

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

LAC COURTE OREILLES BAND OF LAKE
SUPERIOR CHIPPEWA INDIANS; LAC DU
FLAMBEAU BAND OF LAKE SUPERIOR
INDIANS; SOKAOGAN CHIPPEWA INDIAN
COMMUNITY, MOLE LAKE BAND OF
WISCONSIN; BAD RIVER BAND OF LAKE
SUPERIOR CHIPPEWA INDIANS; ST. CROIX
CHIPPEWA INDIANS OF WISCONSIN; and
RED CLIFF BAND OF LAKE SUPERIOR
CHIPPEWA INDIANS,

Plaintiffs,

v.

STATE OF WISCONSIN; WISCONSIN NATURAL
RESOURCES BOARD; CATHY STEPP;
KURT THEIDE; and TIM LAWHERN,

Defendants.

ORDER

74-cv-313-bbc

A hearing on the parties' scheduling proposal was held by telephone on November 20, 2014. The parties advised the court that they have agreed to ask the court to stay proceedings in this court temporarily while defendants file a petition for a writ of certiorari in the United States Supreme Court seeking review of the recent decision of the court of appeals. Counsel for defendants advised the court that he expects to file the petition in January 2015. Accordingly, no schedule for briefing will be set at this time.

Plaintiffs have agreed to a stay of proceedings on the understanding that if the petition for certiorari is denied, all efforts will be made to resolve all remaining disputes over the adequacy of plaintiffs' proposed regulations for off-reservation nighttime hunting in the ceded territory. Neither side intends to introduce any new evidence on the matter. In these circumstances, with the parameters fairly well established by the court of appeals, it seems possible that the parties could reach agreement about the regulations without court involvement. I encourage them to make the effort once the matter of the certiorari has been resolved.

ORDER

IT IS ORDERED that all further proceedings in this case are STAYED until the United States Supreme Court acts on the petition for writ of certiorari to be filed by defendants State of Wisconsin, Wisconsin Natural Resources Board, Cathy Stepp, Kurt Theide and Tim Lawhern.

Entered this 21st day of November, 2014.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge