

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

THE ESTATE OF ELOUISE PEPION COBELL,)
by and through her administrator, TURK COBELL,)
et. al.,)

Plaintiffs,)

v.)

Civil Action No.
1:96CV01285 (TFH)

SALLY JEWELL, Secretary of the Interior, *et al.*,)

Defendants.)

**PLAINTIFFS’ REPORT TO THE COURT REGARDING THE
STATUS OF HISTORICAL ACCOUNTING AND TRUST ADMINISTRATION
DISTRIBUTIONS**

Introduction

On November 5, 2015, the Governor of Montana proclaimed November 5 as “Elouise Cobell Day,” in recognition of her monumental perseverance against seemingly impossible odds in pursuing this litigation to its ultimate historic conclusion. As her son, Turk Cobell, noted in commenting on the proclamation, this lawsuit “wasn’t filed because she was looking for recognition . . . [or] because she was looking forward to spending the next 14 years traveling to Washington, D.C., to fight the U.S. government’s endless resources . . . It was, however, filed, simply because it was the right thing to do.”¹

¹ Sanjay Talwani, *Governor Proclaims Elouise Cobell Day in Montana: ‘A Warrior for All’*, KRTV (Nov. 5, 2015), <http://www.krtv.com/story/30450450/governor-proclaims-elouise-cobell-day-in-montana-a-warrior-for-all>.

The settlement that Ms. Cobell helped negotiate and that Congress ratified and this Court approved, “has touched the lives of every Native American in this country .”² It is the same level of perseverance that Elouise Cobell exemplified in pursuing this litigation that has also been required in seeing that the settlement terms are fulfilled and the distributions to almost 500,000 individual Indian beneficiaries achieved. Six years after the Settlement Agreement was signed, five years after it was approved by Congress, and three years after Final Approval from the courts and the first distributions were commenced, this report is being filed to advise this Court of the status of the distributions to date.

The Challenges in Making a Distribution

In November 2012, after the *Cobell* settlement received Final Approval from this Court and the Court of Appeals for the D.C. Circuit, Plaintiffs’ Counsel and the Claims Administrator, the Garden City Group, Inc. (“GCG”), received final data from the Department of Interior (“Interior”) regarding individuals Interior understood were entitled to receive payment under the Settlement Agreement. It was evident both from the preliminary data GCG had received from Interior after the settlement was executed and the final data received upon Final Approval of that settlement that there would be significant challenges in making a successful distribution. The information provided regarding Class Members was limited – often little more than a name and tribal affiliation.

Moreover, historically, the Office of Special Trustee (“OST”) of Interior, itself, had difficulty in locating a significant number of its own trust beneficiaries, maintaining a list of what it called the “Whereabouts Unknown” (“WAU”) list.³ In December 2009, at the time of settlement, there were 82,638 Individual Indian Money (“IIM”) account holders on the WAU

² *Id.* (quoting Harry Barnes, Chairman of the Blackfeet Tribal Business Council).

³ *See* Is OST Holding Money for You?, <https://www.doi.gov/ost/wau>.

list, an increase of over 40,000 since 2005.⁴ This constituted over 21% of the known account holders.⁵ Efforts by Interior and others to locate those on the WAU list had not made a significant dent in the overall number of missing individual beneficiaries.⁶

The challenges faced in making the *Cobell* settlement distributions were compounded by further complicating factors including that many of the identified Class Members had not been trust beneficiaries since the 1980's and their accounts were closed, many had no knowledge they were trust beneficiaries, a significant number were deceased and their heirs unknown, and the trust records upon which a distribution was to be based were recognized by this Court and the Court of Appeals to be broken.⁷ In many respects, in order to make a fulsome distribution of settlement funds, Class Counsel and GCG would be required to do what Interior had been unable to do for decades. A successful distribution, consequently, necessitated efforts well beyond those that had been attempted previously to locate individual Indian trust beneficiaries.

Therefore, while a typical class action notice program may be premised solely on “adequate” notice,⁸ which commonly is limited to the mailing of notice to a class member’s last known address, if available, supplemented with advertisements in a publication of general circulation, this action is not a “typical” settlement. Likewise, typical class actions,

⁴ Office of Inspector General, U.S. Department of the Interior, Report No. WR-IS-OST-0006-2009, *Whereabouts Unknown: An evaluation of actions taken to locate Whereabouts Unknown individuals by the Office of the Special Trustee for American Indians* 2, 4 (2010) (“IG Report”).

⁵ Comment, Bradley Richardson, *Presumed Dead: Laying to Rest the Whereabouts Unknown*, 58 S.D. L. Rev. 375, 380-381 (2013).

⁶ The Inspector General hired two private investigators, one to locate the top 100 individuals on the WAU list and the other to locate 4,000 individuals on the list, all at a cost in excess of \$1 million. The investigator hired to locate the top 100 individuals found 31 of them. No data was made available on the efforts of the second investigator. IG Report at 1, 9.

⁷ See *Cobell v. Norton*, 240 F.3d 1081, 1089 (D.C. Cir. 2001).

⁸ *In re Fed. Nat'l Mortg. Assoc. Secs, Derivative and “ERISA” Litig.*, 4 F. Supp. 3d 94, 101 (D.D.C. 2013), *appeal dismissed*, 2014 WL 1378762 (D.C. Cir. Apr. 3, 2014).

unfortunately, often result in distributions to 15% or less of the intended Class Members.⁹

However a “typical” class action distribution would be completely unacceptable here for a myriad of reasons.

First, this action was brought, in part, to rectify the historical exclusion of individual Indians who were the intended beneficiaries of the individual Indian trust – what Ms. Cobell characterized as Interior’s wrongful treatment of individual Indian beneficiaries as “nobodies, even though it was [their] own money.”¹⁰ Ms. Cobell worked tirelessly to see this injustice rectified. The settlement that is her legacy needs to be fulfilled and every reasonable effort must be made so that individuals wrongfully excluded from participation in the benefits of the trust likewise not be excluded from participation in the settlement when eligible.

Second, when beneficiaries who were left off the trust system are located, we often are able to identify the reasons that led to their exclusion. Therefore, each time we identify a Class Member, we get one step closer to correcting the issues that have historically plagued the trust system. A key element both of the litigation and the settlement was the continued reform of the individual Indian Trust.

Third, under the terms of the settlement, those funds due a Class Member deemed WAU by Interior, where an address had not been identified at the time of distribution, were placed in that Class Members’ IIM account. After 5 years, if Interior has not found an address after

⁹ A recent study looking at class action settlement distributions in five cases identified claims rates ranging from 0.000006% to 12%. The low percentage was attributed to the lack of addresses for class members and the failure of class members to file claim forms. Mayer Brown, LLP, *Do Class Actions Benefit Class Members? An Empirical Analysis of Class Actions*, pp. 9-10, located at <http://www.instituteforlegalreform.com/uploads/sites/1/Class-Action-Study.pdf>.

¹⁰ See Elouise Pepion Cobell: Banker-Warrior, <http://montanawomenshistory.org/elouise-pepion-cobell-banker-warrior/>.

reasonable efforts, those funds will go to the Cobell Scholarship Fund.¹¹ While the Scholarship Fund is certainly an important and worthy endeavor, all reasonable efforts must be undertaken to identify the intended beneficiary before that transfer to the Scholarship Fund takes place.

Finally, and not least importantly, the distribution of these funds has, and will continue to have, a significant economic benefit on many individual Class Members and Indian Country, in general.

Because of the magnitude and seriousness of the challenges, Class Counsel has taken a leadership role with GCG during the post-settlement period in the administration of the settlement and in locating eligible Class Members. The good news is that today, despite the considerable challenges faced, over 94% of the settlement funds available for distribution have been distributed to Class Members or their heirs and almost \$1.2 billion has been distributed to individual Indians across Indian Country. This status report details the efforts that have been undertaken to date and the plans for future outreach efforts as presented to the Special Master.

The State of the Trust Data in 2012

Plaintiffs have previously identified the condition of the Class Member data received by GCG in November 2012.¹² There was no current contact information for 315,349 of the total 488,112 Class Members, almost 4 times higher than Interior's own WAU list in December 2009. However, after considerable investigation and outreach even more problems with the records were identified.

¹¹ Settlement Agreement at E.1.i.

¹² See Plaintiffs' May 30, 2014 Status Report to the Court ("May 30, 2014 Status Report") [Dkt. No. 4048]. The numbers provided in this report vary from those in the May 30, 2014 Report because of the information regarding the Class Members and their accounts that has been discovered in the past 17 months through the continuing outreach that has been undertaken.

First, through meetings and conversations with trust beneficiaries it was determined that the list Interior provided was incomplete. Ultimately, Class Counsel, after requesting additional information from Interior, determined there were over 12,600 Historical Accounting Class members who were left off of Interior's list.¹³

Second, once again after discussions with trust beneficiaries, Class Counsel and GCG determined there had to be an error in Interior's trust land records as beneficiaries entitled to a payment were not scheduled to receive it. After bringing it to the attention of Interior, it was discovered there existed a significant error in existing land records which affected the eligibility of thousands of potential Trust Administration Class members.¹⁴

Third, Interior had divided the list of Class Members between those that were living and those that were deceased. However, through the present date Class Counsel and GCG have determined that 26,880 of those Class Members Interior listed as alive had, in fact, passed away, and 1,313 of those Class Members listed as deceased are very much alive. In fairness to Interior, a number of these individuals had not been trust beneficiaries for some time and there would have been no reason for it to have kept up with their status.

Fourth, we have discovered 22,522 cases of multiple records for the same beneficiary, which means that more than one account was opened for the same beneficiary as Interior did not realize they were the same person.¹⁵ This had the potential for multiple payments to mistakenly

¹³ Order on Plaintiffs' Unopposed Motion to Include and Authorize Payment to Additional Individuals in the Historical Accounting Class dated January 23, 2014 [Dkt. No. 4030]; Order Approving Payments to Members of the Trust Administration Class dated September 11, 2014 [Dkt. No. 4067] at ¶ 3.

¹⁴ See Plaintiffs' Status Report Regarding Progress on Efforts to Commence Trust Administration Class Payments dated July 14, 2014 [Dkt. No. 4054] at ¶ 1.

¹⁵ As we have discovered, there could be many reasons for this including a misspelling of a name, a name change by a man or woman, an adoption, a remarriage, or simply a failure to realize there was an existing account.

go to a single beneficiary. Similarly, 24,004 cases have been identified of improperly merged accounts, meaning that Interior, believing that multiple people were the same person, combined the accounts. This had the potential for payments owed to multiple individuals to go to a single person.

Fifth, Interior had coded certain accounts as “N” Accounts meaning they were non-Indian. This designation was typically used when a tribal member had a non-Indian spouse. However, unfortunately we have also determined that the practice of using “N” Accounts varied by region. In some cases “N” accounts were used for individual Indians who were not tribal members, requiring that we look beyond the account designation to determine class membership.

Finally, in many cases, trust land records were not updated, particularly in Oklahoma, requiring extensive outreach in those areas to identify Class Members.

The Nature of Outreach Efforts

The National Commission on Indian Trust Administration and Reform, established by Secretary Salazar pursuant to Secretarial Order 3292 upon settlement of the *Cobell* litigation in December 2009, issued a Final Report dated December 10, 2013, in which it made certain recommendations regarding the longstanding problems with the WAU list. One of those recommendations we found to be particularly relevant – to work with tribal organizations in locating missing beneficiaries and their heirs.¹⁶

The Indian Trust system cannot be fixed and missing beneficiaries cannot be identified by staring at a computer screen. The key is outreach, and over the past five years, Class Counsel and GCG have made extensive efforts to reach individual Indian beneficiaries, to work with local tribal and allottee associations, and to research tribal and local BIA agency records where

¹⁶ See Dep’t of the Interior, *Report of the Commission on Indian Trust Administration and Reform* 45 (Dec. 10, 2013), <https://www.doi.gov/cobell/commission>).

permitted in an effort to identify Class Members or their heirs. In doing so, we have put aside the adversarial relationship between the Plaintiffs and Interior that so often characterized the litigation. Interior has frequently provided us access to records and officials at local agencies have often worked with GCG and Class Counsel in identifying helpful information, pulling probate orders determined by the Office of Hearings and Appeal, and assisting in finding contact information so payment can be made to Class Members or their heirs.

The outreach has included the following steps:

1. Immediately after announcement of the settlement in December 2009, Class Counsel made extensive trips to Indian Country to advise individual Indian beneficiaries of the settlement and to begin collecting necessary contact information. These trips were undertaken independent of GCG.

2. Again, in 2011, after Congressional approval but prior to approval of the settlement by this Court in July 2011, Class Counsel and their representatives undertook trips throughout Indian Country.

3. As set forth in the Table below, prior to approval of the settlement by this Court approximately 87 meetings were held by Class Counsel and their representatives throughout Indian Country within the exterior borders of 16 states. Many of the meetings were in some of the most geographically remote areas of this country where there were likely a significant number of potential Class Members. Once again, information was collected regarding Class Members and heirs of Class Members to use in considering future distributions and, where necessary, translators accompanied Class Counsel in order to overcome language barriers.

Date	Meeting	State
03/07/2010	Pine Ridge/Oglala Sioux	SD
03/08/2010	Rosebud Sioux	SD
03/09/2010	Standing Rock	ND

03/09/2010	Cheyenne River Sioux	SD
03/10/2010	Sisseton-Wahpeton	SD
03/11/2010	Santee Sioux	NE
03/11/2010	Yankton	SD
03/11/2010	Winnebago	NE
03/17/2010	San Carlos Apache	AZ
03/17/2010	White Mountain Apache	AZ
03/18/2010	shi shi keyah (Navajo)	NM
03/18/2010	Church Rock Chapter (Navajo)	NM
03/19/2010	Farmington (Navajo)	NM
03/19/2010	Blackfeet	MT
03/20/2010	Rapid City, SD / Plains tribes	SD
03/21/2010	Flathead – Salish Kootenai	MT
03/23/2010	Fort Belknap	MT
03/23/2010	Fort Peck	MT
03/29/2010	Crow	MT
03/29/2010	Northern Cheyenne	MT
03/29/2010	Nez Perce	ID
03/29/2010	Tohono O'odham	AZ
03/29/2010	Salt River	AZ
03/29/2010	Colville	WA
03/30/2010	Yakama	WA
03/31/2010	Wind River Reservation tribes (Eastern Shoshone and Northern Arapaho)	WY
04/01/2010	Shoshone-Bannock	ID
05/06/2010	Meeting of Oklahoma Tribes in Oklahoma City	OK
05/19/2010	Three Affiliated Tribes mid-year meeting	ND
06/14/2010	United Southern and Eastern Tribes (USET)	
10/27/2010	Presentation to ILWG Symposium in Spokane, WA	WA
02/02/2011	Agua Caliente	CA
02/02/2011	Morongo	CA
02/02/2011	Ho Chunk	WI
02/03/2011	Bad River	WI
02/03/2011	Lac Courte Oreilles Tribe	WI
02/04/2011	Fond du Lac Band	MN
02/08/2011	Pueblo of Laguna	NM
02/08/2011	Navajo Church Rock Chapter House	NM
02/09/2011	Farmington/Navajo	NM
02/09/2011	Torreon Chapter House/Navajo	NM
02/14/2011	White Mountain Apache Tribe	AZ

02/14/2011	Spirit Lake Tribe	ND
02/14/2011	San Carlos Apache Indian Reservation	AZ
02/15/2011	Gila River Indian Community	AZ
02/15/2011	Salt River	AZ
02/15/2011	Turtle Mountain Band of Chippewa	ND
02/16/2011	Tohono O'odham Nation	AZ
02/16/2011	Three Affiliated Tribes - Fort Berthold	ND
02/16/2011	Fort Peck	MT
02/18/2011	Fort Belknap	MT
02/22/2011	Santee Sioux	NE
02/22/2011	Yankton Sioux	SD
02/23/2011	Rosebud Sioux	SD
02/24/2011	Pine Ridge/Oglala	SD
02/25/2011	Cheyenne River Sioux	SD
02/26/2011	Standing Rock	ND
02/27/2011	Sisseton Wahpeton	SD
03/01/2011	Quinault	WA
03/02/2011	Makah	WA
03/02/2011	Squaxin Island	WA
03/08/2011	Blackfeet	MT
03/09/2011	Flathead - Salish Kootenai	MT
03/10/2011	Nez Perce	ID
03/11/2011	Colville	WA
03/14/2011	Anadarko - Cheyenne-Arapahoe, Apache, Wichita, Caddo and Kiowa	OK
03/14/2011	Lawton/Comanche	OK
03/15/2011	Choctaw	OK
03/16/2011	Muskogee - Eastern Creek/Creek, Cherokee, Chickasaw	OK
03/16/2011	Tulsa Creek	OK
03/21/2011	Uintah & Ouray	UT
03/22/2011	Shoshone-Bannock	ID
03/23/2011	Eastern Shoshone	WY
03/23/2011	Northern Arapaho	WY
03/24/2011	Crow	MT
03/24/2011	Northern Cheyenne	MT
03/31/2011	Anchorage	AK
04/01/2011	Fairbanks	AK
04/11/2011	Ojibwa/Keneenaw Bay	MI
04/11/2011	Yakama	WA

04/12/2011	Warm Springs	OR
04/12/2011	Lac du Flambeau	WI
04/13/2011	Hoopa Valley	CA
04/13/2011	Yurok	CA
04/13/2011	Red Lake Band of Chippewa	MN
04/14/2011	Leech Lake Band	MN
04/14/2011	White Earth Band of Chippewa	MN

4. The outreach by Class Counsel in advance of Final Approval of the settlement, coupled with publicity about the lawsuit generally, had a significant effect on the number of trust beneficiaries considered WAU by Interior. By the time of Final Approval that number had decreased 20% from 82,638 to 66,846.¹⁷

5. Class Counsel maintained a toll free number and an email address devoted to potential Class Members during the course of the litigation. They have continued to use it during the post-settlement period and have publicized it at meetings throughout Indian Country. During the post-settlement period a paralegal has been monitoring the *Cobell* phone line and email address and referred potential or existing Class Members to GCG or Class Counsel for response where appropriate. In addition, Class Counsel has regularly received phone calls directly and correspondence from existing or potential Class Members to which they have responded. They estimate that during the post-settlement period to date they have handled in excess of 10,000 phone calls, emails and letters in an effort to assist existing Class Members with the status of payments or potential Class Members to determine eligibility.

6. Class Counsel retained noted communications and media expert Kathy Kinsella to devise a notice program. The notice program consisted of six parts:

- a. Direct mail notice to Class Members with identifiable addresses;

¹⁷ May 30, 2014 Status Report at 2.

- b. Newspaper, radio, television and other paid media advertisements;
- c. Outreach to tribes and other organizations that could assist with notice;
- d. A national public relations campaign;
- e. Electronic notice through an internet website; and
- f. Two separate notice periods, one prior to court approval and one in

advance of the Trust Administration Class payments.

It has been described as the most robust Class Member notice ever provided.¹⁸ The Class notice has been immensely successful.

7. During the course of the litigation, Class Counsel maintained a website to keep Class Members updated regarding the course of the litigation. After settlement, on December 8, 2009, GCG took over responsibility for the website and used it as a means of outreach to potential Class Members. Since the settlement, the website has received 5,346,257 visits. The website has been maintained and updated with current relevant information on the settlement and its status. It housed a list of WAU individuals and estates without documentation so that Class Members could review. The website was continually updated with important Court documents as the case evolved and the Special Master made rulings for estate distribution.

8. GCG has also maintained a toll free number during the post-settlement period for existing or potential Class Members. It has received approximately 3,410,385 calls in the call center and spent over 25,275,000 minutes on the phone with actual or potential Class Members answering questions and explaining the settlement or distribution process. Outside the call center, GCG has had another 72,305 calls as part of outreach efforts. GCG set up a special Toll Free number just for WAU Class Members and heirs of estates where we did not have

¹⁸ See Declaration of Kathy Kinsella [Dkt. No. 3762; Exhibit 2] at ¶ 72.

documentation to distribute. GCG has received over 244,100 emails to which it promptly responded by email, phone or letter where required. GCG has also sent 219,081 emails and 126,804 letters in addition to the initial 336,671 notice and claim form packets sent to those with known addresses and 485,000 determination letters sent regarding claim determination.

9. After Final Approval, Class Counsel and GCG continued outreach efforts to identify Class Members and heirs of those who had passed away. In addition to phone calls, emails and correspondence with actual and potential Class Members, outreach to tribes and tribal organizations and efforts to publicize the settlement in local and national publications, Class Counsel and GCG again went back out to Indian Country and held town hall meetings to reach out to areas where there were significant missing Class Members. A listing of those outreach efforts is attached hereto as Exhibit 1. These included the following:

- a. Meetings in Oklahoma City, Oklahoma, for Oklahoma Tribes on June 12, 2013.
- b. Meetings on the Navajo Reservation on July 15, 2013.
- c. Meetings on the Navajo Reservation on September 9-10, 2013.
- c. Meetings in Anadarko, Oklahoma, for various Oklahoma tribal members on June 2, 2014.
- d. Meetings at the Choctaw Nation on June 3, 2014.
- e. A meeting at the Otoe-Missouria Tribe in Oklahoma on June 4, 2014.
- a.. Meetings in Oklahoma City, Oklahoma, for Oklahoma tribes on June 4, 2014.
- f. Meetings in Anchorage, Alaska, on June 9-10, 2014.
- g. Meetings at the Three Affiliated Tribes in Fort Berthold, North Dakota, on June 27, 2014.
- h. Meetings at the Pine Ridge Reservation in South Dakota on July 10, 2014.

- i. A meeting at the Fort Belknap Indian Community in Montana on August 1, 2014.
- j. A meeting with the Blackfeet Tribe in Montana on August 20, 2014.

10. By April 2015, tremendous progress had been made. 93% of all Historical Accounting Class payments and 84% of the Trust Administration Class payments had been distributed. However, there remained 46,325 unidentified Class Members and 33,070 estates for which there was no documentation on which to make a distribution.¹⁹ Therefore, Class Counsel looked to other methods by which Class Members and heirs could be identified. Community tribal meetings and publications regarding the settlement had been important in conveying information to a wide group of potential beneficiaries. Similarly, publicizing the lists of WAU Class Members was key to having potential Class Members or their relatives and heirs contact Class Counsel or GCG. However, publicizing the lists also caused frustration when an individual with the identical name as one on the list contacted GCG only to find out it was someone else. Moreover, due to the inaccuracy of the information received from Interior, some of the individuals on the WAU list turned out not to be Class Members at all. Therefore, future efforts had to be more focused.

11. Class Counsel, with the assistance of GCG, identified those Tribes which had significant numbers of Class Members who had not yet been located and estates with no identifiable heirs where efforts to obtain tribal records had not been successful. Many of those efforts are identified in Exhibit 1. Specific outreach efforts subsequent to April 2015 by Class Counsel included the following:

- a. A meeting with the enrollment office of the Kiowa Tribe in Oklahoma on May 4, 2015.

¹⁹ Plaintiffs' Status Report Regarding Distribution of Historical Accounting and Trust Administration Class Payments and the Cobell Scholarship Fund [Dkt. No. 4121] at ¶¶ 2-5.

