

BEFORE THE INDIAN CLAIMS COMMISSION

THE GILA RIVER PIMA-MARICOPA INDIAN)	
COMMUNITY, ET AL.,)	
)	
Plaintiff,)	
)	
v.)	Docket Nos. 236-A and 236-B
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER GRANTING PLAINTIFF'S "MOTION FOR JUDGMENT" AND
DENYING DEFENDANT'S "MOTION FOR LEAVE TO FILE
OUT OF TIME DEFENDANT'S AMENDED ANSWER FOR OFFSETS"

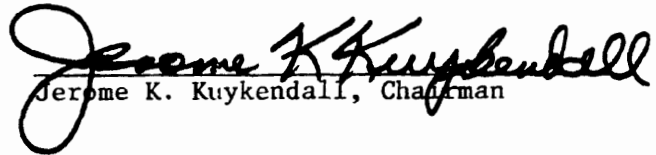
UPON CONSIDERATION of the above-captioned motion of the plaintiff filed herein on September 13, 1976, and the defendant's reply and opposition thereto filed September 17, 1976, the defendant's above-captioned motion filed herein on September 10, 1976, and the plaintiff's response and opposition thereto filed September 23, 1976, the Commission is of the opinion that the plaintiff's motion should be granted and defendant's motion should be denied for the following reasons:

- (1) The Commission's "Interlocutory Order" on value and liability was entered herein on June 30, 1976.
- (2) The defendant failed to file herein its amended answer on offsets, or otherwise plead, within the time limits proscribed under Sec. 12(a) of the Commission's General Rules of Procedure.
- (3) Defendant's present motion requesting additional time in which to file herein its amended answer on offsets is also out of time.
- (4) Defendant's assertible offsets can only include those accruing since 1944, which short period indicates a small quantum of assertible offsets nevertheless requiring a substantial delay before adjudication and final judgment.
- (5) Plaintiff has several other dockets pending before the Commission against which the defendant may assert these and other offsets.

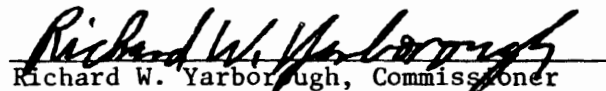
- (6) The Commission is most anxious to conclude all dockets as expeditiously as possible.

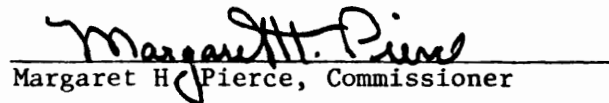
IT IS ORDERED that the defendant's motion as captioned above be, and the same hereby is, denied, and plaintiff's motion for judgment is granted.

Dated at Washington, D. C., this 30th day of September 1976.


Jerome K. Kuykendall, Chairman

John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner