

Counsel of Record Report # 21

January 1, 2009

By: Dennis G. Chappabitty,

Dear Felter Plaintiffs,

It has been sometime since I have corresponded with you on our case. As, we proceed through into the "New Year" of 2009, it is only fitting that I touch base with you. We have decided we can no longer afford to send out Newsletters or conduct any other activities or meetings because it is too expensive. Conservation of extremely limited funds to support the case is the rule at this time. So I have advised Oranna and Earl that no more Newsletters will be printed and sent until sometime in the near future. One problem is that many of our members do not forward their current addresses and that causes a waste of operating funds. I urge you to keep Oranna advised on any address changes.

We first filed *Felter v. Kempthorne* in November 2002 in the U.S. District Court in Washington D.C. It is now "2009". 7 years has passed by while we anxiously wait on a decision on this most nationally important "Indian Law" case. We started the case with "Elder Warriors" such as: "Big Sonny Denver", "Edith Oberhansly Gardner", "Pete Felter", "Phyliss D.Oberhansly", "Selma Hackford Christensen", "Elmer Hackford", "Connie Mac Denver Jr.", "Tawanee Kolb", "Quintin Kolb" (daughter later took his name off case), "Fern Harris Burdick", "Le Roy Christensen", "Glen "Mac" Murdock", "Lorraine Reed Nielson", "Lura Reed", "Dennis Reed", "Reuben (Rang) Sixkiller" all Original 490. Kenneth Felter, descendent and son of James Felter, both case members Kolene Sixkiller, Daughter of Walter Sixkiller were both case were members. Each of them and their Spiritual Strength kept us from falling out of our "Journey for Justice". Their Spirit for the Felter case was a great inspiration to me, their "counsel of record".

Then a few weeks back we lost our "oldest dedicated member" Naturitch K. Nielsen, an Original 490. Each one of these Native People "had a dream in their heart" of seeing the day that justice would be granted and our case would be won. These Elders prayed that we would get the justice that they had been waiting for, for over fifty plus years. Each of these Elder Warriors was dedicated to doing whatever necessary to make sure your case stayed alive.

As we go together into the "New Year", we must never forget the commitment the above Elders and Warriors had concerning our case. They were and are truly dedicated to seeing this case won. But now they will be with us in Spirit and standing by us as we continue to battle and eradicate the legal and moral wrongs that have been committed

against them, their children, and grand children.” They will be our “Force in Spirit”, as they will be able to travel to the chambers of the Judges along with our other deceased members, who were on the Felter case when it started. They will be able to whisper in the ears of our Senators and Congressmen that they must correct this last remaining dark stain on our Nation’s honor. They will watch to see what each of us do to make sure “their case is not forgotten, because, if it is, they too will be forgotten.” None of us can let this happen.

As we have traveled through the last 7 years, we have dedicated ourselves to letting the world know who the “Terminated 490 and their descendents” are and what terrible injustice they endured at the hands of our own U.S. Congress. We have been on radio talk shows (“Native America Calling”), interviewed in numerous news articles, sit up our first ever “Pow Wow” stand at Heber, Utah. We proudly marched down the streets of Heber as part of our “Journey for Justice”. Further, we have sent out thousands of letters to other tribes, seeking support from them and shouting to them that there Native American Indians in Utah are still being held hostage by Act of Congress. I have been to many professional and social functions where I have handed out flyers about the Felter Case. When I speak at conferences and other gatherings, I always take time to mention the plight of the Terminated Mixed Blood Uintas.

Oranna has worked constantly at her office helping to make sure everything is running smooth and she reports to me if there are any problems with the case at local level. Oranna has proven herself to be totally dedicated to the Felter case. She is the one who gets the letters printed and mailed, etc. Earl keeps the website up and going so others throughout the world will know who we are and what the wrongful termination did to us and what we hope to gain through the Felter Case. This case is a big job for all of us. Trust the people who work for you since every step they take is on your behalf.

I know it seems like it has been a long time but we have made progress and the Felter case is still “alive” in the federal court system. As we move into a New Presidential transition, there will be new Secretary of Interior guiding new executive policies for the Department of Interior. I feel we will be getting a good ruling on our case within a few months. Soon, I will be writing a formal inquiry to Judge Roberts asking him about the status of our case.

The national economy is going into a general “slump”. In some of the areas where many of you live, like Roosevelt, the economy could be in worse shape than other areas. Because we cannot predict how the economic “slump” will affect the incomes of our members, I feel that we need to get our “War Chest” built up and ready, in case there is no work or income for a lot of you later on down the line. We cannot afford to let this case fall by the wayside, which a lot of government officials, BIA, and others hope it does. Yes, we do have a little money in the bank to support the case but very little. Should I be called back to Washington, D.C. by federal court order to argue our case, it would be extremely hard, even scary, to get sufficient funds to do this. When Judge Roberts makes his decision on the Felter case, I plan on traveling to Utah to meet with all of you to discuss strategy. We are going to be in a world of hurt, if there is legal

research that has to be done or documents to be filed to keep the case going and were sitting without sufficient funds! So now is the time, right now, for each member to get \$200.00 in as quickly as you can. I said "each member" which means not just the ones who have paid in the past. This means "all" the plaintiffs of Felter v. Kempborne.

We need you to dig deep in your pockets, just as the "Elder Warriors" would have done and help get the War Chest ready for any obstacles or challenges we might be faced with. We must be prepared, ready and waiting for what will happen. Therefore, I am asking that you please get this mailed in to Oranna by **"No later than Feb. 1st, 2009."** Oranna will record it and a receipt will be sent back to you to confirm your payment. I am aware of how much each one has paid and who hasn't paid.

We will be dedicating this part our case as it stands at the moment to the "Elder Warriors who have Passed on," as they will be with us in Spirit and in the court room as we continue "Our Journey to Justice."

I hope to see each one of you very soon with good news, until then please support your Case, please don't forget to pray continue your prayers for our case, our members who Might be sick or who have lost loved ones, and for all of us who work so hard to keep this case alive. Keep the "Fires Burning."

Dennis G. Chappabitty, OBA #1617