

## BEFORE THE INDIAN CLAIMS COMMISSION

THE NAVAJO TRIBE,

Plaintiff,

v.

THE UNITED STATES OF AMERICA

Defendant.

Docket Nos. 69, 299 and 353  
(Accounting Claims)ORDER GRANTING DEFENDANT'S MOTION TO  
DISMISS SUPPLEMENTAL EXCEPTION 4(c) AND  
DISMISSING PLAINTIFF'S MOTION TO STRIKE

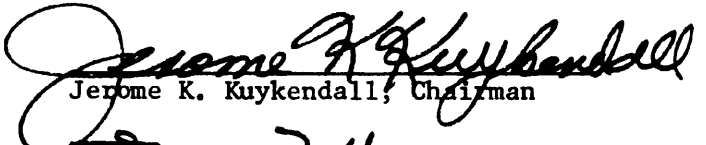
On June 30, 1976, the defendant filed a motion for partial summary judgment and dismissal of plaintiff's exception concerning the asserted commingling of plaintiff's funds with those of other tribes. Plaintiff filed a response on September 7, 1976, and also filed on that date a motion to strike or for more definite statement as to parts of defendant's motion, and each party subsequently filed responses and replies as appropriate.


Having considered the record as a whole, and being fully informed in the premises, for the reasons expressed in the accompanying opinion, which is hereby made a part of this order,

IT IS ORDERED that the motion of defendant for dismissal of plaintiff's supplemental exception 4(c) be, and hereby is, granted.


IT IS FURTHER ORDERED that the plaintiff's motion to strike or for more definite statement as to portions of defendant's motion be, and hereby is, dismissed.

Dated at Washington, D. C., this 10th day of November, 1976

  
Jerome K. Kuykendall, Chairman

  
John T. Vance, Commissioner

  
Richard W. Yarborough, Commissioner

  
Margaret H. Pierce, Commissioner

  
Brantley Blue, Commissioner