

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION**

Oneida Nation,

Plaintiff,

v.

Case No. 16-CV-1217

Village of Hobart, Wisconsin,

Defendant.

**DECLARATION OF FRANK W. KOWALKOWSKI
IN SUPPORT OF DEFENDANT’S REPLY IN SUPPORT OF MOTION FOR
SUMMARY JUDGMENT**

Frank W. Kowalkowski, under penalty of perjury, states:

1. I am an attorney for the Defendant, Village of Hobart (“Village”), in the above-captioned action and am fully familiar with the facts concerning this matter. I respectfully submit this Declaration in support of Defendant’s Reply Brief In Support of Motion for Summary Judgment.

2. Attached as Exhibit 1 is a true and correct copy of the document produced in this matter as ON-EDM01198.

3. Attached as Exhibit 2 is a true and correct copy of the document produced in this matter at Bates range ON-EDM01199-1201.

4. Attached as Exhibit 3 is a true and correct copy of the document produced in this matter at Bates range ON-EDM01202-1211.

5. Attached as Exhibit 4 is a true and correct copy of the document produced in this matter as ON-EDM01223.

6. Attached as Exhibit 5 is a true and correct copy of an Act of Congress of Aug. 15, 1894, ch. 290, 28 Stat. 286.

7. Attached as Exhibit 6 is Greenwald Deposition Ex. 39, referenced at pages 158-159 of the deposition of R. David Edmunds.

8. Attached as Exhibit 7 is a July 20, 2018 letter from Paul Jacquart to the Court.

9. Attached as Exhibit 8 is a copy of the article referenced in Defendant's Statement of Proposed Undisputed Material Facts at ¶116.

10. Certain of the above-listed documents may have been excerpted to include the specific portions, which Defendant relies on for its response and statement of additional proposed undisputed material facts in opposition to Plaintiff's Motion for Summary Judgment, in order to reduce the volume of materials. In addition, in certain instances the produced version of a document was actually a compilation of many different documents and in such instances such documents may have been excerpted.

11. Apart from the alterations described in paragraph 10 of this Declaration, the attached documents are true and correct copies of the documents as described.

I, Frank Kowalkowski, declare under penalty of perjury that the above is true and correct to the best of my knowledge.

Executed on September 28, 2018.

s/Frank W. Kowalkowski
Frank W. Kowalkowski