E-mail

Enclosed Documents: **Order for Recusal**

By:  \_\_\_\_\_

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White Earth Tribal Court  
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**WHITE EARTH BAND OF OJIBWE**  
**TRIBAL COURT**

MANOOMIN, THE WHITE EARTH BAND  
OF OJIBWE,

**ORDER FOR RECUSAL**

Plaintiffs,

vs.

MINNESOTA DEPARTMENT OF  
NATURAL RESOURCES, et al.

Court File No. GC21-0428

Defendants.

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**FINDINGS AND ORDER**

1. On August 04, 2021, Plaintiffs filed the above complaint. At the request of Plaintiffs, the Court set a hearing on the Plaintiffs' request for declaratory and injunctive relief for August 25.
2. On August 12, Defendants filed a motion to dismiss for lack of subject matter jurisdiction, and a proposed order.
3. On August 16, Plaintiffs filed written argument on the motion to dismiss.
4. On August 16, the Court heard oral argument on the motion.
5. On August 18, the Court denied Defendants' motion by written order.
6. On August 18, Defendants requested a telephone conference to discuss a request for stay of proceedings.
7. On August 19, Defendants filed suit in federal court, seeking a declaration concerning this Court's subject matter jurisdiction, naming the undersigned individually as a Defendant.
8. On August 19, the Court conducted an informal telephone conference. Defendants indicated their intent to seek a stay, and their intent to seek a preliminary injunction in Federal Court if necessary to prevent the August 25 hearing from proceeding. The Defendants committed to file a motion for a stay and proposed order in this Court on August 19. The Court struck the August 25 hearing.
9. On August 19, Defendants filed their motion for a stay of proceedings.
10. On August 23, Plaintiffs filed their response to the motion for a stay, and a Temporary Restraining Order request.
11. Due to the undersigned's status as a Defendant in the Federal suit, and the potential need to communicate with the co-defendant's in that suit, the undersigned recuses himself from this matter.
12. Judge BJ Jones will be assigned as Judge in this matter.

Date: 8/26/21



By:  
Chief Judge, David DeGroat  
White Earth Tribal Court