

IN THE UNITED STATES THE DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE ST. CROIX CHIPPEWA INDIANS)
OF WISCONSIN)

Plaintiff,)

v.)

Case No. 07-CV-02210 RWR

DIRK KEMPTHORNE)
in his official capacity as SECRETARY OF)
INTERIOR)

and)

CARL J. ARTMAN)
in his official capacity as ASSISTANT)
SECRETARY – INDIAN AFFAIRS)

Defendants.)

PLAINTIFF’S MOTION FOR A TEMPORARY RESTRAINING ORDER

The Plaintiff, the St. Croix Chippewa Indians of Wisconsin (“The St. Croix Tribe”), by and through counsel, hereby move this Court, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure and LCvR 65.1(a) for a Temporary Restraining Order.

The Court’s attention is respectfully directed to the attached Memorandum of Points and Authorities filed in support hereof together with the Declaration of Tribal Chairperson Hazel Hindsley and the Affidavit of Robert M. Adler with its attached exhibits.

A proposed Order is also appended to this Motion.

WHEREFORE, for the premises considered, the Plaintiff respectfully submits that a Temporary Restraining Order should be entered by this Court.

Respectfully submitted,

/s/ Robert M. Adler

Robert M. Adler, Bar #62950
Gerald H. Yamada, Bar #194092
O'CONNOR & HANNAN, L.L.P.
1666 K Street, N.W., Suite 500
Washington, D.C. 20006-2803
(202) 887-1428
Fax: (202) 887-6186
Radler@oconnorhannan.com
Gyamada@oconnorhannan.com

*Attorneys for the St. Croix Chippewa
Indians of Wisconsin*

Of Counsel:
Andrew Adams, III
St. Croix Chippewa Indians of Wisconsin
24663 Angeline Avenue
Webster, WI 54893

Dated: December 7, 2007

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SECRETARY – INDIAN AFFAIRS)

Defendants.)

PLAINTIFF’S MOTION FOR A PRELIMINARY INJUNCTION

The Plaintiff, the St. Croix Chippewa Indians of Wisconsin (“The St. Croix Tribe”), by and through counsel, hereby move this Court, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure and LCvR 65.1(a) for a Preliminary Injunction.

The Court’s attention is respectfully directed to the attached Memorandum of Points and Authorities filed in support hereof together with the Declaration of Tribal Chairperson Hazel Hindsley and the Affidavit of Robert M. Adler with its attached exhibits.

A proposed Order is also appended to this Motion.

WHEREFORE, for the premises considered, the Plaintiff respectfully submits that a Preliminary Injunction should be entered by this Court.

/s/ Robert M. Adler

Robert M. Adler, Bar #62950
Gerald H. Yamada, Bar #194092
O'CONNOR & HANNAN, L.L.P.
1666 K Street, N.W., Suite 500
Washington, D.C. 20006-2803
(202) 887-1428
Fax: (202) 887-6186
Radler@oconnorhannan.com
Gyamada@oconnorhannan.com

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**MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF THE
ST. CROIX CHIPPEWA INDIANS OF WISCONSIN'S MOTIONS FOR A
TEMPORARY RESTRAINING ORDER AND A PRELIMINARY INJUNCTION**

The St. Croix Chippewa Indians of Wisconsin ("St. Croix Tribe"), by and through counsel, hereby submits this Memorandum in support of the above-referenced Motions. The Declaration of Tribal Chairperson Hazel Hindsley and the Affidavit of Robert M. Adler and its attached exhibits are submitted in support hereof.

A. Introduction

This is an action brought by the St. Croix Tribe, a Chippewa Tribe whose reservation lands are located in rural Wisconsin. The St. Croix Tribe, together with the Bad River Band of Lake Superior Chippewa Indians (collectively, the "Tribes") have diligently pursued for the past six years the approval by the Bureau of Indian Affairs ("BIA") to establish a casino in Beloit,

