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Sept 18th 2014

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Judge Emmet G. Sullivan, and,
Magistrate judge Allan Kay
United States District Court
District of Columbia
Washington D.C. 20001

Reference : Keeps Eagle Settlement - Cause No. 1:99CV03119

Dear Judge Sullivan,

My wife Marilyn and I would like to express to the court our outrage at which the Keeps Eagle Class Council has handled the 380 million in the cy pres funds. We are also very displeased about the manner in which we and other claimants have been treated throughout this process. We strongly feel that the Class Council is no longer representing our interests in this case.

Marilyn and I along with some of our relatives have been able to attend several of these so called "listening" sessions. These meetings were held on very short notice, and it was very apparent at the meetings we attended that a large number of claimants did not receive notice of these meetings, and only found out about them from friends or news articles. We do not believe that there was adequate notice provided to all class members. Moreover, we have heard from class members that the address provided to present written comments was incorrect, and written comments submitted were returned by the USPS as undeliverable.

Our class council knew full well for over 18 months that there was an excess of unclaimed funds associated with this law suit before the court was so informed. Now, another 12 or so months have passed and there is still no viable plan to pay these funds to benefit us class claimants. The foundation as proposed by class council would not benefit the Keeps Eagle class members one iota.

These "listening" sessions were not set up for class council to listen to us, but rather for them to sell their foundation concept. Virtually every class member who commented was opposed to the foundation. The continued efforts of the class council to fund the foundation is clear evidence that they are no longer representing our best interests, but rather pursuing their own interests.

At the sessions we attended there were numerous requests for an accounting of these cy pres funds. Those questions were ignored. In fact any questions about the settlement terms or alternatives to the foundation were also ignored. My wife Marilyn attended the meeting in Billings Montana, and was told she could not speak to the moderators, or the other class members. How can these sessions claim to be open forums for class members when our questions and concerns were ignored and we were not allowed to discuss the issue fully among ourselves?

She was finally allowed to speak, but only at the insistence of other class members made to the moderators.

We fought for this settlement for over 20 years now. We did not fight for this for a foundation. We fought for this to help ourselves, and our fellow Native American farmers and ranchers recoup that which was lost by the discrimination of the USDA. The amount we have received thus far, falls far short of that goal.

As we stated in an earlier letter to the court, the class council sent a lawyer, Ms. Sarah Vogel, to our ranch in an attempt to gain our approval of this foundation proposal. When we refused, our relationship with the class council became bitter. She told us that this foundation would be as big as the Ford Foundation and would bear our name. This was not what the settlement was about. It was to help our Native American brothers and sisters recover monetary damages because of the USDA discrimination.

Also, we discussed that we needed to make repairs to our house because my wife is getting older now and can't walk up and down the stairs very well. Ms. Vogel became very snippy and told us that if we needed more money, we should sell off our cows, and added that we weren't going to get anymore settlement money, because they were going to set up this foundation.

She then attempted to intimidate us like we were little children. However, we stuck to our principals. When she realized we were never going to support the foundation she told me, I was no longer a class member. Ms. Vogel then left our house.

Well your honor, this law suit still bears our name, and we are still class members, and we still oppose the taking of our award settlement for this foundation which will not benefit a single class member.

Thank you for listening to our concerns.

Sincerely Yours,

George Keeps Eagle
Marilyn Keeps Eagle

George and Marilyn Keeps Eagle
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