- b. A meeting with the enrollment office of the Osage Tribe in Pawhuska, Oklahoma, on May 5, 2015.
- c. A meeting at the Poarch Creek Tribe in Atmore, Alabama, on May 6, 2015.
- d. A meeting with the enrollment director of the Ponca Tribe of Indians in Oklahoma on June 4, 2015.
- e. A meeting with the Pawnee Tribe of Oklahoma on June 4, 2015.
- f. A meeting with the enrollment office of the Choctaw Nation in Durant, Oklahoma, on June 5, 2015.
- g. A meeting with the enrollment office of the Fort Berthold Reservation in North Dakota on June 22, 2015.
- h. A meeting with the Council of the Omaha Tribe of Nebraska on June 23, 2015.
- i. A meeting with the enrollment office of the Sisseton-Wahpeton Tribe of the Lake Traverse Reservation in South Dakota on June 23, 2015.
- j. A meeting with the enrollment office of the Santee Sioux Tribe in Nebraska on June 24, 2015.
- k. A meeting with the enrollment office of the Yankton Sioux Tribe in South Dakota on June 25, 2015.
- l. A meeting with the enrollment office at the Rosebud Reservation in South Dakota on June 26, 2015.
- m. A meeting with the enrollment office of the White Earth Band of Chippewa Indians in Ogema, Minnesota, on September 15, 2015.

- n. A meeting with the enrollment office of the Leech Lake Tribe in Cass Lake, Minnesota, on September 15, 2015.
- o. A meeting with the enrollment office of the Red Lake Band of Chippewa Indians in Red Lake, Minnesota, on September 15, 2015.
- p. A review of enrollment records for Minnesota Chippewa Tribes (except Red Lake) at the offices of the Great Lakes Inter-Tribal Council in Cass Lake, Minnesota, on September 23-24.
- q. A meeting with the enrollment director of the Umatilla Reservation in Oregon on October 8, 2015.
- r. A review of enrollment records for Minnesota Chippewa Tribes (except Red Lake) at the offices of the Great Lakes Inter-Tribal Council in Cass Lake, Minnesota, on October 19-22, 2015.
- s. A meeting scheduled with the San Carlos Apache Tribe of Arizona for January 5, 2016.

12. The information collected was extremely helpful in identifying Class Members and heirs. In addition, it was discovered that, in reviewing enrollment lists, many of those individuals identified by Interior as living were deceased and had, in fact, been deceased for decades, affecting class eligibility.

13. In addition, as Class Counsel developed a closer working relationship with Interior it became apparent that, while Interior had provided updates on Class Member status and probate information, much of the information helpful in identifying Class Members and the heirs of those who had passed away was located at the local agency level. As a consequence, Class Counsel requested permission to have GCG review relevant records at certain local BIA

agencies where there remained large numbers of missing Class Members and unidentified heirs of those who are deceased. This permission was allowed by the Department of Justice and Interior and GCG has spent significant time and efforts successfully reviewing BIA records at the following locations:

- a. At the Osage Agency in Oklahoma on June 30 to July 4, 2015;
 - b. At the Yankton Agency in South Dakota on August 5-6, 2015;
 - c. At the Bemidji Agency in Minnesota in September 2015;
 - d. At the Everett Agency in Washington on September 10, 2015;
 - e. At the Crownpoint Agency on the Navajo Nation in New Mexico on September 20-23, 2015;
 - f. At the Sells Agency on the Tohono O'odham Reservation in Arizona on September 29-30, 2015;
 - g. At the Yakama Agency in Toppenish, Washington, on October 14-16, 2015;
 - h. At the Turtle Mountain Agency in North Dakota on November 16 – 20;
- and
- i. At the Sault Ste. Marie BIA Agency in Michigan on December 7-11.

14. These efforts have been extremely successful. In particular, we have found that tribal and BIA records, alone, are often insufficient to identify Class Members and heirs as neither have the complete picture. However, when we have both sets of records, the pieces fit together and Class Members are more likely identified and located. The following are specific examples:

a. Class Counsel obtained permission from the Osage Tribe of Oklahoma to gain access to enrollment records for the Tribe. In addition, they received permission for GCG to review relevant records at the BIA Osage Agency. Those records were reviewed by GCG from June 30 to July 3, 2015. GCG visited the Osage Tribal Enrollment Office the first week of July 2015. By reason of the visit, GCG is in the process of distributing an additional \$4,469,806.81 to Osage Tribal members or their heirs.

b. Class Counsel obtained permission to review enrollment records for the Leech Lake, Fond du Lac, Mille Lac, and White Earth Bands of Chippewa Indians in Minnesota and received permission for GCG to review records at the local BIA agency in Bemidji. GCG reviewed the records at the agency in September 2015 and Class Counsel and GCG reviewed the tribal records in September and October 2015. Because of the success of that trip we were able to locate 3,500 additional Class Members or their heirs with a potential additional distribution of \$4.8 million.

c. While working in South Dakota it became apparent to Class Counsel that there were key records available at the BIA Regional Office in Yankton, South Dakota. Class Counsel obtained permission for GCG to visit that agency in August 2015. During this visit, GCG was able to review and collect data and documentation to support payment to previously unpayable Class Members of the Yankton Sioux Tribe. From the information reviewed, GCG was able to identify 425 previously unpayable Class Members owed approximately \$653,736.

GCG was also able to determine that 157 of those tribal Class Members identified as living and without contact information were duplicates to other records and that 76 of those listed as living were actually deceased. Probate documents for 51 of these 76 were located. In total, GCG was able to reduce the list of Class Members without contact information by about

half. GCG also reviewed files and probate records for the 492 estates where we previously had not been provided documentation for distribution to heirs. GCG was able to obtain 120 additional probate orders so that distributions could occur to heirs, and confirm duplicate records for 53 estate records.

d. In October 2015, GCG visited the BIA Agency in Toppenish, Washington, to review records for the Confederated Tribes and Bands of the Yakama Nation. GCG was able to obtain probate orders, wills, and OHA-7 forms for 316 estates. GCG also obtained contact information for the potential heirs of 50 other estates, which GCG is using to attempt to obtain distributable documentation. GCG was able to also obtain contact information for 48 living Class Members. This will potentially result in additional distributions to Class Members or their heirs of \$1,693,921.

e. Class Counsel arranged for GCG to visit the Eastern Navajo Agency office in Crownpoint, New Mexico, in September 2015. This visit to the Navajo Nation resulted in GCG identifying almost 1,100 Class Members with a total amount now distributable of \$2,151,338.44.

The Status of Historical Accounting and Trust Administration Distributions

GCG and Class Counsel are in the final phase of the distribution efforts. They will soon exhaust all reasonable efforts at locating Class Members. They are continuing to focus their efforts on the small number of tribes and agencies where there remain significant numbers of missing Class Members and older unpaid estates. They expect these efforts will be concluded in the early part of the second quarter of 2016.

It would be an understatement to say that the distribution and outreach efforts to date by Class Counsel and GCG have been incredibly extensive. Indeed, we cannot locate one other

settlement where such intensive efforts have occurred or where the location of previously unidentified class members has been so successful. To date, over 96% of the Historical Accounting Class Members have been paid or are in the process of being paid. Approximately 88% of the Trust Administration Class Members have been paid or are in the process of being paid. 90% of the total Trust Administration Class Funds have been distributed, and GCG has documentation or contact information to distribute an additional 3% of the funds to Class Members for an anticipated total distribution of 93%.

In order to achieve this result, over 80% of the individuals on Interior's own WAU list have been located. There remain approximately 37,793 unidentified living Class Members and 22,339 estates without documentation upon which a distribution can be made at this time. Many of those estates are likely pending at Interior. As noted, an intensive and focused effort will be made by GCG and Class Counsel over the next four months in cooperation with the BIA to further reduce these numbers. However, based on our experience to date it is likely that a significant number of those remaining in the data provided by Interior as living Class Members are, in fact, deceased, are duplicate accounts or are not, in fact, Class Members.

As a result, GCG and Class Counsel are striving to conclude all reasonable efforts by April 30, 2016.

Respectfully submitted this 18th day of December, 2016.

/s/ David C. Smith
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **PLAINTIFFS' REPORT REGARDING STATUS OF HISTORICAL ACCOUNTING AND TRUST ADMINISTRATION DISTRIBUTIONS** was served on the following via facsimile, pursuant to agreement, on this 18th day of December, 2015.

Earl Old Person (*Pro se*)
Blackfeet Tribe
P.O. Box 850
Browning, MT 59417
406.338.7530 (facsimile)

/s/ David C. Smith
David C. Smith

Exhibit 1

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ESTATE OF ELOUISE PEPION COBELL,)	
by and through her administrator Turk Cobell,)	
<i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No.
)	1:96CV01285 (TFH)
)	
SALLY JEWELL, Secretary of the Interior, <i>et al.</i> ,)	
)	
Defendants.)	
)	

**PLAINTIFFS' REPORT ON
OUTREACH BY TRIBE OR REGION**

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December 18, 2015

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1. Navajo Nation

Because of the size of the Navajo Reservation, the large number of Class Members who are listed as Navajo tribal members, and the language barriers, substantial time has been spent working on the Reservation and with tribal leaders, allottee associations, and tribal organizations in locating class members, including:

- On March 18-19, 2010, representatives of Class Counsel travelled to the Navajo Reservation and, accompanied by Navajo tribal members and interpreters, held informational meetings at Shi Shi Keyah (“this land, my land”) Chapter House, Church Rock and Farmington.
- From February 8-10, 2011, Class Counsel, again accompanied by Navajo tribal members and interpreters, held informational meetings at the Torreon Chapter House, Church Rock and Farmington, on the Navajo Reservation, to discuss the Settlement and to collect information on Class Members.
- GCG spoke with a representative of the Inter Tribal Council of Arizona (“ITCA”) who stated that the ITCA was willing to assist with locating class members who were members of Tribes that were ITCA members. The representative requested and received information for a number of tribes including the Navajo Nation to assist with outreach efforts.
- On July 15, 2013 and September 9-10, 2013, Class Counsel, David Smith, and representatives of GCG, accompanied by Navajo tribal members and interpreters, again held informational and town hall meetings in Gallup, New Mexico and Farmington, New Mexico to collect documentation, personally take questions, and assist individuals in determining

eligibility for the Settlement and the status of any claim. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents and information.

- Efforts also were made to use local services to locate missing individuals. David Smith has worked closely with Ervin Chavez and the She Shi Keyah Allottee Association in locating missing individuals.

- GCG provided a list of WAU records for both living and deceased Class Members to the Coordinator for the Whitehorse Lake Chapter and to the Chapter Accounting Technician for the Navajo Nation Eastern Agency. Lists were sent also to representatives of the Sheep Springs and Crystal Chapters of the Navajo Nation. GCG unsuccessfully attempted to reach the White Rock Chapter. GCG spoke with a representative of the San Juan Chapter, who stated they were unable to help.

- On September 20-23, 2015, GCG representatives visited the BIA offices in Crownpoint, New Mexico to collect information and documentation regarding living and deceased Class Members.

- Representatives of Class Counsel have had discussions with tribal officials regarding using tribal enrollment records to locate missing Class Members and heirs but currently those records are not available.

- On January 11-15, GCG will be reviewing tribal records at the BIA Agency in Tuba City, Arizona, to obtain additional information to assist in distributions.

2. **White Earth Band of Chippewa**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and a representative with the tribal offices agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records and reached out directly to the individuals listed for further information.

- Because of the large number of White Earth tribal members remaining on the WAU list, Class Counsel David Smith visited the tribal offices for the White Earth Band in Ogema, Minnesota, on September 15, 2015, and received permission to review Tribal enrollment records. Representatives in the Enrollment Office were particularly helpful.

- The enrollment records were extensive and were reviewed by Mr. Smith and a representative from GCG at the offices of the Great Lakes Inter Tribal Council in Cass Lake, Minnesota, on September 23-24, 2015 and again on October 19-22, 2015. The Great Lakes Tribal Council, in particular its Director of Administration and its Enrollment Director, were very helpful in identifying records.

- Further, GCG representatives visited the BIA offices in Bemidji, Minnesota, in September 2015 to collect information and documentation regarding living and deceased Class Members.

