



***IT IS ORDERED that*** the Community's petition for an interlocutory appeal is granted. The interlocutory appeal shall solely address the Tribal Court's recusal order. The record of appeal is limited to the following:

- A)** The Tribal Court's August 23, 2018 order denying recusal;
- B)** Any order where this same Tribal Court recused in the last twelve (12) months in a Chapter 53 case involving similar grounds for recusal;
- C)** Any transcript or recording of arguments relating solely to the motion for recusal. Since This Court is not addressing the merits of this case, transcripts are limited to the sole issue of recusal;
- D)** The motion for recusal filed by the Community; and
- E)** Any reply to the motion for recusal filed by Plaintiff.

The Community's brief shall be filed on or before October 3, 2018. The Plaintiff's brief, if one is to be filed, is due on or before November 2, 2018. Any reply brief filed by the Community is due by November 16, 2018. Oral Arguments are limited to parties that file a brief and are set for Friday, December 7, 2018 at 3:00 p.m. Central Time. Each side shall have fifteen (15) minutes for oral arguments. If the Community wishes to reserve any of their time for rebuttal, they shall announce said request at the beginning of oral arguments.

**Entered this 14<sup>th</sup> day of September, 2018.**

  
Gregory D. Smith  
Chief Justice

Cc: Justices, Tribal Court and Parties