

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

THE NEZ PERCE TRIBE, *et al.*, :
 :
 Plaintiffs, :
 :
 v. :
 :
 DIRK KEMPTHORNE, Secretary of :
 the Interior, *et al.*, :
 :
 Defendants. :

Civil Action No. 06-2239 (JR)

FILED

OCT 15 2008

NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

ORDER

Upon consideration of the plaintiffs' motion for leave to send court-approved notice to members of the putative class pursuant to Fed. R. Civ. P. 23(d) [73], the defendants' response [79], the plaintiffs' reply [80], and the parties' joint stipulation as to the form of notice [76], it is **ordered** that the plaintiffs' motion to send court approved notice [73] is **granted** and the attached form of notice is **approved** by the court. Counsel should note that I expect to rule on class certification on December 1, 2008, and that the approved notice reflects this.



JAMES ROBERTSON
United States District Judge