3. **Puget Sound (Klallam)**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On December 5, 2013, GCG received an updated list in response.

GCG reviewed the information and updated its records and reached out directly to the individuals listed for further information.

- Also, on September 10, 2015, GCG representatives visited the BIA offices in Everett, Washington to collect information and documentation regarding living and deceased Class Members of the Tribe.

4. **Tohono O'Odham Nation**

- On March 29, 2010, Class Counsel held an informational meeting at the Tohono O'odham Reservation in Sells, Arizona to discuss the settlement. Again, on February 16, 2011, Class Counsel returned to Sells to hold another informational meeting on the Tohono O'odham Reservation to discuss the settlement and collect information regarding Class Members.

- In addition, GCG spoke with ITCA, which was willing to assist with locating Class Members who were members of the Tohono O'odham Nation. ITCA was provided a list of WAU records for both living and deceased Class Members for the Tribe.

- On October 1, 2013, Class Counsel David Smith contacted the Tohono O'odham Tribe's General Counsel for assistance and he forwarded a list of WAU records for the Tribe.

- In addition, at the recommendation of the Tribe's General Counsel, Mr. Smith began communicating directly with the San Xavier Allottee Association of the Tohono O'odham Nation which has been very helpful in providing information regarding Class Members and the heirs of those who are deceased.

- On September 29-30, 2015, GCG representatives visited the BIA offices in Sells, Arizona to collect information and documentation regarding living and deceased Class Members of the Tribe.

- In addition, David Smith again reached out to obtain approval to use tribal enrollment records to identify individuals on the WAU list and that request remains pending.

5. **Choctaw Nation of Oklahoma**

- On March 15, 2011, Class Counsel held an informational meeting at the Choctaw Reservation in Durant, Oklahoma, to discuss the settlement with Class Members, answer questions, and collect information.

- In addition, GCG contacted the Choctaw Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. On September 30, 2013, GCG provided the Tribe with a paper copy of a list of WAU records for both living and deceased Class Members.

- On June 3, 2014, Class Counsel David Smith and GCG representatives attended an outreach meeting at the Choctaw Casino & Resort Conference Center in Durant to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement, the status of any claim, and identify living Class Members and heirs to eligible estates. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

- On June 5, 2015, Class Counsel David Smith returned to the Choctaw Nation, meeting with representatives of the Real Estate office of the Tribe to follow up with issues regarding locating Class Members and heirs. After a lengthy meeting, Mr. Smith was able to

work out an arrangement with the Department of Justice to facilitate the identification of individuals on the WAU list who were Choctaw tribal members. He has kept in regular contact with the Tribe's representatives and they have recently provided a packet of information regarding the status of Class Members on the WAU list and probate information for those that are deceased. The Choctaw Nation has been very helpful in providing information to locate Class Members and the heirs of deceased Class Members.

6. Oglala Sioux Tribe of the Pine Ridge Reservation

- Class Counsel held meetings to discuss the settlement on March 7, 2010, and again on March 24, 2011, at the Pine Ridge Reservation in South Dakota to discuss the settlement and collect information regarding Class Members and the heirs of those that had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to a Clerk at the Oglala Lakota Enrollment Office. GCG received a list with updated information for heirs to eligible estates in response. GCG reviewed the information and updated its records and reached out directly to the individuals listed for further information.

- On July 10, 2014, Class Counsel Bill Dorris and GCG representatives held another outreach meeting at the Prairie Wind Casino & Hotel on the Pine Ridge Reservation to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and heirs to eligible estates. GCG brought its computer record system which

enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

7. **Creek Nation of Oklahoma**

- On March 16, 2011, Class Counsel held an informational meeting at the Muscogee Creek Nation in Oklahoma for potential Class Members at which it discussed the settlement and collected information regarding Class Members and the heirs of those who were deceased.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and a representative at the tribal offices agreed to assist. He requested that GCG submit a formal request in writing and a form letter for potential Class Members which GCG prepared and provided. GCG did not receive a further response to this correspondence. In February 2014, GCG sent a list to Grace Bunner following an email request. Shortly thereafter, the Muscogee Creek Nation National Council approved the posting of the list in high traffic areas.

8. **Gila River Pima Maricopa Indian Community of the Gila River Indian Reservation of Arizona**

- GCG spoke with a representative of the ITCA who stated that the ITCA was willing to assist with locating class members who were members of tribes that were Council members, including Gila River. The representative requested and was provided a list of WAU records for both living and deceased Class Members.

- Additionally, the Tribe published an announcement regarding the Cobell WAU list and a direct line to a GCG representative in the tribal newsletter, resulting in a large number of calls and updated addresses.

- Because of the large number of Gila River tribal members that remain on the WAU list, GCG will be reviewing BIA Pima Agency records relating to Gila River WAU tribal members on January 19-22, 2016.

9. Turtle Mountain Band of Chippewa Indians

- On February 15, 2011, Class Counsel held a meeting at the Turtle Mountain Reservation in Belcourt, North Dakota, to discuss the settlement and collect information regarding Class Members and the heirs of those who were deceased.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to the Superintendent of the Turtle Mountain Band of Chippewa Tribal Government.

- On June 26, 2014, Class Counsel Bill Dorris and GCG representatives attended an outreach meeting at the Sky Dancer Casino Event Center in Belcourt, North Dakota, to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and heirs to eligible estates. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

- Additionally, due to the number of WAU Class Members and deceased Class Members without documentation that GCG could distribute to heirs, GCG worked with the regional BIA office in Belcourt November 17- 19, 2015, to review updated records and contact information, as well as obtain probate orders or information on heirs so that distributions could be made. GCG was able to obtain many updated contacts, determine duplicate accounts, and retrieve probate orders so that distributions will be made.

- Additionally, GCG went to the Fort Totten agency of the BIA on November 19-20, 2015 and similarly was able to successfully update information on WAU Class Members and deceased Class Members where GCG did not have documentation on heirs or to distribute.

10. Sisseton-Wahpeton Sioux Tribe of the Lake Traverse Reservation

- On March 10, 2010, Class Counsel, held a meeting at the Lake Traverse Reservation in South Dakota, to discuss the settlement.

- On February 27, 2011, Class Counsel returned to the Lake Traverse Reservation, again to discuss the settlement and to collect information regarding Class Members and the heirs of those who were deceased.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a paper list of WAU records for both living and deceased Class Members to the Tribal Court. GCG received some updated information in response. GCG reviewed the information, updated its records and reached out directly to the individuals listed for further information.

- Because of the large number of Sisseton-Wahpeton Tribal members remaining on the WAU list, Class Counsel David Smith returned to the Lake Traverse Reservation on June 23, 2015, to get permission to use enrollment records for the Tribe to assist in locating Class Members and the heirs of those who were deceased who remained on the WAU list. He met with enrollment office representatives and provided them the list of remaining living and deceased tribal members who may be entitled to payment and he has continued to communicate with them directly.

11. **Kiowa Indian Tribe of Oklahoma**

- On March 14, 2011, Class Counsel held a presentation in Anadarko, Oklahoma, to which members of the Kiowa Tribe were invited to attend. The settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG sent a list to a representative of the Tribe but no response was received. Therefore, on June 2, 2014, another meeting was held in Anadarko at which David Smith and representatives of GCG were present and members of the Kiowa Tribe were invited to attend. The status of the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

- Because of the large number of Class Members identified as Kiowa tribal members who continued to be listed on the WAU list, on May 4, 2015, David Smith traveled to the tribal headquarters and met with an employee in the enrollment office. On the evening

of May 4, 2015, David Smith held another meeting of Kiowa tribal members in Anadarko in an effort to identify individuals on the WAU list.

12. **Eastern Creek Descendants**

The records of the Department of Interior had a category of Class Members designated as “Eastern Creek.” There is no federally recognized tribe known as “Eastern Creek. The Creek Confederacy was located principally in what is present day Georgia and Alabama. Many of the members of the Creek Confederacy were forcibly removed to present day Oklahoma. A segment of the Confederacy that was not removed is the Poarch Band of Creek Indians located today within the exterior boundaries of the State of Alabama and with tribal offices in Atmore.

- In April 2014 Class Counsel David Smith reached out to the Attorney General for the Poarch Band of Creek Indians, requesting assistance with the approximate 2000 individuals designated as “Eastern Creek” who remained on the WAU list. The Tribe agreed to assist and on May 8, 2014, was provided the WAU list which was published in the Tribal paper. What was discovered was that many on the “Eastern Creek” list were heirs of original Creek tribal members who may have received a judgment fund payment many years ago which had been placed in a minor IIM account because they were under 18. Many were not tribal members. Nevertheless, the Tribe designated a point person on Cobell matters who has done an exemplary job identifying tribal and non-tribal members on the list and assisting them with their claims. Both Mr. Smith and GCG have had extensive contact with the point person and the Tribe in general regarding Cobell related matters. Her assistance has resulted in the approval of affidavits of small estate by the Special Master and a uniform estate review procedure for deceased Class Members who were enrolled in the tribe.

- On May 6, 2015, David Smith met with the Tribe's point person in Atmore and discussed issues she was having with identifying the IIM account numbers for tribal members and non-tribal individuals at the OST office in Nashville, Tennessee, for the purpose of verifying class member status. As a result of the issues she raised, discussions were initiated with DOJ and OST about streamlining this process.

- Meanwhile, Class Counsel and GCG are working with the Poarch Band on other ways to verify class member status, and on October 7, 2015, the Tribe provided Class Counsel an updated list of potential Class Members to review for verification. GCG is scheduling a time with OST to review records of potential "Eastern Creek" records at the Tennessee Agency in Nashville.

13. Confederated Tribes & Bands of the Yakama Indian Nation of the Yakama Reservation

- On March 30, 2010, Class Counsel traveled to Toppenish, Washington, to discuss the settlement with members of the Confederated Tribes of the Yakama Indian Nation.

- Class Counsel returned on April 11, 2011, and held another meeting at which the settlement was again discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and the enrollment office agreed to assist with its request upon receipt of a formal written request which GCG provided via email. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On December 11, 2013, GCG received an updated list

in response and additional lists on December 18, 2013, December 31, 2013 and January 17, 2014. GCG reviewed the information, updated its records, and reached out directly to the individuals listed for further information.

- On October 14-16, 2015, GCG representatives visited OST/BIA/Tribal headquarters in Toppenish, Washington, to collect information and documentation regarding living and deceased Class Members remaining on the WAU list for the Yakama Nation.

14. Rosebud Sioux Tribe of the Rosebud Indian Reservation

- On March 8, 2010, Class Counsel traveled to the Rosebud Sioux Reservation within the exterior boundaries of the State of South Dakota, to discuss the settlement with tribal members.

- On March 20, 2010, Class Counsel also attended a meeting in Rapid City, South Dakota, attended by South Dakota tribes to discuss the settlement.

- Class Counsel returned to the Rosebud Reservation on February 23, 2011, and held another meeting at which the settlement was again discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the Rosebud Sioux Tribal Government for assistance with the Tribal Outreach Project, and it agreed to assist. GCG also spoke with the Community President of the He Dog Recognized Community, Rosebud Sioux, who was willing to assist. The Chief Clerk of Rosebud Sioux Tribal Court requested a written request for assistance and GCG complied with this request, sending a list of WAU records for both living and deceased Class Members to the Business Manager for the Rosebud Sioux Tribal

Government. Additionally, the Tribe published an announcement regarding the Cobell WAU list and a direct line to a GCG representative so that Class Members and potential heirs could contact them directly.

- On June 26, 2015, David Smith returned to the Rosebud Reservation and met with the enrollment office, sharing with them the remaining individuals on the WAU list identified as Rosebud Tribal members and obtained their assistance in providing additional identifying information.

15. Comanche Indian Tribe of Oklahoma

- On March 14, 2011, Class Counsel held an informational meeting for members of the Comanche Tribe in Lawton, Oklahoma, at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Comanche leaders, were present.

