

APR 21 2021

IN THE DISTRICT COURT
OF THE IOWA TRIBE OF OKLAHOMA

IN THE OFFICE OF THE
COURT ADMINISTRATOR

BY McClellan

IOWA TRIBE OF OKLAHOMA,)
)
Plaintiff,)
)
v.)
)
MONSTER TECHNOLOGY GROUP LLC;)
and, AMERICAN ARBITRATION)
ASSOCIATION,)
)
Defendants.)
_____)

Case No. CIV-21-02

NOTICE OF INTERLOCUTORY APPEAL

Defendant Monster Technology Group LLC (“Defendant”) hereby appeals from denial of Defendant’s request for dismissal on jurisdictional grounds; and entry of a “Preliminary Injunction” dated April 13, 2021, purporting to enjoin contractually agreed arbitration proceedings from taking place before the American Arbitration Association.

Defendant appeals pursuant to the Tribal Supreme Court Rules of Appellate Procedure, Title I, Chapter One, § 103(A)(3) (permitting interlocutory appeal from “[a]n order that denies, grants, or modifies a temporary injunction, or discharges, vacates, or modifies, or refuses to discharge, vacate, or modify a temporary injunction”); and appeals on an accelerated basis permitting the Supreme Court to render a decision on the basis of the record before the District Court. See Title 26 of the Tribal Courts Code, § 8 (“Law to be Applied”), providing that, “[i]n any dispute not covered]” by Tribal law (here availability of an accelerated appeal on the basis of the record below), the Court may

apply any laws of ... any State which would be cognizable in the Courts of general jurisdiction therein” *See also*, Oklahoma Supreme Court Rule 1.36(g), precluding parties in appeals from summary judgments or motions to dismiss from filing appellate briefs “[u]nless otherwise ordered by the appellate court”

Respectfully submitted this 20th day of April, 2021,

/s/ Richard J. Grellner

Richard J. Grellner, *OBA* #15521

RJG Law PLLC

434 NW 18th Street

Oklahoma City, OK 73103

Tel 405.834.8484

Fax 405.602.0990

rigrellner@hotmail.com

*Attorneys for Monster Technology
Group, LLC*

CERTIFICATE OF SERVICE

I hereby certify that on April 20, 2021 I caused the foregoing *Notice of Interlocutory Appeal* to be transmitted via Electronic Mail to the following counsel for Plaintiff Iowa Tribe of Oklahoma:

Scot L. Claus (sclaus@dickinsonwright.com)

D. Samuel Coffman (scoffman@dickinsonwright.com)

Vail C. Cloar (vcloar@dickinsonwright.com)

DICKINSON WRIGHT PLLC

1850 N. Central Ave., Suite 1400

Phoenix, Arizona 85004-4568

/s/ Richard J. Grellner

Richard J. Grellner