

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

ONEIDA NATION,

Plaintiff(s),

v.

TELEPHONE CONFERENCE
(Motion for Preliminary Injunction)
Case No. 16-CV-1217

VILLAGE OF HOBART WI,

Defendant(s).

HONORABLE WILLIAM C. GRIESBACH presiding
Deputy Clerk: Lori
Proceeding Held: September 13, 2016

Tape: 091316
Hearing Began: 9:02 AM
Hearing Ended: 9:23 AM

Appearances:

Plaintiff(s): James R. Bittorf and Arlinda F. Locklear

Defendant(s): Frank Kowalkowski

9:03 am Court makes inquiry as to Village of Hobart's intentions (The Big Apple Fest 9/17/16)
Mr. Kowalkowski responds

9:05 am Court inquires as to Forfeiture
Mr. Kowalkowski responds, informs the Court there is a Village Meeting scheduled for late this afternoon/evening.
Court inquires as to events occurring non Trust land

9:06 am Mr. Kowalkowski disagrees and sets forth arguments as to impact on traffic

9:07 am Ms. Locklear responds, addresses issue of threat of imposition of penalties

9:11 am Court inquires as to issue of forfeiture
Mr. Kowalkowski responds
Court inquires as to overflow activity.

9:14 am Ms. Locklear addresses letter from Village
Mr. Kowalkowski argues no irreparable harm

9:16 am The Court is "satisfied there is a likelihood of success on the merits, but I am not satisfied there is irreparable harm"
The Court inquires as to Village issuing a citation.

9:17 am Mr. Kowalkowski responds

9:19 am The Court understands there will be no interference with the festival going on.

9:20 am Ms. Locklear requests to be able to advise the Nation officials that they will be able to perform their duties on Saturday without any disruption or being served papers at the time of the event.
The Court responds and inquires as to if Mr. Kowalkowski agrees.
Mr. Kowalkowski responds, agrees with caveat there may be a forfeiture after Saturday.

9:22 am (Motion for Preliminary Injunction denied), the Court will be notified by the parties if this case may be dismissed.