

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, et al.,

No. 1:96CV01285 (RCL)

Plaintiffs,

v.

GALE A. NORTON, Secretary of
the Interior, et al.,

Defendants.

**NOTICE OF FILING OF FEBRUARY 2005 STATUS REPORT BY
THE DEPARTMENT OF THE INTERIOR OFFICE OF TRUST RECORDS**

The Department of the Interior Office of Trust Records hereby submits its status report
for activity in February 2005. A copy of the report is attached hereto.

Dated: March 15, 2005

Respectfully submitted,

ROBERT D. McCALLUM

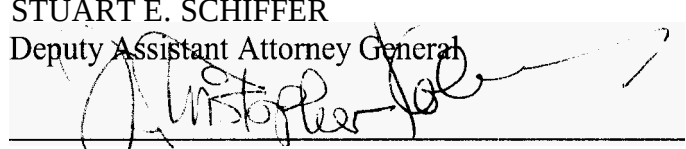
Associate Attorney General

PETER D. KEISLER

Assistant Attorney General

STUART E. SCHIFFER

Deputy Assistant Attorney General



J. CHRISTOPHER KOHN (D.C. Bar No. 212357)

Director

JOHN T. STEMPLEWICZ

Senior Trial Attorney

Commercial Litigation Branch

Civil Division

P.O. Box 875, Ben Franklin Station

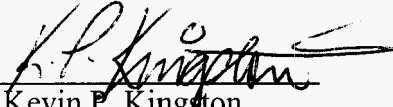
Washington, D.C. 20044-0875

Telephone: (202) 514-7450

CERTIFICATE OF SERVICE

I hereby certify that, on March 15, 2005 the foregoing *Notice of Filing of February 2005 Status Report by the Department of the Interior Office of Trust Records* was served by Electronic Case Filing, and on the following who is not registered for Electronic Case Filing, by facsimile:

Earl Old Person (*Prose*)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417
Fax (406) 338-7530


Kevin P. Kingston

Notices

1:96-cv-01285-RCL COBELL, et al v. NORTON, et al

U.S. District Court

District of Columbia

Notice of Electronic Filing

The following transaction was received from Kohn, J. entered on 3/15/2005 at 5:13PM EDT and filed on 3/15/2005

Case Name: COBELL, et al v. NORTON, et al

Case Number: 1:96-cv-1285

Filer: ALL FEDERAL DEFENDANTS

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Docket Text:

NOTICE Notice **Of Filing** of February 2005 Status Report by the Department of the **Interior** Office of Trust Records by ALL FEDERAL DEFENDANTS (Attachments: # (1) OTR Activity Report - Feb. 2005)(Kohn, J.)

The following document(s) are associated with this transaction:

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Original filename:J:\C-Financial\Cobell\Current Filing\00_Notice of Filing_96cv1285_03 152005.pdf

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[STAMP dcecfStamp_ID=973800458 [Date=3/15/2005] [FileNumber=702092-0]
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365b683c56f47dfce5af3b677ed7cde5202d35b506a98c65312b639235c]]

1:96-cv-1285 Notice **will** be electronically mailed to:

Cynthia L. Alexander cynthia.alexander@usdoj.gov,

Donald Michael Barnes dbarnes@porterwright.com,

Alan I. Baron Alan.Baron@hklaw.com

Howard Christopher Bartolomucci hcbartolomucci@hhlaw.com,

Michael James Bearman mbearman@mckennalong.com,

David Booth Beers dbeers@sheagardner.com,

Steven F. Benz sbenz@khhte.com,

Kenneth Lee Blalack ,II lblalack@omm.com,
L. Barrett Boss bboss@cozen.com, ahenry@cozen.com;bhall@cozen.com
Dwight Phillip Bostwick dwight.bostwick@baachrobinson.com,
Stanley M. Brand sbrand@brand-frulla.com,
William H. Briggs , Jr bbriggs@rdblawn.com,
Mark Kester Brown mkesterbrown@attglobal.net,
Stephen M. Byers sbyers@crowell.com,
Plato Cacheris pcacheris@troutrichards.com
Christina M. Carroll ccarroll@mckennalong.com,
Robert Christopher Cook ccook@jonesday.com,
John Charles Cruden john.cruden@usdoj.gov,
Timothy Edward Curley timothy.curley@usdoj.gov,
Richard Lee Cys rickcys@dwt.com, carolkaltenbaugh@dwt.com
William Aaron Dobrovir dobrovirpc@aol.com,
Herbert Lawrence Fenster hfenster@mckennalong.com,
Eugene R. Fidell efidell@feldesmantucker.com,
Lisa Freiman Fishberg lfishberg@coburnandschertler.com
Hamilton Phillips Fox ,III phil.fox@sablawn.com
William Leonard Gardner wgardner@morganlewis.com,
John Albert Gibbons gibbonsj@dsnio.com,
Dennis M. Gingold dennismgingold@aol.com, grempel@earthlink.net
Michael D. Goodstein mdg@reslawgrp.com,
Jill Elise Grant jgrant@nordhauslaw.com,
dgrove@nordhauslaw.corn;sjoshi@nordhauslaw.corn;kdunlop@nordhauslaw.com
Richard A. Guest richardg@narf.org, jeremy@narf.org
Keith M. Harper harper@narf.org, hargrow@narf.org;apaige@narf.org

