

**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.

**UNITED STATES' UNOPPOSED MOTION FOR LEAVE TO FILE AN *AMICUS
CURIAE* MEMORANDUM OF NO MORE THAN 50 PAGES**

The United States hereby moves the Court for leave to file an *amicus curiae* memorandum of no more than 50 pages. The Local Rules for this District do not set forth specific page length requirements for *amicus curiae* memoranda, but in an abundance of caution, the United States seeks confirmation from the Court as to any page limitations that may apply to the United States in this case. Neither Plaintiff Oneida Nation (“Nation”) nor Defendant Village of Hobart, Wisconsin (“Village”) oppose this motion. As support for this motion, the United States asserts the following:

On September 25, the Court granted the United States’ motion to file any *amicus curiae* brief regarding the parties’ motions for summary judgment by October 12. Doc. 110. On October 4, 2018, the Court denied the Village’s motion for reconsideration of that order. Doc. 122. As the Court stated, the United States’ interest in this case “is far more significant than most amici.” *Id.*

The issues in this case are complex, and they necessarily involve lengthy discussion of a historical record spanning two centuries. Doc. 80 at ¶¶ 5-6. Accordingly, the Court granted the Nation and the Village leave to file memoranda in support of their respective motions for summary judgment that together comprise nearly 300 pages. Doc. 81. To adequately address the arguments and the corresponding evidentiary record, and to ensure that the United States’ participation in this case is of

assistance to the Court, the United States respectfully requests that the Court grant it leave to file an *amicus curiae* brief of no more than 50 pages (not including cover page, table of contents, table of authorities, and signature page), on or before October 12, 2018. Any brief filed by the United States will cite to documents that are already included in the record, or that are otherwise publicly available.

A proposed order is filed concurrently herewith for the Court's convenience.

Dated: October 11, 2018.

Respectfully submitted,

JEFFREY H. WOOD
Acting Assistant Attorney General
Environment and Natural Resources Division

/s/ Rebecca M. Ross
DARON T. CARREIRO, Trial Attorney
REBECCA M. ROSS, Trial Attorney
Indian Resources Section
JUDY B. HARVEY, Trial Attorney
Law and Policy Section
Environment and Natural Resources Division
United States Department of Justice
P.O. Box 7611, Ben Franklin Station
Washington, D.C. 20044
(202) 616-3148; rebecca.ross@usdoj.gov

Attorneys for the United States

OF COUNSEL:
CHRISTINA KRACHER
Attorney-Advisor
Division of Indian Affairs
Office of the Solicitor
U.S. Department of the Interior

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

Oneida Nation,

Plaintiff,

v.

Case No. 16-CV-1217

[PROPOSED] ORDER

Village of Hobart, Wisconsin,

Defendant.

Upon reviewing the United States' Unopposed Motion for Leave to File an *Amicus Curiae* Memorandum of No More Than 50 Pages, and for good cause shown, the Court hereby grants the United States' motion. The United States may file any *amicus curiae* brief of no more than 50 pages, not including a cover page, table of contents, table of authorities, and signature page, no later than October 12, 2018.

Dated this ____ day of _____ 2018.

William C. Griesbach
United States District Court Judge