

# Oneida Tribe of Indians of Wisconsin

Post Office Box 365



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.

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Oneida, WI 54155



UGWA DEMOLUM YATEHE  
Because of the help of this Oneida Chief in cementing a friendship between the six nations and the colony of Pennsylvania, a new nation, the United States was made possible.

September 23, 2015

To Oneida Member:

At the July 2015 Semi-Annual General Tribal Council meeting, and the follow-up meeting on September 12, 2015, we reported out the status of litigation involving the Tribe. In the interim, additional actions have occurred and we directed them to be updated on September 12, 2015. At the meeting the focus of discussion was on the Oneida Seven Generations litigation and the conditional use permit. This correspondence is sent to keep you informed on the status of major litigation issues facing the Tribe that did not get reported out because of the focus of discussion at that meeting.

Please refer to the July 2015 Semi-Annual Report for the background on the cases below.

*Meyers, et al. v. Oneida Tribe of Indians of Wisconsin.* Judge Griesbach issued a decision dismissing this complaint based on sovereign immunity. The decision is posted on the Tribe's website. However, there is an ability to appeal this decision. We should know by early October if that appeal has been filed and will keep you informed.

*ACF v. Green Bay Renewable Energy, Oneida Seven Generations Corporation and Oneida Tribe of Indians of Wisconsin.* The Oneida Business Committee received a request from the plaintiffs to consider settlement. The complaint alleges \$400 million in damages; the settlement offer was \$9 million. We discussed this settlement in Executive Session on August 26, 2015, and rejected this offer. We believe that the Tribe has not damaged ACF in any way and was not a party to the contract. As a result, the settlement offer is too high to be considered. We do not make a counter-offer as we continue to believe that the Tribe will prevail in this matter. However, if a settlement offer is presented which we think fairly represents the risk and cost of continuing versus concluding this matter, we have committed to bringing that to the General Tribal Council for action.

Although we keep litigation strategy confidential to avoid releasing that to the other parties and jeopardizing the Tribe's claims or defenses, we do believe that when decisions are made and concluded that the membership should be informed.

Sincerely,

Oneida Business Committee