- In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

- In April 2014, GCG sent a list of missing Comanche tribal members to the Enrollment Director for the Tribe requesting further assistance.

- In May 2014, Class Counsel David Smith communicated with a representative of the Comanche Elder Community Center and on May 21, provided him a list of Comanche tribal members on the WAU list.

- On June 2, 2014, a meeting was held in Anadarko, Oklahoma, at which David Smith and representatives of GCG were present and members of the Comanche Tribe were invited to attend. The status of the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed. Representatives from the Comanche tribal headquarters were present and were provided a list of individuals identified on the WAU list as Comanche Tribal members. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

- Another meeting was held in Anadarko by David Smith on May 4, 2015, at which the Comanche WAU list was distributed and additional missing tribal members identified.

16. Osage Tribe of Oklahoma

- On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Osage leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

- Because of the large number of individuals identified as Osage tribal members on the WAU list, and the high value of those claims, David Smith reached out to the Osage

Tribe for assistance in identifying those individuals. He communicated with a leader of the Tribe and met with the head of the membership office on May 5, 2015, in Pawhuska, Oklahoma. The Tribe granted Mr. Smith access to its enrollment records. He then contacted the Department of Justice, who assisted in arranging a review of the related records at the BIA Osage Agency in Pawhuska.

- Accordingly, from June 30 to July 4, 2015, GCG representatives visited simultaneously the Agency and Tribal offices (and where necessary the state offices) to collect information and documentation regarding living members of the Osage Tribe on the WAU list and the heirs of those Class Members who had passed. The assistance of the Osage Tribe and Osage Agency resulted in a large number of previously unidentified Class Members and heirs being identified and millions of dollars being distributed.

- Additionally, GCG has worked closely with the Tribe to obtain determinations of heirships in order to facilitate distribution of high value Class Member estates without previously existing distribution documentation.

17. Yankton Sioux Tribe of South Dakota

- On March 11, 2010, Class Counsel held an informational meeting for members of the Yankton Sioux Tribe in Wagner, South Dakota.

- On March 20, 2010, Class Counsel also attended a meeting in Rapid City, South Dakota, attended by South Dakota tribes to discuss the settlement.

- On February 22, 2011, Class Counsel held a second informational meeting for members of the Yankton Sioux Tribe in Wagner at which the settlement was discussed and

information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- Because of the large number of individuals remaining on the WAU list designated as Yankton Sioux tribal members, Class Counsel David Smith returned to the Yankton Sioux Tribe on June 25, 2015, to obtain permission to review tribal enrollment records. In addition, he met with tribal members as well as the head of the BIA Agency in Yankton, learning of the potentially large volume of helpful documentation that might be available there. Accordingly, he reached out to the Department of Justice to get permission to review WAU related records at the BIA Agency in Yankton, which helped facilitate a formal visit to that agency.

- On August 5-6, 2015, GCG representatives visited the BIA offices in Yankton, South Dakota, to collect information and documentation regarding living Class Members and the heirs of those who had passed.

18. Assiniboine & Sioux Tribes of the Fort Peck Indian Reservation

- On March 23, 2010, Class Counsel held an informational meeting for members of the Assiniboine and Sioux Tribes of the Fort Peck Reservation in Poplar, Montana.

- On February 16, 2011, Class Counsel held a second informational meeting at Fort Peck at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG reached out to the Tribal Chairman's Office, and they agreed to provide information regarding living and deceased WAU Class Members. GCG subsequently received the Tribe's entire enrollment list. Using this information, GCG updated its records or reached out directly to the individuals listed for further information.

19. **Leech Lake Band**

- On April 14, 2011, Class Counsel held an informational meeting for members of the Leech Lake Band of Ojibwe Indians in Cass Lake, Minnesota, at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On June 24, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- Because a large number of individuals identified as Leech Lake tribal members remained on the WAU list, on September 15, 2015, Class Counsel David Smith had a meeting at the tribal offices of the Leech Lake Tribe in Cass Lake and met with a representative in the enrollment office of the Tribe, who agreed to make available tribal enrollment records and to assist where necessary.

- The enrollment records were reviewed by Mr. Smith and a representative from GCG at the offices of the Great Lakes Inter Tribal Council in Cass Lake, Minnesota, on September 23-24, 2015, and again on October 19-22, 2015.

- GCG representatives visited the local BIA offices in Bemidji, Minnesota, in September 2015, to collect information and documentation regarding living Class Members and the heirs of those who had passed.

20. **Saginaw Chippewa Indian Tribe of Michigan**

- GCG contacted the Saginaw Chippewa Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 1, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- During the week of December 7, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

21. **Alaska Native Regional Corporations**

Under the Alaska Native Claims Settlement Act ("ANCSA"), Alaska is divided into 12 resident Alaska Native regional corporations and one non-resident corporation. The Alaska Natives are shareholders of these entities. In addition there are 229 federally recognized Alaska Native Villages. The information regarding Class Members from Alaska received from Interior was broken down principally by the 12 regional corporations. Alaska

posed particular challenges. Class Members were dispersed over a wide area and locations were not always accessible.

- On March 31, 2011, Class Counsel held an informational meeting in Anchorage, Alaska, for Class Members in Alaska. Anchorage is the headquarters for the Calista Regional Native Corporation, although the region, itself, is located in western Alaska.

- On April 1, 2011, Class Counsel held an informational meeting in Fairbanks, Alaska, the headquarters for the Doyon Regional Corporation, Doyon, Ltd., for Class Members in Alaska.

- In February 2014, David Smith reached out by letter to each of the Alaska Native Corporations asking permission to use shareholder records in locating Class Members. Because of confidentiality issues, the corporations were unwilling to provide either Class Counsel or GCG access to those records but we understand they did send a notice of the settlement to shareholders, attached the WAU list for the respective corporation and identified both GCG and Class Counsel as contact points for the settlement. Both GCG and Class Counsel received a large volume of calls, emails and letters in response.

- Class Counsel David Smith returned to Anchorage on June 9-10, 2014, with GCG representatives, and held informational meetings and collected data at the Mid-Year Conference for the National Congress of American Indians (“NCAI”) at which many representatives of the Alaska Regional Corporations and Alaska Native Villages attended. GCG set up a booth at the meeting where participants and the public could stop by to get their questions answered or provide updated contact information and records.

- In addition, Class Counsel reached out to leaders of each of the 229 federally recognized Alaska Native Villages, providing them all copies of the WAU list and asking that they notify Class Counsel or GCG in case an individual on the list was identified. In response, both Class Counsel and GCG, once again, received calls, emails and letters from Alaska Native Class Members.

- In addition, GCG contacted the Association of Village Council Presidents which agreed to help upon receipt of a formal request in writing. GCG provided this information as requested along with a list of WAU records for both living and deceased Class Members. GCG received responses from several native villages. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- In addition, the Tanana Chiefs' Conference agreed to assist. GCG provided them with a list of WAU records for both living and deceased Class Members for the Doyon Region. GCG received responses from several native villages within the Doyon Region. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- GCG contacted the Chugach Native Association to assist. However, no information was received by GCG directly from the Association.

- GCG contacted native villages within the Aleut Region for assistance with the Tribal Outreach Project, and received a positive response. GCG provided the villages with a list of WAU records for both living and deceased Class Members. On June 19, 2014, GCG

received a response to this list. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- On December 31, 2013, GCG received address updates from the Ahtna Region for Class Members on the WAU list. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

22. **Citizen Band Potawatomi Indian Tribe of Oklahoma**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project.
- On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Citizen Band Potawatomi leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

23. **Red Lake Band of Chippewa Indians of the Red Lake Reservation**

- On April 13, 2011, Class Counsel held an informational meeting at the Red Lake Reservation in Red Lake, Minnesota.
- Because of the number of Class Members who remained on the WAU list who were designated as Red Lake tribal members, on September 15, 2015, David Smith met with a representative of the enrollment office of the Red Lake Tribe. With Mr. Smith present, the representative was able to show how, using the Tribe's computer systems, she could identify the addresses for individuals on the WAU list. She requested and was provided by Class Counsel on September 17, 2015, a letter requesting that the Tribal Council allow access to enrollment records to help identify individuals on the WAU list. The Tribal Council

preferred that its own enrollment office perform this review and, since that date, Class Counsel has been working with the enrollment office on the list.

- Mr. Smith contacted the Department of Justice and arranged for GCG to get access to related records at the local BIA office in Bemidji Minnesota. In September 2015, GCG representatives visited the BIA offices in Bemidji, Minnesota, to collect information and documentation regarding living Class Members and the heirs of those that had passed.

24. **Blackfeet Tribe of the Blackfeet Indian Reservation**

- On March 20, 2010, Class Counsel held an informational meeting for members of the Blackfeet Tribe of the Blackfeet Reservation in Browning, Montana.

- On March 8, 2011, Class Counsel held a second informational meeting in Browning at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- On June 28, 2013, David Smith reached out to the General Counsel for the Blackfeet Tribe, and a paralegal in the Office of the General Counsel, and provided them a list of individuals on the WAU list who were identified as members of the Blackfeet Tribe. They were extremely helpful and provided information on those that were living and the heirs of those that were deceased based on the information they had on hand.

- Because of the number of Blackfeet tribal members who remained on the WAU list, on August 20, 2014, Bill Dorris and GCG representatives attended a third outreach meeting in Browning, Montana, to collect additional documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status

of any claim, and to identify living Class Members and heirs of eligible estates. GCG brought its computer record system which enabled its representatives to look up individual's class and payment status, take address updates and input relevant documents.

25. Prairie Band of Potawatomi Indians of Kansas

- GCG contacted the tribe for assistance with the Tribal Outreach Project, but GCG was unable to get additional information.

26. Confederated Salish & Kootenai Tribes of the Flathead Reservation

- On March 21, 2010, Class Counsel held an informational meeting at the Flathead Reservation in Pablo, Montana at which the settlement was discussed.

- On March 9, 2011, Class Counsel again held an informational meeting at the Flathead Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an extensive list in response with contact information for the individuals listed. Following receipt, GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

27. Standing Rock Sioux Tribe of the Standing Rock Reservation

- On March 9, 2010, Class Counsel held an informational meeting at the Standing Rock Sioux Reservation in Fort Yates, North Dakota, at which the settlement was discussed.

- On February 26, 2011, Class Counsel again held an informational meeting at the Standing Rock Sioux Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project.

28. **Chickasaw Nation of Oklahoma**

- On March 16, 2011, Class Counsel held an informational meeting at the Muscogee Creek Reservation within the exterior boundaries of the State of Oklahoma to which members of the Chickasaw Nation of Oklahoma were invited. Information on the settlement was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe's CDIB/Enrollment Office for assistance with the Tribal Outreach Project, which agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. In January 2014, the list was published in the tribal paper. In March 2014, based on further outreach by GCG to the Tribe, GCG received additional information on 296 tribal members.

- On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City

sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Chickasaw Nation leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

29. Santee Sioux Tribe of the Santee Reservation of Nebraska

- On March 11, 2010, Class Counsel held an informational meeting at the Santee Sioux Reservation in Niobrara, Nebraska, at which the settlement was discussed.

- On February 22, 2011, Class Counsel returned to Niobrara, Nebraska, and again held a meeting on the settlement at which information on the settlement was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- On June 24, 2015, David Smith returned to the Santee Sioux Reservation and met with a representative in the tribal enrollment office, who has been an excellent resource and extremely helpful. She was able to determine that the great majority of those remaining on the WAU list identified as living members of the Tribe were in fact deceased and provided addresses for those living where available. Both Mr. Smith and GCG have remained in contact with her, as a result of which a large number of individuals with no contact information and estates with no identifiable heirs have been paid.

30. Seminole Nation of Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and a representative at the tribal offices agreed to help upon receipt of a written request, which was provided. However, no information has been received from the Tribe.

