

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED
2014 JAN 17 PM 3 10

ALEXANDER, Samuel,)
)
 Petitioner,)
)
 v.)
)
 MOORE, Patrick,)
)
 Respondent.)

lm
COURT CLERK

Case No. **SC 10-07**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

In response to a subpoena issued by Respondent on December 17, 2010, Petitioner three days later sought habeas review by this Court. Respondent's subpoena required Petitioner to appear as a witness at an evidentiary hearing scheduled for December 22, 2010. The evidentiary hearing was scheduled by Respondent pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against the Muscogee (Creek) Nation National Council for alleged contemptuous interference with the annual budget process. To date, the instant habeas petition remains pending.

Petitioner is also a party to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by the National Council at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant habeas petition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the habeas petition instructs that the petition cannot properly be deemed moot due to the unique procedural history of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petition.

Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience.¹ Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 10-07, *Alexander v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

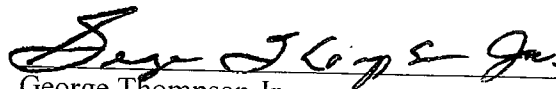
IT IS FURTHER ORDERED that Case No. SC 10-07, *Alexander v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

FILED AND ENTERED: January 17, 2014.

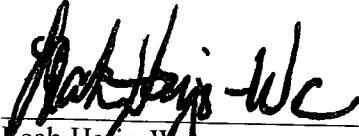


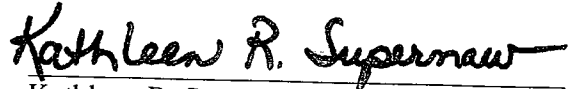
Andrew Adams III
Chief Justice





George Thompson Jr.
Vice-Chief Justice

¹ *Order Consolidating SC 05-03 and SC 05-05, SC 05-03, Ellis v. Muscogee (Creek) Nation National Council*, (December 22, 2005).


Leah Harjo-Ware
Associate Justice


Kathleen R. Supernaw
Associate Justice


Montie R. Deer
Associate Justice


Richard C. LeBlance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: Samuel Alexander, 117 W. Miami Street, Broken Arrow, OK 74011; Geoffrey M. Standing Bear, 425 E. 5th Street, Bartlesville, OK 74003; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.


Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED

2014 JAN 17 PM 3 07

FIFE, Bill,)
)
 Petitioner,)
)
 v.)
)
 MOORE, Patrick,)
)
 Respondent.)

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COURT CLERK

Case No. **SC 10-08**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

In response to a subpoena issued by Respondent on December 17, 2010, Petitioner three days later sought habeas review by this Court. Respondent's subpoena required Petitioner to appear as a witness at an evidentiary hearing scheduled for December 22, 2010. The evidentiary hearing was scheduled by Respondent pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against the Muscogee (Creek) Nation National Council for alleged contemptuous interference with the annual budget process. To date, the instant habeas petition remains pending.

Petitioner is also a party to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by the National Council at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant habeas petition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the habeas petition instructs that the petition cannot properly be deemed moot due to the unique procedural history of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petition.

Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience.¹ Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 10-08, *Fife v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

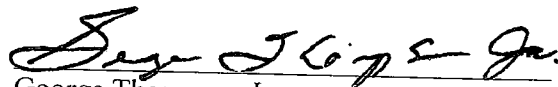
IT IS FURTHER ORDERED that Case No. SC 10-08, *Fife v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

FILED AND ENTERED: January 17, 2014.

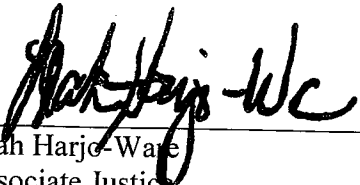


Andrew Adams III
Chief Justice

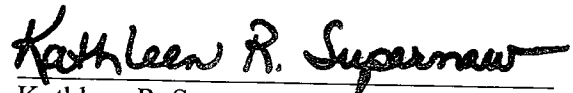


George Thompson Jr.
Vice-Chief Justice


¹ *Order Consolidating SC 05-03 and SC 05-05, SC 05-03, Ellis v. Muscogee (Creek) Nation National Council*, (December 22, 2005).




