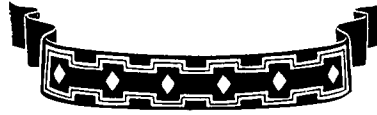


Oneida Appeals Commission

Onayote ʔ a-ka Tsiʔ Shakotiyaʔ Tolé hte

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Trial Court

Oakley Arnold,
Petitioner

Docket No. 04 -TC-098

v.

Oneida Business Committee,
Respondent

Date: December 13, 2004

Injunction

This case has come before the Oneida Appeals Commission Trial Court. Judicial Officers Leland Wigg-Ninham, Janice McLester, and Anita Barber presiding.

I Background

On December 10, 2004, Oakley Arnold petitioned the Oneida Appeals Commission for an Injunction against the December 13th, General Tribal Council Meeting addressing the Oneida Land Settlement Proposal. Mr. Arnold cites the Ten Day Law passed by the General Tribal Council as the law that would apply and allow for an Injunction.

II Issues

Has Petitioner provided sufficient evidence to grant an injunction against Respondent?

The Petitioner has not provided sufficient evidence to grant an injunction against Respondent. Mr. Arnold is incorrect in his assertion that the Ten Day Law has been violated. On November 13th, 2004, a General Tribal Council meeting was called regarding an update and current negotiations of the Oneida Land Claims. However, a quorum was not met and the meeting was rescheduled for December 13th, 2004. Therefore, the assertion that the Ten Day Law was not

adhered to is incorrect. From the day the General Tribal Council Land Claim meeting missed quorum to December 13th, is thirty days. This rescheduled hearing was scheduled more than ten days and therefore Mr. Arnold's assertions that the Ten Day Law has been violated is incorrect.

The purpose of the General Tribal Council Land Claim meeting was to update and inform the citizenry of current negotiations. The fact that certain events may have sparked interest amongst tribal citizens now wanting to attend the General Tribal Council Land Claim meeting does not change the fact that this meeting was scheduled and notice given beyond the ten day limit. The purpose of the original meeting that failed to meet quorum was the same to discuss recent developments in the negotiations process. Therefore, Mr. Arnold's assertion that the Ten Day Law has been violated is incorrect.

IV Decision

The Petitioner has not provided sufficient evidence to grant an injunction against Respondent. Therefore the request for the Injunction is denied.

It is so ordered.