

THREE AFFILIATED TRIBES

SUPREME COURT

FORT BERTHOLD RESERVATION

NEW TOWN, NORTH DAKOTA

Carol Good Bear, Terrance Fredericks, Todd Hall,
Patti Jo Hall, Kelly Hosie, and Edward S. "Tyke"
Danks,

Appellees,

v.

Mark N. Fox, as Three Affiliated Tribes' Tribal
Chairman, Cory Spotted Bear, as Three Affiliated
Tribes' Vice-Chairman, Fred Fox, as Three
Affiliated Tribes' Executive Secretary, Mervin
Packineau, as Three Affiliated Tribes' Treasurer,
Robert White, as Three Affiliated Tribes'
Councilman, Sherry Turner-Lone Fight, as Three
Affiliated Tribes' Councilwoman, Monica Mayer, as
Three Affiliated Tribes' Councilwoman, and The
Three Affiliated Tribes' Tribal Business Council,

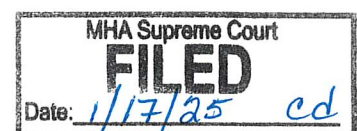
Appellants.

AP-2024-002

OPINION AND ORDER

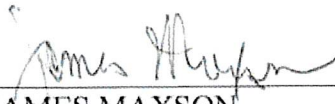
Appellants, Fox et al, have appealed a May 9, 2024, Order of the Fort Berthold District Court in which the Court ordered, adjudged and decreed that the prospective injunctive relief sought by Appellees, Good Bear et al, must be determined by the Fort Berthold District Court whether or not the surviving allegations of Good Bear et al are true. The Court asked that counsel confer and attempt to reach a stipulation as to a scheduling order for discovery, dispositive motions such as a summary judgment, and for trial, if necessary. Rather than doing this, Fox et al, have appealed the above Order.

The May 9, 2024 Order is clearly an Interlocutory Order. As this Court has earlier ruled in Fredericks v. Fredericks, AP-2022-005, "Interlocutory has been defined as interim or



temporary; not constituting a final resolution of the whole controversy." (See also Johnson v Pierce, MHA S.Ct, AP-2024-003) That definition fits the May 9, 2024 Order of the Fort Berthold District Court like a glove. The appeal of Fox, et al, is hereby denied. In light of this denial, no oral arguments shall be scheduled before this Court at this time.

Dated this 17th day of January, 2025.


JAMES MAXSON
ASSOCIATE JUSTICE
MHA NATION SUPREME COURT

MICHELLE RIVARD PARKS
CHIEF JUSTICE
MHA NATION SUPREME COURT

JOHN MAHONEY
ASSOCIATE JUSTICE
MHA NATION SUPREME COURT

OFFICE OF MHA SUPREME COURT
I hereby certify that I have compared the
within instrument with the original Case No. AP2024-002
Now on file in my office, and that it is a true
copy of the same, and the above is true copy of the filing
thereon.
Dated at New Town, North Dakota this 17th
day of January 2025
Clarence DeGroot
MHA SUPREME COURT CLERK

MANDAN, HIDATSA, & ARIKARA NATION
FORT BERTHOLD RESERVATION

SUPREME COURT
NEW TOWN, NORTH DAKOTA

Carol Good Bear, Terrance Fredericks,
Todd Hall, Patti Jo Hallo, Kelly Hosie, and
Edward S. "Tyke" Danks.

APPELLEE,

CERTIFICATE OF MAILING

Vs.

AP2024-002

CV2023-0469

Mark N. Fox, as Three Affiliated Tribes'
Tribal Chairman, Cory Spotted Bear as
TAT Vice-Chairman, Fred Fox, as TAT
Executive Secretary, Mervin Packineau,
As TAT Treasurer, Robert White, as
TAT Councilman, Sherry Turner-Lone Fight, as
TAT Councilwoman, Monica Mayer as
TAT Councilwoman and the TAT
Tribal Business Council,

APPELLANT,

STATE OF NORTH DAKOTA)
)ss
COUNTY OF MOUNTRAIL)

COMES NOW, Clarine DeGroot, MHA Supreme Court Clerk and states the following:

Opinion and Order and Certificate of Service

Was served by me on January 17, 2025 to the following individuals by sending true and correct
copies of such documents in the U.S. Mail postage prepaid, in New Town, North Dakota.

APPELLEE

Jack E. Zuger
Larson-King, LLP
30 E. 7th Street, Ste 2800
St. Paul, MN 55101

APPELLANT

Timothy Q. Purdon
Robins/Kaplan LLP
1207 W. Divide Ave. Ste. 200
Bismarck, ND 58501

I further certify that I am over eighteen years of age and not a party to this action.

Clarine DeGroot

MHA Supreme Court Clerk

RECEIVED

JAN 21 2025

BY: JZ