Leah Harjo-Ware
Associate Justice



Kathleen R. Supernaw
Associate Justice



Montie R. Deer
Associate Justice



Richard C. Cerbance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: Bill Fife, Secretary of the Nation, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Geoffrey M. Standing Bear, 425 E. 5th Street, Bartlesville, OK 74003; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy of was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.



Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED

2014 JAN 17 PM 3 03

BARNETT, Roger,)
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 Petitioner,)
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 v.)
)
 MOORE, Patrick,)
)
 Respondent.)

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COURT CLERK

Case No. **SC 10-09**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

In response to a subpoena issued by Respondent on December 17, 2010, Petitioner three days later sought habeas review by this Court. Respondent's subpoena required Petitioner to appear as a witness at an evidentiary hearing scheduled for December 22, 2010. The evidentiary hearing was scheduled by Respondent pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against the Muscogee (Creek) Nation National Council for alleged contemptuous interference with the annual budget process. To date, the instant habeas petition remains pending.

Petitioner is also a party to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by the National Council at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant habeas petition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the habeas petition instructs that the petition cannot properly be deemed moot due to the unique procedural history of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petition.

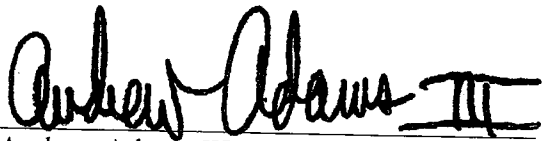
Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience.¹ Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 10-09, *Barnett v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

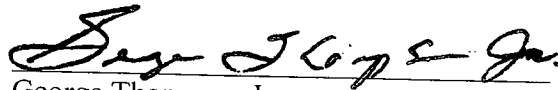
IT IS FURTHER ORDERED that Case No. SC 10-09, *Barnett v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

FILED AND ENTERED: January 17, 2014.

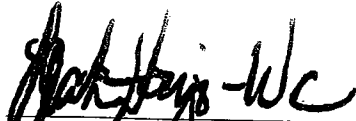



Andrew Adams III
Chief Justice




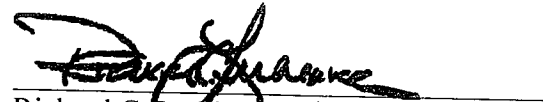
George Thompson Jr.
Vice-Chief Justice

¹ *Order Consolidating SC 05-03 and SC 05-05, SC 05-03, Ellis v. Muscogee (Creek) Nation National Council*, (December 22, 2005).


Leah Harjo-Ware
Associate Justice


Kathleen R. Supernaw
Associate Justice


Montie R. Deer
Associate Justice


Richard C. LeBlance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: Roger Barnett, Second Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Geoffrey M. Standing Bear, 425 E. 5th Street, Bartlesville, OK 74003; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.


Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED

2014 JAN 17 PM 3 00

MUSCOGEE (CREEK) NATION)
NATIONAL COUNCIL,)
)
Petitioner,)
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v.)
)
MOORE, Patrick,)
)
Respondent.)

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COURT CLERK

Case No. **SC 10-10**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

The instant petition seeking a writ of prohibition was filed on December 20, 2010, after Respondent commenced proceedings pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against Petitioner for alleged contemptuous interference with the annual budget process. Respondent set an evidentiary hearing for December 22, 2010, and issued subpoenas requiring three individual National Council Representatives to appear as witnesses for then-Principal Chief Ellis. To date, the instant petition for writ of prohibition remains pending.

Petitioner is also a party to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by the National Council at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant petition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the relief originally sought by Petitioner instructs that the petition for writ of prohibition cannot properly be deemed moot due to the unique procedural

history of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petition.

