Case: 13-1438 Document: 006111731244 Filed: 06/21/2013 Page: 1 (1 of 50)

No. 13-1438

In the UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

STATE OF MICHIGAN, Plaintiff-Appellee,

V.

THE SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS, Defendant-Appellant.

THE NOTTAWASSEPI HURON BAND OF THE POTAWATOMI'S MOTION TO FILE AMICUS CURIAE BRIEF ON BEHALF OF THE STATE OF MICHIGAN

COMES NOW the Nottawaseppi Huron Band of the Potawatomi ("NHBP"), a sovereign Indian Tribe, and pursuant to FED. R. APP. P. 29(a), files an *Amicus Curiae* Brief on Behalf of the State of Michigan. The State of Michigan and the Sault Ste. Marie Tribe of Chippewa Indians have both consented to the filing of an *amicus curiae* brief.

In support of this Motion, NHBP respectfully submits a brief in support of this Motion and the proposed *amicus curiae* brief, filed with the consent of State of Michigan and the Sault Tribe.

DATED: June 21, 2013 RESPECTFULLY SUBMITTED,

/s/ John F. Petoskey

John F. Petoskey (No. P41499)
Fredericks Peebles & Morgan, LLP
NOTTAWASEPPI HURON BAND OF
THE POTAWATOMI
2848 Setterbo Rd.
Peshawbestown, MI 49682
Telephone: (231) 631-8558
ipetoskey@ndnlaw.com

William J. Brooks (P43014)
NOTTAWASEPPI HURON BAND OF
THE POTAWATOMI
2221 ½ Mile Road
Fulton, MI 49052
Telephone: (269) 729-5151
Wjbrooks1@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of June 2013, a copy of the foregoing was served via the Court's Electronic Case Filing System to:

Seth P. Waxman
Edward C. DuMont
Danielle Spinelli
Kelly P. Dunbar
Nicole Ries Fox
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006

R. John Wernet, Jr.
General Counsel
SAULT STE. MARIE TRIBE OF
CHIPPEWA INDIANS
523 Ashmun Street
Sault Ste. Marie, MI 49783

Louis B. Reinwasser
Environment, Natural Resources and Agriculture Division
P.O. Box 30755
Lansing, MI 48909

/s/ John F. Petoskey