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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
MONTANA, GREAT FALLS DIVISION**

<p>EAGLE BEAR, INC. and WILLIAM BROOKE,</p> <p>Plaintiff,</p> <p>vs.</p> <p>THE BLACKFEET INDIAN NATION and THE BLACKFEET TRIBAL COURT,</p> <p>Defendants.</p>	<p>Cause No. 4:21-cv-00088-BMM-JTJ</p> <p>BRIEF IN SUPPORT OF MOTION TO VACATE MAY 24, 2022 HEARING</p>
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Plaintiffs Eagle Bear, Inc. (“Eagle Bear”) and Will Brooke (collectively
“Plaintiffs”) submit this brief in support of their Motion to Vacate May 24, 2022
Hearing.

Eagle Bear has filed a voluntary petition for relief under Title 11, chapter 11, United States Code, 11 U.S.C. §§ 101–1532 (“Bankruptcy Code”). (*See* Doc. 55 & Doc. 55-1). The above-captioned matter concerns an “act to . . . exercise control over property of the estate” of Eagle Bear’s bankruptcy, namely the Lease and Campground. 11 U.S.C. § 362(a)(3). Consequently, this matter has been automatically stayed pursuant to 11 U.S.C § 362(a)(3).

Likewise, this matter concerns the Tribal Court’s jurisdiction to adjudicate and the Tribe’s jurisdiction to pursue claims related to the validity of Eagle Bear’s Lease and alleged trespass on the Leased Campground. The Tribal Court action involves claims against Eagle Bear and a judicial proceeding against Eagle Bear. The Tribal Court matter has, therefore, also been stayed pursuant to 11 U.S.C. § 362(a).

Additionally, the subject of the hearing on May 24, 2022—Plaintiffs’ Second Motion for Preliminary Injunction and Temporary Restraining Order—has been rendered moot. As a result of Eagle Bear’s petition for relief under the Bankruptcy Code, the Tribe’s efforts to obtain possession of the Campground have been automatically stayed. 11 U.S.C. § 362(a).

For the foregoing reasons, the hearing set for May 24, 2022 in this matter should be vacated. This matter has been stayed, the subject of the hearing is moot,

and this Court must abstain from taking actions that would affect the bankruptcy estate.

Dated this 23rd day of May, 2022.

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By /s/ Griffin B. Stevens

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(d)(2)(E), I certify that this brief is printed with proportionately spaced Times New Roman text typeface of 14 points; is double-spaced; and the word count, calculated by Microsoft Office Word, is 258 words long, excluding the Caption, the Certificates of Service and Compliance, Tables of Contents and Authorities, and Exhibit Index.

Dated this 23rd day of May, 2022.

CROWLEY FLECK PLLP

By /s/ Griffin B. Stevens
Griffin B. Stevens

CERTIFICATE OF SERVICE

I hereby certify that on this 23rd day of May, 2022, a true and correct copy of the foregoing was delivered by the following means to the following:

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/s/ Griffin B. Stevens

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