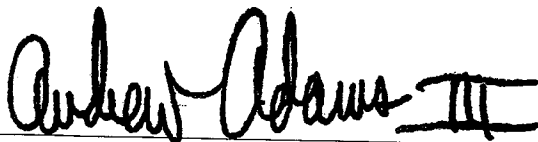
Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience. Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 10-10, *Muscogee (Creek) Nation National Council v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

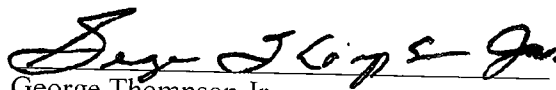
IT IS FURTHER ORDERED that Case No. SC 10-10, *Muscogee (Creek) Nation National Council v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

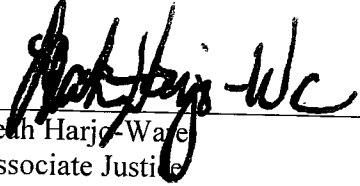
FILED AND ENTERED: January 17, 2014.

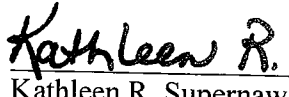



Andrew Adams III
Chief Justice




George Thompson Jr.
Vice-Chief Justice


Leah Harjo-Water
Associate Justice

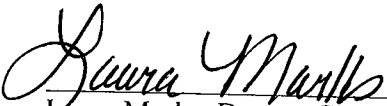

Kathleen R. Supernaw
Associate Justice


Montie R. Deer
Associate Justice


Richard C. Lerbance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933; and Roger Wiley, Attorney General, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.


Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

MUSCOGEE (CREEK) NATION
SUPREME COURT
FILED

2014 JAN 17 PM 2 47

BARNETT, Roger; FIFE, Bill; and)
ALEXANDER, Samuel;)
)
Petitioners,)
)
v.)
)
MOORE, Patrick,)
)
Respondent.)

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COURT CLERK

Case No. **SC 11-02**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

Petitioners filed with this Court on February 24, 2011, petitions for writs of habeas corpus and prohibition. The petitions were filed in response to an order issued by Respondent on February 16, 2011, that set a show cause hearing for six days later to determine whether Petitioners should be held in contempt of court for failure to appear as subpoenaed witnesses at an evidentiary hearing conducted pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against the Muscogee (Creek) Nation National Council for alleged contemptuous interference with the annual budget process. To date, the instant petitions for extraordinary relief remain pending.

Petitioners are also parties to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by Petitioners at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant petitions for habeas corpus and prohibition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the petitions for extraordinary writs instructs that neither petition may properly be deemed moot due to the unique procedural history

of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petitions.

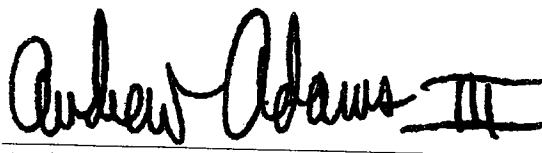
Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience. Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 11-02, *Barnett, Fife and Alexander v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

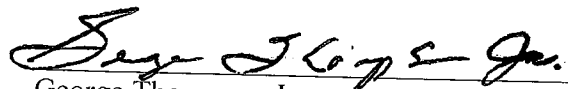
IT IS FURTHER ORDERED that Case No. SC 11-02, *Barnett, Fife and Alexander v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

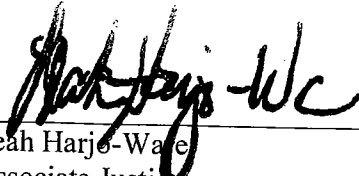
FILED AND ENTERED: January 17, 2014.



