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

ELOUISE PEPION COBELL, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 1:96CV01285
	)	(Judge Lamberth)
GALE NORTON, Secretary of the Interior, et al.,	)	
	)	
Defendants.	)	
	)	

INTERIOR DEFENDANTS' MOTION AND SUPPORTING MEMORANDUM FOR ORDER PERMITTING THE PROVISION OF COPIES OF HISTORICAL STATEMENTS OF ACCOUNT TO CLASS COUNSEL

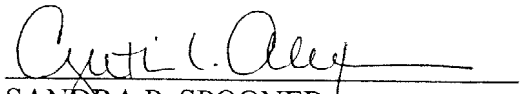
The Department of the Interior ("Interior") has completed the historical accounting work for approximately 7,900 Individual Indian Money ("IIM") judgment accounts, and is preparing individual Historical Statements of Account for each of the individual IIM account holders. Interior expects to begin mailing these statements to individual account holders in approximately two weeks. Because the statements will contain information that is subject to protection from disclosure pursuant to the Privacy Act, 5 U.S.C. § 552a, and because the individual account holders have not provided written consent for such information to be provided to plaintiffs' counsel, see 5 U.S.C. § 552a(b), Interior Defendants respectfully move the Court for an order permitting Interior to also provide copies of these and subsequent Historical Statements of Account to plaintiffs' counsel pursuant to 5 U.S.C. § 552a(b)(11).

Counsel for Interior Defendants consulted Plaintiffs' counsel regarding this motion; Plaintiffs' counsel stated that Plaintiffs oppose this motion.

Dated: September 10, 2002

Respectfully submitted,

ROBERT D. McCALLUM
Assistant Attorney General
STUART E. SCHIFFER
Deputy Assistant Attorney General
J. CHRISTOPHER KOHN
Director



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FOR THE DISTRICT OF COLUMBIA

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Plaintiffs,	)	
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	)	
Defendants.	)	
	)	

ORDER

Upon consideration of Interior Defendants' Motion For Order Permitting The Provision Of Copies Of Historical Statements of Account To Class Counsel, any responses thereto, and the record in this case, it is hereby

ORDERED that the Department of the Interior shall be permitted, pursuant to 5 U.S.C. § 552a(b)(11), to provide to Plaintiffs' counsel a copy of any Historical Statement of Account provided to an Individual Indian Money account holder.

SO ORDERED this _____ day of _____, 2002.

_____
United States District Judge

cc:

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CERTIFICATE OF SERVICE

I declare under penalty of perjury that, on September 10, 2002 I served the foregoing *Interior Defendants' Motion and Supporting Memorandum for Order Permitting the Provision of Copies of Historical Statements of Account to Class Counsel* by facsimile upon:

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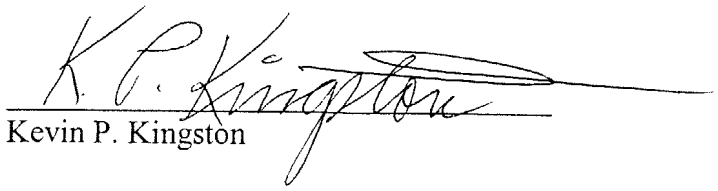

Kevin P. Kingston