

**SAINT REGIS MOHAWK TRIBAL COURT  
IN AND FOR THE SAINT REGIS MOHAWK TRIBE**

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**HARVEY THOMPSON, EVELYN DAY TARBELL,  
and MARGARET THOMPSON,**

**Plaintiffs,**

**VS**

**ORDER**

**Case No: 10 LND-00010**

**JENNIFER SMOKE and  
FRANCIS W. CONNORS, III,**

**Defendants.**

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The above plaintiffs filed a complaint on September 1, 2010, seeking enforcement of an Opinion by the Saint Regis Mohawk Tribal Council dated September 19, 2000, which Opinion established plaintiff's right in and to property known as Tribal [REDACTED]. Defendants filed an answer arguing that a subsequent Tribal Council Decision rendered October 6, 2004, in effect, voided the said 2000 Opinion, and established defendants' right to said property.

A hearing was commenced on January 16, 2013, and continued on January 23, 2013. Lorraine M. White, Esq., appeared as counsel for Plaintiffs; Virginia A. Gettmann, Esq., appeared as counsel for Defendants. Upon oral application of the attorney for Defendants, this Court made an Order on January 23, 2013, directing the Tribal Clerk to research and retrieve any and all known documents held by her office with respect to the disputed lands.

Order  
July 31, 2013

Plaintiffs thereafter moved for summary judgment, or in the alternative, default judgment. Defendants responded and cross-moved the Court for an Order dismissing Plaintiffs' action and granting Defendants ownership of the subject parcel of land in dispute. By Order dated April 3, 2013, the Court denied the motion of Plaintiffs and the cross-motion of Defendants and scheduled the matter for trial on June 12 and June 19, 2013. Trial was subsequently adjourned to July 31, 2013.

Plaintiffs, through their attorney, on July 22, 2013, notified the Court and counsel for Defendants in writing that they wished to withdraw their complaint; and there being no opposition thereto, the matter was dismissed.

**THEREFORE**, upon the foregoing, it is

**ORDERED** that the complaint and the above-entitled action be, and the same hereby are, **DISMISSED**.

Dated: July 31, 2013.



Hon. Barbara R. Potter, Associate Judge