- On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Seminole Nation leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

31. **Bad River Band of the Lake Superior Tribe of Chippewa Indians of the Bad River Reservation**

- On February 23, 2011, Class Counsel held a meeting at the Bad River Reservation in Ashland, Wisconsin, at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG attempted to contact the Tribe for assistance, but has not received a response to its calls.

32. **San Carlos Apache Tribe of the San Carlos Reservation of Arizona**

- On March 17, 2010, Class Counsel held an informational meeting at the San Carlos Reservation in San Carlos, Arizona, at which the settlement was discussed.

- In addition, GCG spoke with ITCA which stated that it was willing to assist with locating Class Members who were members of San Carlos. GCG provided a list of WAU records for both living and deceased Class Members for the San Carlos Apache Tribe as requested.

- GCG also contacted the Tribe for assistance with the Tribal Outreach Project. Although the Tribe responded that it was unable to directly provide information, it agreed to contact those on the list of WAU living Class Members and potential heirs of eligible estates.

- Because of the large number of individuals identified as San Carlos tribal members who remained on the WAU list, in September and October 2015, David Smith reached out to the enrollment director at San Carlos to determine if the Tribe's enrollment records could be used to identify additional Class Members and their heirs. The director was very accommodating but ultimately determined, through the Tribe's Attorney General, that a request would have to be made in person to the Tribal Council. A meeting with the Tribal Council is scheduled for January 5, 2016.

33. **Wisconsin Winnebago Indian Tribe of Wisconsin**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. However, no information was received by GCG directly from the Tribe.

34. **Confederated Tribes of Colville Reservation**

- On March 29, 2010, Class Counsel held an informational meeting at the Colville Reservation in Nespelem, Washington, at which the settlement was discussed.

- Class Counsel returned to the Colville Reservation on March 11, 2011 for a meeting with tribal members at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided a list of WAU records for both living and

deceased Class Members to Ms. Condon in the Enrollment Office. On December 6, 2013, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

35. Fond du Lac Band

- On February 4, 2011, Class Counsel held an informational meeting with members of the Fond du Lac Band of the Lake Superior Chippewa within the exterior boundaries of the State of Minnesota at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.
- In addition, GCG reached out to the Tribe directly. On October 7, 2013, GCG provided the Tribe a list of individuals who were on the WAU list and identified as tribal members, requesting address information and the identification of heirs for those who had passed. An updated list was sent to the enrollment office for the Tribe on January 9, 2014.
- On April 7, 2014, GCG reached out to the General Counsel for the Tribe, requesting the Tribe's assistance in locating individuals remaining on the list. The Tribe agreed to send letters to individuals on the list. On May 5, 2014, a sample letter was provided by GCG to use in outreach to these tribal members and the general counsel confirmed the letters were sent to tribal members in correspondence dated December 18, 2014.
- David Smith contacted the Department of Justice and arranged for GCG to get access to Tribal records at the local BIA office in Bemidji, Minnesota. In September 2015, GCG representatives visited the BIA offices in Bemidji, Minnesota, to collect information

and documentation regarding living Class Members of the Fond du Lac Band and the heirs of those who had passed.

- In addition, Mr. Smith made arrangements to review tribal enrollment records of the Fond du Lac Band with the Great Lakes Inter-Tribal Council. These were reviewed by Mr. Smith and a representative from GCG at the offices of the Great Lakes Inter-Tribal Council in Cass Lake, Minnesota, on September 23-24, 2015 and again on October 19-22, 2015.

36. **White Mountain Apache Tribe of the Fort Apache Indian Reservation**

- On March 17, 2010, Class Counsel held an informational meeting at the Fort Apache Indian Reservation within the exterior boundaries of the State of Arizona at which the settlement was discussed.

- Class Counsel returned to the Fort Apache Reservation on February 14, 2011, for a meeting with tribal members at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG spoke with ITCA which was willing to assist with locating class members who were members of the White Mountain Apache Tribe. GCG provided a list of WAU records for both living and deceased Class Members for the Tribe as requested.

- GCG contacted the Tribe directly for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. Additionally, the Tribe published an announcement

regarding the Cobell WAU list and a direct line to a GCG representative so that Class Members and potential heirs could contact them directly.

37. **Lac Courte Oreilles Band of Lake Superior Chippewa Indians of the Lac Courte Oreilles Reservation of Wisconsin**

- On February 3, 2011, Class Counsel attended a meeting at the Lac Courte Oreilles Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided The Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

38. **Cheyenne-Arapahoe Tribes of Oklahoma**

- On March 14, 2011, Class Counsel invited members of the Cheyenne-Arapahoe Tribe to attend a meeting in Anadarko, Oklahoma, at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe directly for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response.

GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- Because of the number of individuals identified by Interior as Cheyenne-Arapahoe Tribal members who remained on the list, on June 2, 2014, another meeting was held in Anadarko at which Class Counsel David Smith and representatives of GCG were present and members of the Cheyenne-Arapahoe Tribe attended. The status of the settlement was discussed and information was distributed to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Cheyenne-Arapahoe leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

39. Salt River Pima-Maricopa Indian Community of the Salt River Reservation

- On August 7, 2013, David Smith reached out to the Director of the Community Development Department for the Salt River Pima-Maricopa Indian Community (“SRPMIC”) regarding assisting in the location of those identified by Interior as members of the Community on the WAU list. She agreed to help and was provided the WAU list for the Tribe.

- GCG spoke with the ITCA which stated it was willing to assist with locating class members who were SRPMIC tribal members. ITCA requested and was provided a list of WAU records for both living and deceased Class Members for the SRPMIC as requested.

- GCG contacted the tribe directly for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 29, 2014 and April 21, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- Because of the large number of Salt River tribal members that remain on the WAU list, GCG will be reviewing BIA Pima Agency records relating to Salt River WAU tribal members on January 19-22, 2016.

40. **Keweenaw Bay Indian Community of L'Anse, Lac Vieux Desert & Ontonagon Bands of Chippewa Indians of the L'Anse**

- On April 11, 2011, Class Counsel invited members of the Keweenaw Bay Indian Community to attend a meeting at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to the Enrollment/Motor Vehicle Director for the Keweenaw Bay Indian Community. GCG received an updated list in response. GCG reviewed the

information and updated its records or reached out directly to the individuals listed for further information.

- On December 7-11, 2015, GCG also visited the Sault Ste. Marie regional office of the BIA in order to review the local records and probates in its office for the Keweenaw Bay Indian Community. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

41. Cheyenne River Sioux Tribe of the Cheyenne River Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to the Chairman of the Cheyenne River Sioux Tribe.

- In addition, on July 9, 2014, Class Counsel and GCG representatives attended an outreach meeting at the Cheyenne River Sioux Cultural Center to collect information and documentation regarding living Class Members and the heirs of those who had passed.

42. Ponca Tribe of Indians of Oklahoma

- On October 1, 2013, Class Counsel contacted the Ponca Tribe for assistance with outreach and on October 4, 2013, provided it the WAU records for living and deceased members of the Tribe.

- Because of the significant number of Ponca tribal members who remained on the WAU list, on June 4, 2015, David Smith met with a Council member and enrollment director of the Tribe to assist with identification of remaining tribal members.

- In addition, in July 2014, GCG held a meeting at the Tribe to assist in the identification of tribal members or heirs. GCG answered Class Member questions and updated contact information for the WAU Class Members. GCG also met with families of deceased Class Members and obtained documents regarding the heirs to the estate as well as provided direction for those families that did not know what they needed to do to have the estate award distributed.

43. **Arapahoe Tribe of the Wind River Reservation**

- On March 31, 2010, Class Counsel held an informational meeting at the Wind River Reservation regarding the settlement.

- In addition, GCG sent a list of WAU records for both living and deceased Class Members to the Associate Director of the Lander Area Chamber of Commerce. GCG also sent a list to the Records Clerk for the Eastern Shoshone Enrollment Office. On March 28, 2014, GCG received an updated list back from the Arapahoe Tribe of the Wind River Reservation. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

44. **Devils Lake Sioux Tribe of the Devils Lake Sioux Reservation**

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 14, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

45. **Red Cliff Band of Lake Superior Chippewa Indians of Wisconsin**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. Additionally, the Tribe published an announcement regarding the Cobell WAU list and a direct line to a GCG representative so that Class Members and potential heirs could contact GCG directly.

46. **Three Affiliated Tribes of the Fort Berthold Reservation**

- On May 19, 2010, Class Counsel held an informational meeting regarding the settlement at the Fort Berthold Reservation.

- On February 16, 2011, Class Counsel held a second meeting at Fort Berthold at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members.

- GCG received over 300 pages of contact information back, which GCG converted to spreadsheet format to facilitate more efficient review. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- On June 27, 2014, Class Counsel and GCG representatives attended an outreach meeting at the 4 Bears Casino & Lodge at Fort Berthold to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and heirs to eligible estates.

- On June 22, 2015, David Smith returned to the Fort Berthold Reservation to review with the enrollment office the remaining individuals on the WAU list. The enrollment office immediately responded with an updated list.

47. Pawnee Indian Tribe of Oklahoma

- On June 4, 2015, David Smith met with members of the Tribe on the Pawnee Reservation to review the WAU list for the Tribe and to discuss ways in which additional individuals could be identified. The Tribe agreed to assist.

- In addition, on July 4, 2015, GCG representatives attended a tribal PowWow to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and heirs to eligible estates.

- Additionally, a representative in the tribe's offices has been in direct contact with GCG regarding providing confirmation of tribal members' identity and potential eligibility.

48. Hoopa Valley Tribe of the Hoopa Valley Reservation

- On April 13, 2011, Class Counsel held a meeting at the Hoopa Valley Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. A representative of the Two Rivers Tribute in Hoopa, California (only Native American owned newspaper in California) agreed to publish a list of

WAU records for both living and deceased Class Members from the Yurok, Hoopa Valley and Karuk tribes.

49. **Shoshone Tribe of the Wind River Reservation**

- On March 31, 2010, Class Counsel held an informational meeting at the Wind River Reservation regarding the settlement.

- In addition, GCG sent a list of WAU records for both living and deceased Class Members to the Associate Director of the Lander Area Chamber of Commerce. GCG also sent a list to the Records Clerk for the Eastern Shoshone Enrollment Office.

50. **Omaha Tribe of Nebraska**

- On June 23, 2015, David Smith met with members of the Council for the Omaha Tribe, requesting their assistance in identifying tribal members on the WAU list. Copies of the list were provided. They were extremely supportive and shortly after that meeting Class Counsel and GCG began to receive a large volume of calls from Omaha Tribal members regarding eligibility.

51. **Absentee-Shawnee Tribe of Indians of Oklahoma**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist by providing information for living and deceased WAU Class Members.

- In addition, on June 2, 2014, a meeting was held in Anadarko at which David Smith and representatives of GCG were present and members of the Absentee Shawnee Tribe attended. The status of the settlement was discussed and information was distributed to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, On May 6, 2010, June 1, 2011, June 12, 2012, June 4, 2014 and June 3, 2015, David Smith presented updates on the Cobell Settlement at a symposium in Oklahoma City sponsored by the Oklahoma Supreme Court at which many Oklahoma tribal leaders, including Absentee Shawnee leaders, were present. In 2013 and 2014, a representative of GCG was also present in order to distribute and receive information.

52. Yurok Tribe of the Hoopa Valley Reservation

- On April 13, 2011, Class Counsel held a meeting with the Yurok Tribe at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to help. A representative of Two Rivers Tribute in Hoopa, California (only Native American owned newspaper in California) agreed to publish a list of living and deceased WAU Class Members from the Yurok, Hoopa Valley and Karuk tribes.

53. Nez Perce Tribe of Idaho

- On March 29, 2010, Class Counsel held a meeting at the Nez Perce Reservation at which the settlement was discussed.

- On March 10, 2011, Class Counsel held a second meeting at the Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On February 26, 2014, GCG received an

updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

54. Ute Indian Tribe of the Uintah & Ouray Reservation

- On March 21, 2011, Class Counsel held a meeting at the Uintah and Ouray Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project. GCG provided a list of WAU records for both living and deceased Class Members for that Tribe to the Enrollment Department of the Ute Indian Tribe of the Uintah & Ouray Reservation.

