

# ***Oneida Tribal Judicial System***

Onayote ? a-ka Tsi? Shakotiya? Tolé hte

---

## **Trial Court**

---

**Sylvia A. Graves**  
**Petitioner**

v.

**Docket No: 10-TC-028**

**Date: May 6, 2010**

**Leona Smith and,**  
**Allstate Insurance Co.,**  
**Respondents and**  
**Third-Party Petitioners**

v.

**Oneida Nation of Wisconsin**  
**Third-Party Respondent**

---

## **Decision on Motion for Extension**

---

This case has come before the Oneida Tribal Judicial System, Trial Court. Judicial Officers, Mary Adams, Sandra L. Skenadore, Leland Wigg-Ninham, presiding.

### **I Background**

This case involves a tort claim.

On March 8, 2010, Petitioner, Sylvia Graves, filed a claim against Respondent, Leona Smith and her homeowner's insurance company, Allstate Insurance Company, for an alleged injury she suffered from a fall while on Smith's property.

On March 26, 2010, Respondent filed a Notice of Motion and Motion for Additional Time in Which to Determine Whether a Third-Party Complaint Can or Will Be Filed.

The Court granted Respondent's Motion for Additional Time. The Pre-trial hearing was rescheduled for May 11, 2010 at 9:00 am.

On May 6, 2010, Oneida Nation of Wisconsin Third-Party Respondent filed a Third Party Respondent's Motion to Adjourn Pretrial Hearing to a Later Date. This Motion was based on the following grounds:

1. The Tribe's Answer in this matter was due May 5, 2010 and the attorney handling this matter for the Tribe is unavailable on May 11, 2010.
2. The Tribe has tendered defense of this matter to its insurance carrier and an attorney retained by the insurance carrier will soon be taking over defense of this matter for the Tribe.

The Court granted Third-Party Respondent's Motion to Adjourn Pretrial Hearing to a later date to allow the Tribe to fully participate in this hearing.

## **II Decision**

The Court granted Respondent's Motion for a continuance. The pretrial hearing is rescheduled for July 13, 2010 at 9:00 am.