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Frank W. Kowalkowski
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Suite 300
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JAN 21 2015

January 14, 2015

ONEIDA LAW OFFICE

Re: *Village of Hobart, WI v. Oneida Tribe of Indians of Wisconsin*,
No. 13-847

Dear Mr. Kowalkowski:

On May 27, 2014, the Supreme Court denied the Village of Hobart's ("Hobart") petition for certiorari to review the decision by the lower federal courts that it cannot impose its stormwater management utility charges on land held in trust by the United States for the Oneida Tribe of Indians of Wisconsin ("Tribe"). 732 F.3d 837 (7th Cir. 2013); 891 F. Supp.2d 1058 (E.D. Wis. 2012). Since that time, the Tribe's Chairman and its lawyers have been in communication with you, Hobart officials, and county officials to implement the judgment, that is, to insure that all stormwater management utility charges previously and currently imposed on the trust lands subject to the litigation are removed.

Despite the Tribe's best efforts, there remains a dispute between Hobart and the Tribe as to whether forty-two (42) specific parcels fall within the terms of the judgment entered. These forty-two parcels are identified by Hobart by the tax parcel number appearing in Brown County tax records. As set out below, though, these parcels were all included as subject lands in the litigation. The status of those parcels has not changed since the judgment and all charges as to those parcels should be immediately expunged.

First, Hobart made a demand for payment to the United States of the allegedly due charges as to all trust parcels as the record owner of them in the amount of \$237,862.06. This amount was based upon a certification by Brown County identifying trust parcels held by the United States for the Tribe and showing an outstanding balance in that amount. All forty-two parcels now disputed by Hobart as trust lands appeared on the County's certified list. The United States declined to pay the charges and Hobart filed a third-party complaint for its refusal to do so as to all these parcels.

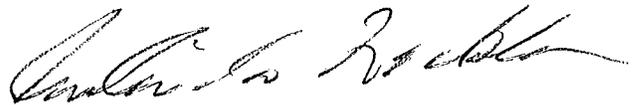
Second, the Tribe and Hobart entered into a stipulation of facts in support of cross-motions for summary judgment in the matter. Among other things, this stipulation stated, "The United States holds 148 parcels of land in trust for the Tribe located within the boundaries of Hobart; these parcels are referred to collectively herein as the subject trust lands." Stip., ¶ 4. The Webster Affidavit submitted by the Tribe included an Exhibit A, which listed the 148 parcels of trust land. Webster Affidavit, ¶ 5. All forty-two of the now disputed parcels

appeared on Exhibit A.

Third, Hobart responded to the Webster Affidavit, and the Tribe's statement of additional facts based thereon, in its motion for summary judgment. In this further opportunity to challenge the status of specific parcels as trust land, Hobart declined to do so. Instead, Hobart admitted the correctness of the Webster Affidavit statement regarding the identity of the trust parcels. Hobart Response to Plaintiff's Statement of Proposed Material Facts, ¶ 6.

In sum, the Tribe and Hobart agreed upon the trust parcels that were subject to the litigation, identifying them by the same tax parcel numbers now used by Hobart to dispute trust status. Thus, there can be no question or confusion as to the precise parcels that were subject to the litigation and that the forty-two (42) parcels were among the subject lands. As a result, the status of the forty-two (42) parcels as trust lands is a matter established in the litigation. Unless we are able to resolve this matter within thirty (30) days from the date of this letter, the Tribe will consider seeking relief from the court.

Sincerely,

A handwritten signature in black ink, appearing to read "Arlinda Locklear", written in a cursive style.

Arlinda Locklear

cc: James Bittorf, Deputy General Counsel
Oneida Tribe of Indians of Wisconsin