55. Crow Tribe of Montana

- On March 29, 2010, Class Counsel held an informational meeting regarding the settlement at the Crow Reservation.

- On March 24, 2011, Class Counsel held a second meeting at the Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project.

56. Mille Lacs Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the Tribe agreed to assist. GCG provided the Tribe with a list of WAU records for both living

and deceased Class Members. On April 21, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- In addition, David Smith made arrangements to review tribal enrollment records of the Mille Lacs Band with the Great Lakes Inter-Tribal Council. These were reviewed by Mr. Smith and a representative from GCG at the offices of the Great Lakes Inter-Tribal Council in Cass Lake, Minnesota, on September 23-24, 2015 and again on October 19-22, 2015.

57. Fort Belknap Indian Community of the Fort Belknap Reservation of Montana

- On March 23, 2010, Class Counsel held an informational meeting at Fort Belknap at which the settlement was discussed.

- On February 18, 2011, Class Counsel held a second meeting at the Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, on August 1, 2014, Class Counsel and GCG representatives attended an outreach meeting at the Fort Belknap Indian Community to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement, the status of any claim, and identify living Class Members and heirs to eligible estates.

58. **Winnebago Tribe of the Winnebago Reservation of Nebraska**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 27, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- On June 24, 2015, David Smith visited to the Winnebago Reservation to meet with the enrollment office to help identify additional remaining individuals on the WAU list.

59. **Otoe-Missouri Tribe of Oklahoma**

- On June 4, 2014, David Smith and GCG representatives attended an outreach meeting at the Otoe-Missouria Community Building to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and identify living Class Members and heirs to eligible estates.

- The enrollment office at Otoe-Missouria has been very helpful in identifying tribal members on the WAU list.

60. **Kickapoo Tribe of Oklahoma (Includes Texas Band of Kickapoo Indians)**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 10, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- Additionally, members of the Tribe's enrollment office have been in direct contact with GCG regarding both living class members and estates, and GCG has successfully identified and paid a large number of these records with their assistance.

61. Shoshone-Bannock of Fort Hall

- On April 1, 2010, Class Counsel attended an informational meeting at Fort Hall to discuss the settlement.

- In addition, GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. In December, 2013, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

62. Eastern Shawnee Tribe of Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received a partially updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

63. Seneca Nation of New York

- GCG contacted the Tribe for assistance with the Tribal Outreach Project.

64. **Confederated Tribes of the Umatilla Reservation**

- On October 8, 2015, Class Counsel and GCG representatives attended a conference at the Wildhorse Resort and Casino in Pendleton, Oregon to answer questions from Class Members and potential heirs.

- On that same date Class Counsel met with a representative in the enrollment office at Umatilla who was very helpful and willing to provide additional information regarding tribal members remaining on the WAU list.

65. **Bois Forte Band (Nett Lake)**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 14, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- In addition, David Smith made arrangements to review tribal enrollment records of the Bois Forte Band with the Great Lakes Inter-Tribal Council. These were reviewed by Mr. Smith and a representative from GCG at the offices of the Great Lakes Inter-Tribal Council in Cass Lake, Minnesota, on September 23-24, 2015 and again on October 19-22, 2015.

66. **Iowa Tribe of Kansas & Nebraska**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the

information and updated its records or reached out directly to the individuals listed for further information.

67. Quechan Tribe of Fort Yuma of California & Utah

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. It agreed to contact those on the list of WAU living Class Members and potential heirs of eligible estates. GCG provided a list to the Tribe in April 2014. Subsequent to providing the list, GCG received information on 40 tribal members.

68. Delaware Tribe of Western Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist by providing information for living and deceased WAU Class Members. GCG received a list in from the Tribe on April 23, 2014, which GCG reviewed and updated its records based on this information.

69. Crow Creek Sioux Tribe of the Crow Creek Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. A list of WAU records for both living and deceased Class members was sent in January 2014.

70. Menominee Indian Tribe of Wisconsin

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to Ms. Duncane, Director of Enrollment at the Menominee Enrollment Office. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

71. Confederated Tribes of the Warm Springs Reservation of Oregon

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On January 13, 2014, GCG received an updated list in response. Additional data was received on February 12, 2014 and March 14, 2014. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- GCG has also regularly worked with the tribe's probate offices to obtain distribution documents for eligible estates.

72. **Walker River Paiute Tribe of the Walker River Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. The Tribe expressed interest in assisting with outreach. A list of WAU records for both living and deceased Class Members was sent on October 24, 2013.

73. **Pueblo of Laguna**

- On October 4, 2013, Class Counsel reached out to the Secretary of the Pueblo of Laguna and requested the Pueblo's assistance in identifying Class Members who were tribal members. He agreed to assist and was provided a list of WAU records for both living and deceased Class Members. The Pueblo provided an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

74. **Chippewa-Cree Indians of the Rocky Boys Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and

deceased Class Members. On April 14, 2014, GCG received an updated list in response and a subsequent update on June 4, 2014. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

75. Tulalip Tribes of the Tulalip Reservation

- On December 23, 2013, GCG provided the Tribe with a list of WAU records for both living and deceased Class Members.
- On November 6-7, 2014, David Smith and a representative of GCG attended a meeting of tribal enrollment officers at the Tulalip Reservation. The meeting focused on the WAU and undistributed estates for tribes represented at the meeting.

76. Stockbridge-Munsee Community of Mohican Indians of Wisconsin

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On June 18, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

77. Washoe Indians of Nevada & California

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. On February 6, 2014, a list of WAU records for both living and deceased Class Members was provided to a tribal representative.

78. Covelo Indian Community of the Round Valley Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and

deceased Class Members. On April 3, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

79. Pueblo of Taos

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 7, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

80. Wyandotte Tribe of Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 14, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

81. Wichita Indian Tribe of Oklahoma

- On March 14, 2011, Class Counsel held a presentation in Anadarko, Oklahoma, to which members of the Wichita Tribe were invited to attend. The settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- GCG contacted the Wichita Tribe of Oklahoma for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a paper list of WAU

records for both living and deceased Class Members. On May 19, 2014, GCG received an updated list in response. GCG reviewed the information, updated its records, and reached out directly to the individuals listed for further information. Additionally, the Tribe also agreed to directly contact Class Members.

- On May 21, 2014, Class Counsel David Smith talked to the President of the Tribe and requested her assistance in notifying tribal members of a meeting regarding the settlement in Anadarko on June 2, 2014. On that date, David Smith and GCG representatives attended an outreach meeting at the Iscani Community Center to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and the heirs of those who have passed.

82. Pala Band of Luiseno Mission Indians of the Pala Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On October 15, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

83. Lummi Tribe of the Lummi Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the tribe with a list of WAU records for both living and deceased Class Members. On January 3, 2014, GCG received an updated list in response, and

a subsequent update on March 6, 2014. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

84. **Hannahville Indian Community of Wisconsin Potawatomic Indians of Michigan**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided a list of WAU records for both living and deceased Class Members to the tribal offices.

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

85. **St. Croix Chippewa Indians of Wisconsin**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 9, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

86. **Karuk Tribe of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and

deceased Class Members. Additionally, the Two Rivers Tribute in Hoopa, California (only Native American owned newspaper in California) agreed to publish a list of living and deceased WAU Class Members from the Yurok, Hoopa Valley and Karuk tribes.

87. Hopi Tribe of Arizona

- GCG spoke with ITCA which was willing to assist with locating class members who were members of the Hope Tribe. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

88. Hualapai Tribe of the Hualapai Indian Reservation

- GCG spoke with ITCA which was willing to assist with locating class members who were Hualapai tribal members. GCG provided a list of WAU records for both living and deceased Class Members for each tribe as requested.

- GCG also contacted the Tribe for assistance with the Tribal Outreach Project.

89. Keweenaw Bay Chippewa

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records they had in their office. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact

information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

90. **Fort McDowell Mohave-Apache Indian Community, Fort McDowell Band of Mohave Apache Indians of the Fort McDowell**

- GCG spoke with ITCA which was willing to assist with locating class members who were members of the Community. GCG provided a list of WAU records for both living and deceased Class Members for each tribe as requested.

- Also, the tribal offices expressed interest in assisting with outreach and information was provided.

91. **Mescalero Apache Tribe of the Mescalero Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 21, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

92. **Makah Indian Tribe of the Makah Indian Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. Although the Tribe responded that it was unable to directly provide information, it agreed to contact those on the list of WAU living Class Members and potential heirs of eligible estates. GCG sent a list to the tribe in April 2014. GCG has received calls from Class Members who were subsequently contacted by the tribe.

93. **Morongo Band of Cahuilla Mission Indians of the Morongo Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and the tribal office agreed to review the list of living and deceased WAU Class Members and update whatever contacts she could. Subsequent to providing this list, GCG received information on 14 tribal members.

94. **Ponca Tribe of Nebraska**

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members.

95. **Kickapoo Tribe of Indians of the Kickapoo Reservation in Kansas**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 30, 2014, GCG received an updated list in response and an additional update on May 2, 2014. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

96. **Swinomish Indians of the Swinomish Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. Although the Tribe responded that it was unable to directly provide information, it agreed to contact those on the list of WAU living Class Members and potential heirs of eligible estates. GCG provided a list to the Tribe in November 2013.

97. **Fort Mojave Indian Tribe of Arizona**

- GCG spoke with ITCA which was willing to assist with locating class members who were members of the Fort Mojave Tribe. GCG provided a list of WAU records

for both living and deceased Class Members for each tribe as requested. Subsequent to providing this list, GCG received information on 27 tribal members.

98. Zuni Tribe of the Zuni Reservation

- GCG spoke with ITCA which was willing to assist with locating Class Members who were Zuni tribal members. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 6, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

99. Puyallup Tribe of the Puyallup Reservation

- On October 1, 2013, David Smith reached out to the Tribe's offices requesting assistance in identifying tribal members listed on the WAU list and the heirs of those that were deceased. On October 8, 2013, The Tribe responded and agreed to assist upon approval of the Tribal Council, which was granted. GCG provided a physical list of WAU records for both living and deceased Class Members to the Director of Enrollment Department on October 2, 2013. The Director was very helpful and, in response, provided a list of addresses for living Class Members and information regarding estates and heirs for deceased Class Members. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- On September 23, 2014, GCG representatives attended an outreach meeting in Tacoma, Washington attended by tribal members to collect documentation, personally take questions, assist individuals in determining eligibility for the Settlement and the status of any claim, and to identify living Class Members and heirs to eligible estates.

100. **Flandreau Santee Sioux Tribe of South Dakota**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 12, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

101. **Kaibab Band of Paiute Indians of the Kaibab Indian Reservation**

- GCG spoke with ITCA which was willing to assist with locating class members who were members of Tribes that were Council members. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested. Subsequent to providing this list, GCG received information on two tribal members.

102. **Prairie Island Indiana Community of Minnesota Mdewakanton Sioux Indians of the Prairie Island Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project.

103. **Rincon Band of Luiseno Mission Indians of the Rincon Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 7, 2014, GCG received an updated list in response. GCG

reviewed the information and updated its records or reached out directly to the individuals listed for further information.

104. **Chemehuevi Indian Tribe of the Chemehuevi Reservation**

- GCG spoke with ITCA which was willing to assist with locating class members who were Chemehuevi tribal members. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested. Subsequent to providing this list, GCG received information on 17 tribal members.

105. **Forest County Potawatomi Community of Wisconsin Potawatomi Indians**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 16, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

106. **Shoshone-Paiute Tribes of the Duck Valley Rancheria**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On June 18, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

107. **Nooksack Indian Tribe of Washington**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project and provided a list of WAU records for both living and deceased Class Members.

108. **Confederated Tribes of the Goshute Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project and provided a list of WAU records for both living and deceased Class Members.

