

EXHIBIT E

**LAC VIEW DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS
IN THE TRIBAL COURT
P.O. Box 249, Watersmeet, MI 49969**

**PATRICIA A. PETE,
Plaintiff**

-v-

File No. 10-CV-79

**LAC VIEW DESERT BAND OF LAKE
SUPERIOR CHIPPEWA INDIANS TRIBAL
COUNCIL and CYNTHIA WEBB, ROXANNE
MCGESHICK, HELEN SMITH, 2010
ELECTION BOARD
Defendant(s),**

**Patricia A. Pete
301 N. Park Avenue
Crandon, WI 54520
Plaintiff, In Pro Per**

**Ben Fenner
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Attorney for Election Board Defendants**

**Jay Finch
Tribal Attorney on behalf of
Lac View Desert Band
P.O. Box 249
Watersmeet, MI 49969
(906)-358-4313**

**GIWEGHIIZHIGOOKWAY Martin
Plaintiff,**

-v-

File No. 10-CV-78

**LAC VIEW DESERT ELECTION BOARD
Defendant,**

Giiweghiizhigookway Martin

P.O. Box 384 5056 U.S. Hwy. 45 N.
Watersmeet, MI 49969
Plaintiff, In Pro Per

Ben Fenner
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Attorney for Election Board Defendants

JOETTE PETE-BALDWIN
Plaintiff,

-v-

File No. 10-CV-80

LAC VIEW DESERT ELECTION BOARD,
Defendant,

Joette Pete-Baldwin
P.O. Box 271
Watersmeet, Mi 49969
Plaintiff In Pro Per

Ben Fenner
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Attorney for Election Board Defendants

JAMES WILLIAMS, JR., Individually and
In His Official Capacity,
Plaintiff,

-v-

CINDY WEBB, ROXANNE BAIN, and HELEN
SMITH, Individually and in their Official Election
Board Capacities,
Defendants,

Verrin T. Kewenvoyouma
Kewenvoyouma Law, PLLC
7303 W. Boston Street
Chandler, Arizona 85226
Attorney for Plaintiff James Williams, Jr.

Ben Fenner
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Attorney for Election Board Defendants

TRACY R. PETE,
Plaintiff,

-v-

LAC VIEW DESERT ELECTION BOARD
Defendant,

Tracy R. Pete General Delivery
Watersmeet, MI 49969
Plaintiff In Pro Per

Ben Fenner
Fredericks Peebles & Morgan LLP
3610 North 163rd Plaza
Omaha, NE 68116
Attorney for Election Board Defendants

EXECUTION OF JUDGMENT

Plaintiff Williams requested a Stay of the Court's August 19, 2010, judgment. The Court's judgment requires the 2010 Election Board to conduct another election for General Council with only the addition of Patricia A. Pete to the ballot.

The Court in its post judgment opinion August 27, 2010 DENIED Plaintiff James Williams Jr.'s request for a Stay for failing to meet the necessary burden for granting a Stay of execution and also Ordered the 2008 elected Tribal Council members to swear in the 2010 Executive Council Election winners from the June 26, 2010, Tribal Election pursuant to Article VII, Section 2(c) no later than September 7, 2010.

As of 9:00 AM CST on September 8, 2010, the Court has been made aware that the 2008 Elected Tribal Council Members have not carried out the Court's order.

As Defendant's in the case of Patricia Pete v. LVD Tribal Council and 2010 Election Board, File No. 10-CV-79, the Defendants, 2008 Elected LVD Tribal Council have also applied for a stay of this Court's August 19, 2010 judgment.

In their APPLICATION FOR STAY OF EXECUTION OF THE OPINION AND ORDER PENDING APPEAL the 2008 Elected LVD Tribal Council has not convinced this Court that they are likely to succeed on the merits or that they will be irreparably injured absent a stay. Further Defendants have failed to address whether the issuance of the stay would substantially injure the other parties; or where the public interest lies.

Rather than argue the issues essential for the Court's consideration when granting a stay, the 2008 Elected LVD Tribal Council advances an argument that all orders issued thus far in the above mentioned cases are void *ab initio* (from the start) as they believe that Judge Bradley Dakota is ineligible to serve as an LVD Judge in any capacity.

Ironically, in spite of Defendants legal position with respect to Judge Dakota's lawful authority, they suggest that what they are "respectfully requesting" is for the full implementation of Judge Dakota's "verbal indication" (emphasis added) from the bench on August 2, 2010.

Not only is it unreasonable, it is inconceivable to adopt Defendants contention that they can agree to the Court's authority and legitimacy *only* when it achieves the result they are seeking.

All of the decisions made thus far in the above mentioned cases including the legitimacy of Judge Bradley Dakota to preside as a "Special Appointed Judge" are appealable.

The relief from judgment Defendants are seeking can be granted by a duly appointed Appellate Court. This Court remains unconvinced that a stay will serve the best interests of justice.

ORDER

To any Police Officer of the Lac View Desert police force or any deputized officer thereof, you are hereby directed to take the following person(s) into lawful custody under the General Contempt provisions of the LVD Tribal Code for Willful disobedience or resistance to the execution of a lawful order of the Court.


-JAMES H. WILLIAMS JR.(2-26-1968) 153 Snowflake Rd., Bruce Crossing, MI 49912
-JOETTE PETE-BALDWIN(7-7-1971) P.O. Box 271, Watersmeet, MI 49969
-MICHELLE HAZEN ALLEN(2-10-1973)P.O. Box 7, Watersmeet, MI 49969

-MISAABE MCGESHICK(2-9-1975)P.O. Box 332, Watersmeet, MI 49969
-TRACY R. PETE(6-19-1972)P.O. Box 63, Watersmeet, MI 49969
-GIWEGIIZHIGOOKWAY MARTIN(6-12-1949)P.O. Box 384, Watersmeet, MI 49969
-ROBERTA L. IVEY(11-10-1968)P.O. Box 528, Watersmeet, MI 49969
-TYRONE MCGESHICK(2-11-1969)P.O. Box 95, Watersmeet, MI 49969
-SHASTA KLINGMAN(6-11-1976)P.O. Box 246, Watersmeet, MI 49969

Defendants are to remain in custody pending compliance with this Court's Order and will be assessed a fine of \$250.00 / day / person until a majority of the required quorum under the LVD Constitution carry out their Constitutional duty of swearing in Chairman Elect Alan Shively, Vice Chair Elect Joerte Pete-Baldwin, Treasurer Elect Susan M. McGeshick and Secretary Elect Michelle B. Hazen-Allen.

When enough of the 2008 elected Tribal Council Members required to make up a quorum, indicate to the Court that they are ready to swear in the new Executive Council, they shall be taken by Police custody to a location where the swearing in can take place and thereafter released from custody.

It is so Ordered.


Honorable Bradley T. Dakota
LVD Special Court Judge
Presiding by Appointment

September 8, 2008
DATE