Andrew Dewald Herman aherman@brand-frulla.com, jcohen@brand-frulla.com

Tracy Lyle Hilmer tracy.hilmer@usdoj.gov,

Charles Allen Hobbs chobbs@hswdc.com, judan@hswdc.com

John F. Hundley jhundley@troutcacheris.com

Douglas B. Huron huron@hellerhuron.com,

Michael X. Imbroscio mimbroscio@cov.com,

Amy B. Jackson ajackson@troutcacheris.com

Daniel Gordon Jarcho djarcho@mckennalong.com,

Julie B. Kaplan julie.kaplan@reslawgrp.com,

Fredrick Ryan Keith frkeith@crowell.com

Lisa Bondareff Kemler lisa@zwerlingkemler.com,

J. Christopher Kohn chris.kohn@usdoj.gov,

David Sidney Krakoff dkrakoff@mayerbrownrowe.com.

John R. Kresse john.kresse@usdoj.gov,

Elliott H Levitas elevitas@kilpatrickstockton.com,

Bradley S. Lui blui@mofo.com,

Robert D. Luskin rluskin@pattonboggs.com,

Christopher B. Mead cmead@londonandmead.com,

Mark E. Nagle mnagle@sheppardmullin.com,

Larry Allen Nathans nathans@nathanslaw.com

Jonathan Brian New jonathan.new@usdoj.gov,

Anne Doris Noto anoto@sonosky.com,

Nathaniel D. Owens wwlwms@aol.com,

Terry M. Petrie terry.petrie@usdoj.gov,

Brian Michael Privor bprivor@morganlewis.com

Michael John Quinn michael.quinn3@usdoj.gov,

B. Michael Rauh rauh@blankrome.com

John T. Richards , Jr jtr@troutrichards.com,

Marc Evan Rindner mrindner@rdblawn.com,

Jennifer R. Rivera jennifer.rivera@usdoj.gov,

Martha Purcell Rogers mrogers@ober.com

Steven John Roman romans@dsmo.com,

Henry Rose henryrose@mac.com, rdean@74erisa.com

Kerri L. Ruttenberg kruttenberg@cozen.com

Robert A. Salerno robert.salerno@piperdnick.com,

Phillip Martin Seligman phillip.seligman@usdoj.gov,

John Joseph Siemietkowski john.siemietkowski@usdoj.gov

Gregory S. Smith greg.smith@sablawn.com

Mary Lou Soller msoller@milchev.com,

Sandra Peavler Spooner sandra.spooner@usdoj.gov,

John Thomas Stemplewicz john.stemplewicz@usdoj.gov,
john.o'connor2@usdoj.gov;sandra.spooner@usdoj.gov;kevin.kingston2@usdoj.gov;james.st.john@usdoj.gov

William M. Sullivan , Jr wsullivan@winston.com

Ilana Z. Sultan isultan@mayerbrownrowe.com

Jonathan Turley jturley@law.gwu.edu,

Jonathan K. Tycko jtycko@tzslawn.com

Barbara Ann Van Gelder bvangelde@wrf.com,

Gino D. Vissicchio gino.vissicchio@usdoj.gov,

Kathleen Elizabeth Voelker kathleenvoelker@aol.com,

Stephen R. Ward sward@cwlaw.com, lspears@cwlaw.com

John Warshawsky john.warshawsky@usdoj.gov, john.o'connor2@usdoj.gov

Dodge Wells dodge.wells@usdoj.gov,

Judith Lynne Wheat judith.wheat@verizon.net,

Emily M. Yinger emyinger@hhlaw.com

Roger Eric Zuckerman rzuckerman@zuckerman.com,

John Kenneth Zwerling jz@zwerlingkemler.com,

1:96-cv-1285 Notice will be delivered by other means to:

Jason B. Aamodt
WRIGHTSMAN MANSION
1645 South Cheyenne Avenue
Tulsa, OK 74119

Henry A. Azar , Jr
U.S. DEPARTMENT OF JUSTICE
Federal Programs Branch
901 E Street, NW
Suite 1056
Washington, DC 20530

ALBERT LEE BYNUM
492-2948
504 Brewton Street
Gadsden, AL 35903-3804

Bruce Allen Baird
COVINGTON & BURLING
1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401

