

EBCH  
CHEROKEE SUPREME COURT  
CHEROKEE, N.C.

2017 APR 21 PM 6:59

FILED

THE CHEROKEE SUPREME COURT  
EASTERN BAND OF CHEROKEE INDIANS  
QUALLA BOUNDARY, CHEROKEE, NORTH CAROLINA

EASTERN BAND OF CHEROKEE INDIANS, )  
on behalf of the Enrolled Members, by and )  
through DANNY E. DAVIS, in his official )  
capacity as Attorney General for the )  
EASTERN BAND OF CHEROKEE INDIANS, )  
Plaintiff-Intervenor )

V. )

PATRICK LAMBERT, as Principal Chief of the )  
Eastern Band of Cherokee Indians, in his )  
individual capacity, and on behalf of the )  
Eastern Band of Cherokee Indians, )  
Plaintiff and Realigned Defendants, )

CSC-17-03

and )  
TRIBAL COUNCIL of the EASTERN BAND )  
OF CHEROKEE INDIANS, RICHARD )  
FRENCH, in his official capacity, TERESA )  
McCOY, in her official capacity, and )  
TOMMYE SAUNOOKE, in her official )  
capacity, )  
Additional Defendants, )  
and )

TRIBAL COUNCIL OF THE EASTERN )  
BAND OF CHEROKEE INDIANS, DENNIS )  
"BILL" TAYLOR, in his official capacity, )  
JERRY BRANDON JONES, in his official )  
capacity, JOSEPH ADAM WACHACHA, in )  
his official capacity, ALBERT ROSE, in his )  
official capacity, TRAVIS K. SMITH, in his )  
official capacity, ALAN B. ENSLEY, in his )  
official capacity, ANITA LOSSIAH, in her )  
official capacity, and BO CROWE, in his official )  
capacity, and MARIE JUNALUSKA, in her )  
official capacity. )

Defendants. )

EBCI  
CHEROKEE SUPREME COURT  
CHEROKEE, N.C.

2017 APR 21 PM 7:00  
FILED

PETITION FOR WRIT OF CERTIORARI GRANTED, MOTION FOR STAY GRANTED,  
NOTICE OF EXPEDITED SCHEDULING ORDER AND HEARING DATE

The Court grants Plaintiff and Realigned Defendants and Plaintiff-Intervenor's petitions for writ of certiorari to review the April 18, 2017, Order decided by Temporary Associate Judge Presiding Sharon Tracey Barrett. The Court takes judicial notice that the parties at the trial court agreed to request an expedited hearing from this Court.

Plaintiff-Intervenor's petition for writ of mandamus and prohibition are held pending further orders of this Court.

Under Rule 2 of the Appellate Rules of Procedure in order "to expedite decision in the public interest," the Court requires all parties to submit briefs under the following expedited briefing schedule:

- Appellants' briefs must be filed with the Cherokee Supreme Court on or before 4 pm on Friday, April 28, 2017; and
- Appellee's brief must be filed with the Cherokee Supreme Court on or before 4 pm Friday, May 5, 2017.
- No reply briefs will be allowed.

An original of each brief shall be filed with the Judicial Secretary of the Cherokee Supreme Court.

The Court, under Rule 62(f) of the NC Rules of Civil Procedure, extends the stay over the impeachment proceedings that are currently pending before the Tribal Council until the completion of proceedings in this Court and an Order is issued.

Arguments on the merits are scheduled at 10 am on Tuesday, May 9, 2017, at the Tribal Courthouse located at 137 Seven Clans Lane, Cherokee, North Carolina.

It is the intention of this Court to adhere strictly to the timelines provided in this order.

So Ordered, this 21<sup>th</sup> day of April, 2017.

*Brenda Toineeta Pipestem*  
Brenda Toineeta Pipestem  
Acting Chief Justice

EBCT  
CHEROKEE SUPREME COURT  
CHEROKEE, N.C.

Certificate of Service

I, Amber Shuler, do hereby certify that on this day I served a copy of the Petition for Writ of Certiorari  
Granted, Motion for Stay Granted, Motion of Expedited Scheduling Order and Hearing Date by depositing  
a copy thereof in a postpaid and properly addressed envelope, by first class mail to the below listed  
counsel of record:

2017 APR 21 PM 7:00  
FILED

W. Scott Jones & Stephen Cash  
Cloninger, Barbour, Searson, Jones & Cash PLLC  
21 Battery Park Avenue, Suite 201  
Asheville, NC 28801


Carolyn West, Esq.  
Attorney for Tribal Council of Eastern Band of Cherokee Indians  
PO Box 455  
Cherokee, NC 28719

Robert Saunooke  
Saunooke Law Firm, P.A.  
18620 SW 39<sup>th</sup> Court  
Miramar, FL 33029

Christopher Siewers  
Siewers Law Firm  
PO Box 401  
Cherokee, NC 28719

Danny E. Davis  
Attorney General for the Eastern Band of Cherokee Indians  
PO Box 455  
Cherokee, NC 28719

This is the 21<sup>st</sup> day of April, 2017.

  
Judicial Secretary