109. **Cowlitz Indian Tribe**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 16, 2014 and April 18, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

110. **Lower Sioux Indian Community of the Minnesota Mdewakanton Sioux Indians of the Lower Sioux Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On February 10, 2014, GCG received an updated list in response and additional information on March 14, 2014. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

111. **Te-Moak West Shoshone (Elko)**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 5, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

112. Iowa Tribe of Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

113. Kalispell Indian Community of the Kalispell Reservation

- The Tribe expressed interest in assisting with outreach, so GCG provided a list of WAU records for both living and deceased Class Members to the Tribe.

114. Upper Skagit Indian Tribe of Washington

- On September 10, 2015, GCG representatives visited the BIA offices in Everett, Washington to collect information and documentation regarding living and deceased Class Members or eligible estates.

115. Ak Chin Indian Community of Papago Indians of Maricopa

- The Ak Chin Indian Community has been extremely helpful in locating Class Members on the WAU list. David Smith reached out to the Tribal Council on October 1, 2013, and they referred him to the Tribe's Enrollment Specialist. That specialist was provided the names of those identified by Interior as tribal members on the WAU list which resulted in a number of those individuals contacting either Class Counsel or GCG. Class Counsel received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

- In addition, Mr. Smith discussed with the General Counsel's office pending estates as the Ak Chin Tribal Code provided a small estate procedure. Letters were written to heirs of known estates suggesting this procedure be utilized.

- GCG spoke with ITCA which was willing to assist with locating class members who were Ak Chin tribal members. GCG provided a list of WAU records for both living and deceased Class Members for each tribe as requested.

116. Paiute-Shoshone Tribe of Fallon

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the tribe with a list of WAU records for both living and deceased Class Members. On March 4, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

117. Tule River Indian Tribe of the Tule River Indian Reservation

- On June 28, 2013, Class Counsel sent a list of WAU records for both living and deceased Class Members to Roxanne, Legal Assistant to the General Counsel's office. Subsequent to providing this list, GCG received information on 41 tribal members.

118. Yavapai-Apache Indian Community of the Camp Verde Reservation

- GCG spoke with ITCA which was willing to assist with locating class members who were tribal members of tribes that were Council members. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a paper list of WAU records for both living and deceased Class Members. On May 14, 2014, GCG received an updated list in response.

119. Smith River Rancheria of California

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a paper list of WAU records for both living and deceased Class Members. On May 15, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

120. Skull Valley Band of Goshute Indians of Utah

- GCG contacted the Tribe for assistance with the Tribal Outreach Project. The Chairwoman at the tribal offices expressed interest in assisting with outreach, and GCG sent a list of WAU records for both living and deceased Class Members.

121. Port Gamble Indiana Community of the Port Gamble Reservation

- GCG contacted the Tribe for assistance with the Tribal Outreach Project and sent a list of WAU records for both living and deceased Class Members.

122. Kaw Indian Tribe of Oklahoma

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

123. Cocopah Tribe of Arizona

- GCG spoke with a representative of the Inter-Tribal Council of Arizona who stated that the ITCA was willing to assist with locating class members who were members of tribes that were Council members. ITCA requested and GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

124. Paiute-Shoshone Tribe of Fallon Reservation & Colony

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 4, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

125. Squaxin Island Tribe of the Squaxin Island Reservation

- On March 17, 2015, David Smith reached out to the general counsel's office seeking assistance in identifying Class Members who were members of the Squaxin Island Tribe. He agreed to assist and referred Mr. Smith to the Enrollment Office for the Tribe. The Enrollment Office was provided a copy of the WAU list for living and deceased members of the Tribe. Subsequent to providing this list, GCG received information on 11 tribal members.

126. Havasupai Tribe of the Havasupai Reservation

- GCG spoke with ITCA which was willing to assist with locating class members who were members of the Tribe. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

- GCG also contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

127. **Santa Rosa Indian Community of the Santa Rose Rancheria of California**

- On October 4, 2013, Class Counsel provided the list of tribal members on the WAU list to the Tribe which responded with updated contact information. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

128. **Capitan Grande Band of Diegueno Mission Indians of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project.

129. **Yavapai-Prescott Tribe of the Yavapai Reservation**

- GCG spoke with ITCA which was willing to assist with locating class members who were members of ITCA. GCG provided a list of WAU records for both living and deceased Class Members for each Tribe as requested.

130. **Agua Caliente Band of Cahuilla Indians of the Agua Caliente Indian Reservation**

- On February 2, 2011, Class Counsel held a meeting at the Agua Caliente Indian Reservation at which the settlement was discussed and information was distributed, including claim forms, to facilitate the identification of Class Members and heirs of those who had passed.

- In addition, David Smith contacted the Tribal Council to assist in the identification of Class Members and heirs of estates. The Council has been extremely helpful in providing information upon which distributions can be made.

131. **Big Valley Rancheria of Pomo & Pit River Indians of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On December 2, 2013, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

132. **Picayune Rancheria of Chukchansi Indians of California**

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 21, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

133. **Jamestown S'klallam Tribe of Washington**

- On September 10, 2015, GCG representatives visited the BIA offices in Everett, Washington to collect information and documentation regarding living and deceased Class Members (or eligible estates).

134. **Confederated Tribes of the Grand Rhonde Community of Oregon**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and

deceased Class Members. On April 28, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

135. **Northfork Rancheria of Mono Indians of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project.

136. **Confederated Tribes of the Siletz Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On March 28, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

137. **Mississippi Band of Choctaw Indians**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. However, no information was provided.

- On October 4, 2013, Class Counsel's office also reached out to the enrollment office of the Tribe seeking assistance.

138. **Lower Elwha Tribal Community of the Lower Elwha Reservation**

- On September 10, 2015, GCG representatives visited the BIA offices in Everett, Washington to collect information and documentation regarding living and deceased Class Members or eligible estates.

139. **Pueblo of Isleta**

- On October 3, 2013, Class Counsel provided list of WAU living and deceased Class Members to the Pueblo and the Tribe provided updated information. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

140. **Coast Indian Community of Yurok Indians of the Resighini Rancheria**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 25, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

141. **Shakopee Mdewakanton Sioux Community of Minnesota (Prior Lake)**

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the tribe with a list of WAU records for both living and deceased Class Members. On March 17, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

142. **Camp Band of the Diegueno Mission Indians of the Campo Indian Reservation**

- GCG contacted the tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On May 13, 2014, GCG received an updated list in response. GCG

reviewed the information and updated its records or reached out directly to the individuals listed for further information.

143. **Santa Rosa Band of Cahuilla Mission Indians of the Santa Rosa Reservation**

- On October 4, 2013, Class Counsel provided a list of WAU living and deceased Class Members to the Tribe. Class Counsel provided GCG with the Tribe's responses. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

144. **Potawatomi-Pokagon Band**

- David Smith contacted the tribe's legal department which agreed to assist with the Tribal Outreach Project.

- GCG contacted the Tribe for assistance with the Tribal Outreach Project in May 2014. The tribal representative, Bob Moody Jr. - Vice Chair, agreed to publish names of missing persons and estates without documentation that would allow GCG to pay heirs in their Tribal newsletter "Pokegnek Yajdanawa." GCG sent Mr. Moody, the list of names and estates for publication.

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office for the Potawatomi - Pokagon Band. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

145. **Big Sandy Rancheria of Mono Indians of California**

- GCG prepared and sent a list of WAU living and deceased Class Members to the Intertribal Council of California.

146. **Fort Bidwell Indian Community of Paiute Indians of the Fort Bidwell Reservation**

- On October 4 2013, Class Counsel provided a list of WAU living and deceased Class Members to the Tribe. The Tribe responded with updated information. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

147. **Pueblo of Acoma**

- GCG contacted the Pueblo for assistance with the Tribal Outreach Project. Although the tribe responded that it was unable to directly provide information, it agreed to contact those on the list of WAU living Class Members and potential heirs of eligible estates.

148. **Pueblo of Jemez**

- GCG contacted the Pueblo for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Pueblo with a list of WAU records for both living and deceased Class Members. On April 14, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

149. **Dry Creek Rancheria of Pomo Indians of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project in April 2014.

150. **Pascua Yaqui Tribe of Arizona**

- GCG spoke with ITCA which was willing to assist with locating class members who were members of tribes that were Council members. GCG provided a list of WAU records for both living and deceased Class Members for each tribe as requested.

- Class Counsel David Smith will be returning to Pascua Yaqui in January 2016.

151. **Upper Sioux Indian Community of the Upper Sioux Reservation**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. GCG received a list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

152. **Pueblo of Santo Domingo**

- Class Counsel's office contacted the Governor at Pueblo of Santo Domingo and a list was sent on October 4, 2013. Class Counsel provided GCG with the Pueblo's responses. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

153. **Kickapoo Tribe of Texas**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the tribe with a list of WAU records for both living and deceased Class Members. On April 10, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

154. **Blue Lake Rancheria of California**

- GCG contacted the Tribe for assistance with the Tribal Outreach Project, and it agreed to assist. GCG provided the Tribe with a list of WAU records for both living and deceased Class Members. On April 23, 2014, GCG received an updated list in response. GCG reviewed the information and updated its records or reached out directly to the individuals listed for further information.

155. **Yakima Public Domain**

- On October 14-16, 2015 GCG representatives visited OST/BIA/Tribal headquarters in Toppenish, Washington to collect information and documentation regarding living and deceased Class Members (or eligible estates).

156. **Robinson Rancheria of Pomo Indians of California**

- On October 9, 2013, Class Counsel reached out to the enrollment office of the Robinson Rancheria of Pomo Indians to assist with finding individuals on the WAU list who were identified as members of that Rancheria. The enrollment office agreed to assist and a list was provided. Subsequent to providing this list, GCG received information on five tribal members.

157. **Grand River Band - Ottawa**

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office regarding the Grand River Band - Ottawa. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were

updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

158. Grand Traverse Band of Michigan

- GCG visited the regional BIA office that handles the administration for the Grand Traverse Band of Michigan during the week of December 7 -11. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate's award.

159. Little River Band of Ottawa

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office for the Little River Band of Ottawa. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

160. Sault Ste. Marie Tribe of Chippewa Indians of Michigan

- GCG visited the regional BIA office that handles the administration for the Sault Ste. Marie Tribe of Chippewa Indians of Michigan during the week of December 7 -11. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were

updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

161. Bay Mills Indian Community of Michigan

- GCG worked with the regional BIA office in Sault Ste. Marie which handles the administration of the Bay Mills Indian Community of Michigan. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs so that further outreach to the family can be conducted or GCG was able to obtain a probate order for which GCG will be able to distribute the estate award.

162. Little Traverse Bay Band Odawa

- On December 7-11, 2015, GCG visited the Sault Ste. Marie regional office of the BIA in order to review the records in its office for the Little Traverse Bay Band Odawa Tribe. This was a very successful visit as GCG was able to obtain over 75% of all living WAU Class Members' updated contact information, and deceased Class Member records were updated with new contact information for their heirs or was provided with a probate order for which GCG will be able to distribute the estate award.

163. Other Tribes

- Where a Tribe or Pueblo is not listed on this list it may be because additional information was unnecessary. However, GCG and Class Counsel have contacted many other tribal communities, requesting assistance with Class Members where additional contact information was needed, or where the identification of heirs would be helpful in obtaining

probate information so that GCG could distribute the deceased Class Members' award. In several instances, GCG provided lists of these individual Class Members to the Tribes but was unable to obtain further information which would allow GCG to update WAU contact information or conduct further outreach to relatives of estates.

- As such, Class Counsel and GCG are conducting further outreach and visits to 15 regional BIA offices and associated Tribes in the first quarter of 2016 which will allow research of approximately 14,200 living and 24,150 deceased Class Members. The regional offices which are slated to be visited include several agencies in Oklahoma, New Mexico, Arizona, California and Nevada. Additionally, Wisconsin, South Dakota and Washington agencies will be included.