E. Lawrence Barcella , Jr
PAUL, HASTINGS, JANOFISKY & WALKER, L.L.P.
1299 Pennsylvania Avenue, NW
10th Floor
Washington, DC 20004-2400

Robert W. Biddle
BENNETT & NATHANS, L.L.P.
120 East Baltimore Street
Baltimore, MD 21202

Edith R. Blackwell
1849 C Street NW
Washington, DC 20240

Michael R. Bromwich
FRIED, FRANK, HARRIS, SHRIVER & JACOBSON
1001 Pennsylvania Avenue, NW
Suite 800
Washington, DC 20004

Tom C. Clark
U.S. DEPARTMENT OF JUSTICE
Land & Natural Resources Division
Ben Franklin Station
P.O. Box 7611
Washington, DC 20044-1420

Andrew M. Eschen
U.S. DEPARTMENT OF JUSTICE
ENRD, Ben Franklin Station
P.O. Box 663
Washington, DC 20044-0663

Brian L. Ferrell
U.S. DEPARTMENT OF JUSTICE
ENRD, Ben Franklin Station
P.O. Box 663
Washington, DC 20044-0663

Charles Walter Findlay ,III
UNITED STATES DEPARTMENT OF JUSTICE
Environment and Natural Resources
P.O. Box 663
Ben Franklin Station
Washington, DC 20044

Timothy Patrick Garren
U.S. DEPARTMENT OF JUSTICE
Civil Rights Division
1425 New York Avenue, NW
Room 8128
Washington, DC 20035

Sarah D. Himmelhoch
UNITED STATES DEPARTMENT OF JUSTICE
Environment and Natural Resources
P.O. **Box** 663
Washington, DC 20044

Sydney Jean Hoffmann
THE LAW OFFICES OF PLATO CACHERIS
1100 Connecticut Avenue, NW
Suite 730
Washington, DC 20036

George Joseph Hughes
HUGHES & BENTZEN, PLLC
1667 K Street, NW
Suite 520
Washington, DC 20006

EDDIE JACOBS

P.O. Box 2322
Oklahoma City, OK 73101

Amalia D. Kessler
U.S. DEPARTMENT OF JUSTICE
Commercial Litigation Branch
P.O. Box 875
Washington, DC 20044-0875

Leslie B. Kiernan
ZUCKERMAN SPAEDER, LLP
1201 Connecticut Avenue, NW
Suite 600
Washington, DC 20036

Erik Lloyd Kitchen
STEPTOE & JOHNSON, L.L.P.
1330 Connecticut Avenue, NW
Washington, DC 20036

Robert Craig Lawrence
U.S. ATTORNEY'S OFFICE
Judiciary Center Building
555 Fourth Street, NW
Room 10-417
Washington, DC 20530

Christopher J. Lovrien
JONES DAY
555 West Fifth Street
Suite 4600
Los Angeles, CA 90013-1025

Pamela J. Marple
CHADBOURNE & PARKE
1200 New Hampshire Avenue, NW
Washington, DC 20036

Marshall L. Matz
OLSSON, FRANK & WEEDA, P.C.
1400 16th Street, NW
Suite 400
Washington, DC 20036-2220

Melissa Heitmann McNiven
BAACH, ROBINSON & LEWIS PLLC
1201 F Street, NW
Suite 500
Washington, DC 20004

Nicole Jo Moss
COVINGTON & BURLING

1201 Pennsylvania Avenue, NW
Washington, DC 20004-2401

EARL OLD PERSON
P.O. Box 486
Browning, MT 59486

Jeffrey D. Robinson
BAACH ROBINSON & LEWIS PLLC
1201 F Street, NW
Suite 500
Washington, DC 20004

Neil James Ruther

29 West Susquehanna Avenue
Suite 610
Towson, MD 21204

Sandra Marguerite Schraibman
U.S. DEPARTMENT OF JUSTICE
Federal Programs Branch
901 E Street, NW
Suite 976
Washington, DC 20530

Seth Brandon Shapiro
U.S. DEPARTMENT OF JUSTICE
Civil Division/Ben Franklin Station
P.O. Box 875
Washington, DC 20044

Geoffrey D. Strommer
HOBBS, SRAUS, DEAN & WALKER
851 South West Sixth Avenue
Portland, OR 97204

Lawrence H. Wechsler
JANIS, SCHUELKE & WECHSLER
1728 Massachusetts Avenue, NW
Washington, DC 20036

Thomas Edward Wilson
BERLINER, CORCORAN & ROWE, L.L.P.
1101 17th Street, NW
Suite 1100
Washington, DC 20036-4798

Laura C. Zimmitti
ROSS, DIXON & BELL, LLP
2001 K Street, NW
Suite 400

Washington, DC 20006-2688

ACTIVITY REPORT
OFFICE OF TRUST RECORDS
February 1 – 28,2005

PROGRAMMATIC:

- Labat-Anderson(Labat) Indexing Project

Labat reported that 4,919 boxes of inactive Indian records were completed in February 2005. The total number of boxes completed through February 2005 is 107,030.

The Office of Trust Records (OTR) and Labat staff completed the preparation of inactive records for shipment to Lenexa for the Bureau of Indian Affairs (BIA) and Office of the Special Trustee offices located at the Southern Plains Regional Office (SPRO) and the Anadarko Agency. A total of 1,113 boxes were shipped from the two sites.

OTR and Labat staff began and completed the preparation of inactive records for shipment to Lenexa at the BIA Ft. Belknap Agency. 678 boxes of inactive records were shipped from Ft. Belknap.

- Movement of Records

OTR moved 1,709 boxes of indexed inactive records from Albuquerque storage facilities to the American Indian Records Repository (AIRR) for permanent storage. OTR, BIA and OST moved 2,426 boxes to Lenexa, Kansas for indexing and subsequent storage at AIRR. This includes the boxes shipped from SPRO and Ft. Belknap Agency.

Very few non-litigation hold boxes remain in Albuquerque. It is anticipated that these boxes will be shipped to Lenexa in March and only the litigation hold boxes will remain in Albuquerque. Once the litigation hold is lifted, OTR will ship the remaining boxes to Lenexa.

- Boxes Requiring Preservation and/or Remediation

Carino Conservation did not complete its report in February. However, the contractor completed and delivered the report to OTR on March 14,2005. OTR will review the report and consult with the National Archives and Records Administration (**NARA**) and the contractor about the procedures recommended for addressing affected records.

- Individual Files Requiring Preservation

As stated in the last monthly report, OTR and NARA continued to accession and shelf boxes sent to AIRR for permanent storage. OTR and NARA completed this activity as anticipated during February. As anticipated, NARA and OTR staff will be able to begin assessing the individual files in March.

- Bureau of Land Management (BLM) Certification of Indian Fiduciary Trust Records

On February 22, 2005, BLM provided its certification to the Associate Deputy Secretary that it has completed the identification of Indian Fiduciary Trust Records (IFTR) maintained by the BLM. BLM has designated the records series that may or do contain IFTR as permanent in its records retention schedule. This certification was provided pursuant to the October 2003 memorandum issued by the Assistant Deputy Secretary to all Bureau Directors, Office Heads and Solicitor to identify such records and to designate the records series containing IFTR as permanent within the agency or office records retention/disposition schedules.

- Site Assessments

Site assessment reports were forwarded to the BIA Chickasaw Agency and Okmulgee Agency. The Wewoka Agency report was forwarded to the agency in January 2005 and should have been included in the OTR January 2005 report but was inadvertently not reported. This is a correction to the January 2005 report. Site assessment reports were also forwarded to the OST field offices located at Eastern Oklahoma Regional Office and the Osage Agency. The Creek Nation site assessment report was completed and forwarded to the Office of Trust Review and Audit for transmission to the Nation in November 2004 and should have been included in the OTR November 2004 report but was inadvertently not reported. This is a correction to the OTR November 2004 report.

No site assessments were conducted this month. Site assessments are scheduled in March 2005 at six agencies in the Southwest Region.

- Records Training

OTR did not provide records management training in February.

- Equipment

87 pieces of fireproof filing equipment were delivered to **BIA** and OST offices.

- Litigation Support

OTR continued to provide litigation support in research of records for tribal trust litigation cases including: Jicarilla Apache, Pueblo of Laguna, Blackfeet, Osage, Confederated Tribes of the Warm Springs Reservation of Oregon, and Shoshone-

Bannock Tribes of Ft. Hall. OTR continued to provide access to records to the Office of Historical Trust Accounting and OST offices.

- Records Evaluation – Accession #M0003-8001

The 31 boxes remain at OTR pursuant to a litigation hold by the Office of the Solicitor for the Jicarilla Apache and Pueblo of Laguna tribal trust litigation cases. Once the boxes are released, OST can carry out its plans to verify whether any potential records are also filed at the field office. They plan to do this by taking the boxes to the field office and comparing documents to documents maintained at the field office. As previously reported, this review is intended to determine whether the contents might be federal/trust records or whether the contents had been properly marked as non-record duplicates.

- Standing Rock Agency

OTR was not asked to and did not provide any further assistance during February 2005.

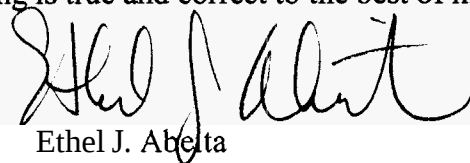
ADMINISTRATIVE:

Ordinary administrative activities continued.

GENERAL OBSERVATIONS:

Most research activity now occurs in AIRR.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.



Ethel J. Abalta