



Photo provided by Cheryl McClellan



Chief's Address To The Nation

Greetings,

Our Sac and Fox Nation is starting a new year, and I wish to recount some of the accomplishments of the past year 2013



Chief George Thurman

* Justice Center Parking

New parking area for the Justice Center (Courthouse) with additional entrance/exit, handicapped parking, curb and guttering, improved lighting, and much needed striped parking spaces has been completed. Funding for this project was provided from our Indian Reservation Roads money.

* Community Building Parking

Construction has commenced on the new parking area for the Community Building by expanding the parking lot, handicapped parking slots, curb and guttering, lighting plus striped parking spaces. Completion is estimated by April 1, 2014. Funding for this project was provided from our Indian Reservation Roads money. All activities normally held in the building are being scheduled either at the Youth Activity Center (gymnasium) or the Chapel.

* Jim Thorpe, et al v. Borough of Jim Thorpe, et al

Case Number:

13-2446/13-2451

District Case Number:

3-10-cv-01317

Connor & Winters received

a notice from the United States Court of Appeals Third Circuit on December 3rd that oral argument has been scheduled in the Thorpe litigation for February 14, 2014, in Philadelphia. The fact that the court has scheduled the argument for early next year, and even before the briefing has been completed, is a positive development. This case continues to move forward quickly compared with typical federal litigation. A copy of the response brief of Richard Thorpe, William Thorpe, and the Nation, was filed October 23rd with the Third Circuit. Connor & Winters will have the opportunity to file one additional brief in this case, a reply in support of the cross-appeal concerning the 42 U.S.C. Section 1983 claim.

Stephen Ward, SFN attorney, stated that "Daniel Gomez, Connor & Winters, did the heavy lifting on this brief, and I think he did a great job. One of our primary strategies on this brief was to extensively discuss the law, which favors our position, and which is the reason we were granted a summary judgment. I believe Daniel has responded to every legal argument of the Borough of Jim Thorpe on the main appeal with law soundly in our favor. This is an unusually long brief, because the Third Circuit requires that cross-appeals be addressed along with the response to the main appeal."

A mediation on July 17th to try and reach a reasonable compromise to allow the repatriation to proceed failed, thus the appeal by the Borough of Jim Thorpe.

Ward stated about the initial victory, "On April 19th, Judge Caputo entered an order granting a complete summary judgment in favor of Bill and Richard Thorpe and the Sac and Fox Nation in the litigation to repatriate the remains of Jim Thorpe pursuant to the Native American Graves Protection and Repatriation Act. The judge's order found in our favor on every issue. In summary, the judge concluded that NAGPRA applies to the remains of Jim Thorpe and to the Borough, and he also ruled that the passage of time between the enactment of NAGPRA and the filing of this case did not prevent a repatriation. This is a very significant ruling under NAGPRA, and it should be helpful to tribes in the future because it addresses and rejects some so-called defenses to NAGPRA that could be used to impede repatriation efforts. "This summary judgment effectively will end the litigation in the United States District Court possibly several months sooner than if there had been a trial."

He further explained that the Borough had 30 days after the final judgment to file a notice of appeal to the United States Court of Appeals for the Third Circuit. Likewise, the Nation had 30 days to appeal the Court's earlier dismissal of our

claim under 42 U.S.C. Section 1983, which would have permitted an award of attorney fees and costs.

Ward said, "The Sac and Fox Nation is to be congratulated for sponsoring this litigation, which not only is the right thing to do but which also is making a contribution to the law under NAGPRA to the benefit of all Indian people and tribes. The Nation's NAGPRA program is a leader nationally in an area that is very important to tribes and American Indians. I would like to thank Bill and Richard Thorpe, and Sandra Massey, for their dedication to this case and for their hard work. They have been actively involved and have assisted us at every step, and this has made a difference and it has helped make this ruling possible."

* Black Hawk Casino, Shawnee, OK

The inside and outside of the casino in Shawnee, OK received a remodeling and renovation plus a name change from the Sac and Fox Casino to Black Hawk Casino. The contract was awarded to Native American owned (Continued on Page 3)



Employees of the Year: (From Left) Anita Mack and Joe Estes

Anita Mack and Joe Estes Chosen Employees of the Year

Congratulations to Anita Mack and Joe Estes who were recently announced as employees of the year at the annual Employees Christmas dinner.

Anita Mack has been employed with the Sac and Fox Nation Gaming Commission for

ten years and works out of the Black Hawk Casino in Shawnee.

Joe Estes has been employed with the Sac and Fox Nation Maintenance Department for three years as a Maintenance Technician.

Hats off to you both for an honor that is well deserved.



Projects Underway: (Top Photo) Work on the new lagoon, located North/Northwest of the Powwow Grounds is moving right along as well as the new parking area at the Sac and Fox Nation Community Building (Middle Photo) (Photos by Sac and Fox News)



Completed Parking Area: This is the new Sac and Fox Nation Court House Parking lot looking west towards the rodeo grounds where new bleachers and a concession stand have recently been built.

Upcoming Events 2014

January 14

Sac & Fox Nation Veterans' Meeting
Elders Bldg Stroud
5 pm-

January 15

Elders Advisory Committee Meeting
Stroud
10:00 Potluck

January 18

Sac and Fox Elders Annual Winter Dance
Community Building