

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

GRACE M. GOODEAGLE, <i>et al.</i> ,)	
)	
Plaintiffs,)	No. 12-431L
)	
v.)	Hon. Thomas C. Wheeler
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	
)	
QUAPAW TRIBE OF OKLAHOMA,)	
)	No. 12-592L
Plaintiff,)	
)	Hon. Thomas C. Wheeler
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	
)	
THOMAS CHARLES BEAR, <i>et al.</i> ,)	
)	No. 13-51X
Claimants,)	
)	Hon. Thomas C. Wheeler
v.)	
)	
UNITED STATES OF AMERICA,)	
)	
Defendant.)	
_____)	

JOINT MOTION FOR STAY OF LITIGATION AND [PROPOSED] ORDER

Pursuant to the Rules of the Court of Federal Claims (“RCFC”), the Plaintiffs represented by the Marzulla Law Firm (Plaintiffs I) and the Plaintiffs represented by Mr. Barker (Plaintiffs II), and Defendant (collectively “the parties”) jointly and respectfully request that this Court issue an order staying the September 30, 2019 trial date to October 7, 2019, effective immediately. Additionally, the parties jointly request that the Court direct the parties to appear for a status conference, on Friday, October 4, 2019 at 11:00 am, describing the status of their settlement efforts and any possible next steps in this case. The grounds for this joint motion are as follows:

1. Since the trial schedule for these lawsuits was reset in April 2019, the parties have been exploring the possibility of resolving all of the claims pending in these three cases to avoid the need for trial and subsequent litigation. The parties have been continuing their settlement discussions while preparing for the trial that is scheduled to start on September 30, 2019.

2. On September 28, 2019, the parties reached an agreement in principle regarding the key terms of a proposed global settlement of Plaintiffs I’s and Plaintiffs II’s claims in all three of the pending cases.

3. By Department of Justice regulation, the authority to approve this settlement currently rests with the Principal Deputy Associate Attorney General. The United States is presenting the formal written proposed settlement to seek written approval from the Principal Deputy Associate Attorney General.

4. Accordingly, the parties jointly and respectfully request that this Court issue an order suspending or staying the litigation of this case effective immediately, including all of the parties’ pre-trial and trial obligations until October 7, 2019. The parties further request that this Court order the parties to appear in Courtroom 4 of the United States Court of Federal Claims on

October 4, 2019, for a status conference to discuss the status of their settlement efforts and any possible future steps in the case.

5. Pursuant to the Court's June 25, 2019 pretrial order, the parties will appear in court as scheduled at 9:30 am on September 30, 2019.

Respectfully submitted,

September 28, 2019,

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