

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

**MARILYN VANN, RONALD MOON,
DONALD MOON, CHARLENE WHITE,
RALPH THREAT, FAITH RUSSELL,
ANGELA SANDERS, SAMUEL E. FORD,
and THE FREEDMEN BAND OF THE
CHEROKEE NATION OF OKLAHOMA,**

Plaintiffs,

v.

**KEN SALAZAR, Secretary of the United
States Department of the Interior;**

**UNITED STATES DEPARTMENT OF THE
INTERIOR; and**

**BILL JOHN BAKER, in His Official Capacity
as Principal Chief of the Cherokee Nation,**

Defendants.

**Case No: 1:03cv01711 (HHK)
Judge: Henry H. Kennedy
Docket Type: Civil Rights
(non-employment)**

NOTICE OF APPEAL

Notice is hereby given this 3rd day of November, 2011, that Marilyn Vann, Ronald Moon, Donald Moon, Charlene White, Ralph Threat, Faith Russell, Angela Sanders, Samuel E. Ford, and the Freedmen Band of the Cherokee Nation of Oklahoma, Plaintiffs in the above-named case (the “Freedmen Plaintiffs”), hereby appeal to the United States Court of Appeals for the District of Columbia Circuit from the Memorandum Opinion (Doc. No. 155) and Judgment (Doc. No. 156) of this Court entered on the 30th day of September, 2011, in favor Defendant Acting Chief S. Joe Crittenden against said Freedmen Plaintiffs.¹

¹ Note that, since this Court entered Judgment in favor of Defendant Acting Chief Crittenden on September 30, 2011, Defendant Chief Bill John Baker was subsequently elected and sworn in as the new Principal Chief of the Cherokee Nation. Defendant Chief Baker was thus automatically substituted as a Defendant in this action for Defendant Crittenden on October

Dated: November 3, 2011

Respectfully submitted,

/s/ Alvin Dunn

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19, 2011, the date Chief Baker was sworn into office. Fed. R. Civ. P. 25(d); *see also Sturdevant v. Deer*, 73 F.R.D. 375, 379 (E.D.N.Y. 1976) (treating Indian tribal officials as public officers under Rule 25(d)).

CLERK: Please mail copies of the above Notice of Appeal to the following at the addresses indicated:

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Certificate of Service

I certify that on November 3, 2011, I caused the foregoing to be served on all opposing counsel through the electronic case filing system.

_____/s/
Alvin Dunn