

EXHIBIT E

SUPREME COURT STATE OF NEW YORK
COUNTY OF SENECA

CAYUGA NATION,

vs. Petitioner,

VERIFIED PETITION

DARREN KETTLE,

Index No.

Respondent.

Petitioner Cayuga Nation (“Petitioner” or the “Nation”), by and through its lawful governing body, the Cayuga Nation Council, as and for its Petition pursuant to Article 4 of the New York Civil Practice Law and Rules respectfully alleges as follows:

INTRODUCTION

1. This is a special proceeding brought pursuant to Article 4 of the New York Civil Practice Law and Rules seeking this Court’s recognition and entry of a judgment of the duly constituted Cayuga Nation Tribal Court.

JURISDICTION AND VENUE

2. This Court has jurisdiction over this proceeding pursuant to § 202.71 of the Uniform Rules which provides for recognition of a judgment rendered by a court duly established under tribal law. More specifically, § 202.71 provides as follows:

§ 202.71 Recognition of Tribal Court Judgments, Decrees and Orders
Any person seeking recognition of a judgment, decree or order rendered by a court duly established under tribal or federal law by any Indian tribe, band or nation recognized by the State of New York or by the United States may commence a special proceeding in Supreme Court pursuant to Article 4 of the CPLR by filing a notice of petition and a petition with a copy of the tribal court judgment, decree or order appended thereto in the County Clerk’s office in any appropriate county of the state. If the court finds that the judgment, decree or order is entitled to recognition under principles of the common law of comity, it shall direct entry of the tribal judgment,

decree or order as a judgment, decree or order of the Supreme Court of the State of New York. This procedure shall not supplant or diminish other available procedures for the recognition of judgments, decrees and orders under the law.

22 N.Y.C.R.R. § 202.71.

3. Venue is proper pursuant to CPLR 503 because judgment for which this Court's recognition is sought was rendered against a resident of Seneca County, and CPLR 507 because the real property which is the subject of the underlying action is located in Seneca County.

THE JUDGMENT FOR WHICH RECOGNITION IS SOUGHT

4. On May 11, 2021, the Cayuga Nation Tribal Court (Fahey, J.) granted an order in favor of the Petitioner Cayuga Nation holding the Respondent herein in default by virtue of Respondent's failure to oppose Petitioner's motion for a default judgment or to otherwise appear or assert any defense at law or equity.

5. On May 11, 2021, a judgment was entered by the Clerk of the Cayuga Nation Court against Respondent in the amount of \$23,509.50 (the "Judgment"). A certified copy of the Judgment and underlying order are annexed and submitted herewith collectively as Exhibit A.

6. It is respectfully submitted that in accordance with principles of comity the Judgment should be entered as a judgment of this Court.

REQUEST FOR RELIEF

7. Based on the foregoing, Petitioner respectfully requests that this Court direct entry of judgment in the amount of \$23,509.50 against Respondent.

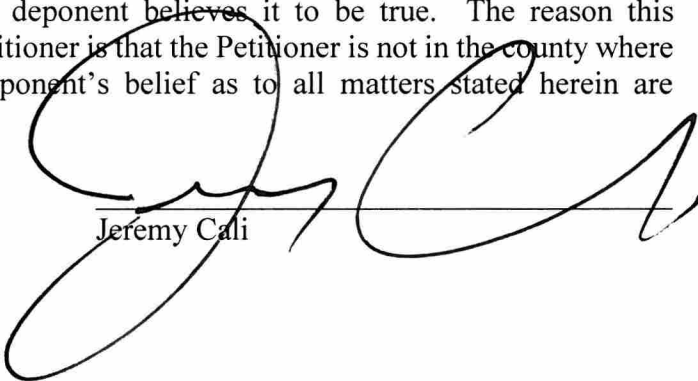
Dated: June 9 2021

/s/ Jeremy Cali
Jeremy Cali, Esq.
Attorney for Petitioner Cayuga Nation

To: Darren Kettle
3016 E. Bayard Street
Seneca Falls, New York 13148

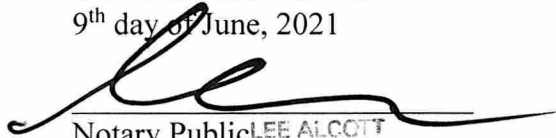
STATE OF NEW YORK)
) SS.:
COUNTY OF ONONDAGA)

I, Jeremy Cali, an attorney duly admitted to practice law in the courts of the State of New York, deposes and states that I am the attorney of record for the Petitioner Cayuga Nation in the within action. I have read the foregoing Petition and know the contents thereof, that the same is true upon information and belief, and that deponent believes it to be true. The reason this verification is made by me and not by the Petitioner is that the Petitioner is not in the county where I maintain my office. The grounds of deponent's belief as to all matters stated herein are communications with the Petitioner.



Jeremy Cali

Sworn to before me this
9th day of June, 2021



Notary Public LEE ALCOTT
Notary Public in the State of New York
Qualified in Onondaga County
No. 4941818
My Commission Expires September 6, 2022