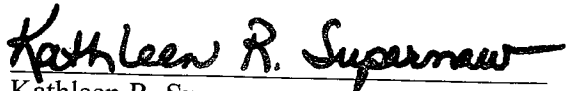
Andrew Adams III
Chief Justice




George Thompson Jr.
Vice-Chief Justice



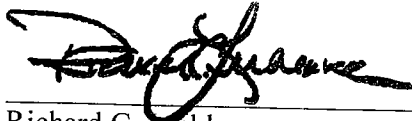
Leah Harjo-Wade
Associate Justice



Kathleen R. Supernaw
Associate Justice



Montie R. Deer
Associate Justice



Richard C. Lerblance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: John Campbell, Campbell & Tiger, PLLC, 2021 S. Lewis Ave, Ste. 630, Tulsa, OK 74104; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; and Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.



Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

MUSCOGEE (CREEK) NATION
SUPREME COURT

FILED

2014 JAN 17 PM 2 44

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COURT CLERK

TIGER, Yonne; WILEY, Roger; and)
LEEDS, Stacy;)
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) Petitioners,)
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) Respondent.)

Case No. **SC 11-03**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

Petitioners filed with this Court on February 24, 2011, petitions for writs of habeas corpus and prohibition. The petitions were filed in response to an order issued by Respondent on February 16, 2011, that set a show cause hearing for five days later to determine whether Petitioners should be held in contempt of court for failure to appear as attorneys-of-record for the Muscogee (Creek) Nation National Council at an evidentiary hearing conducted pursuant to a petition filed in the lower court by then-Principal Chief Ellis seeking extraordinary and injunctive relief against the Muscogee (Creek) Nation National Council for alleged contemptuous interference with the annual budget process. To date, the instant petitions for extraordinary relief remain pending.

Petitioners are also parties to Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*. SC 11-06 presents a final order appeal filed by Petitioners at the conclusion of lower court proceedings in CV 10-157, which is the same budget-process dispute that underlies the instant petitions for habeas corpus and prohibition. Although underlying proceedings are concluded in CV 10-157, our present consideration of the petitions for extraordinary writs

instructs that neither petition may properly be deemed moot due to the unique procedural history of the underlying dispute. We note, however, that SC 11-06 presents questions of law and fact that encompass all issues presented by the instant petitions.

Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial economy, efficiency and convenience. Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 11-03, *Tiger, Wiley and Leeds v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

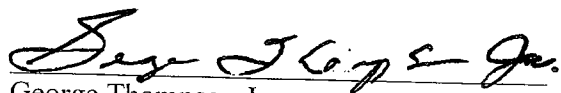
IT IS FURTHER ORDERED that Case No. SC 11-03, *Tiger, Wiley and Leeds v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

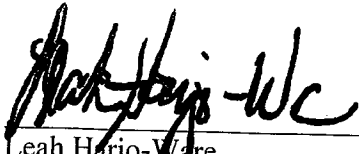
FILED AND ENTERED: January 17, 2014.

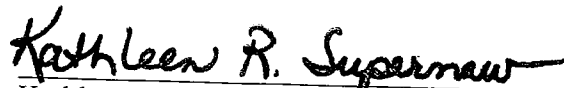



Andrew Adams III
Chief Justice




George Thompson Jr.
Vice-Chief Justice


Leah Harjo-Vare
Associate Justice

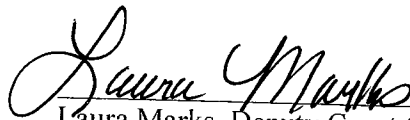

Kathleen R. Supernaw
Associate Justice


Montie R. Deer
Associate Justice


Richard C. Zerblance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: John Campbell, Campbell & Tiger, PLLC, 2021 S. Lewis Ave, Ste. 630, Tulsa, OK 74104; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; and Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.


Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED

2014 JAN 17 PM 2 41

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COURT CLERK

TIGER, Yonne,)
)
 Appellant,)
)
 v.)
)
 MOORE, Patrick,)
)
 Respondent.)

Case No. **SC 11-04**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

On March 2, 2011, Appellant filed notice of intent to appeal from a final order and judgment delivered by the District Court that granted then-Principal Chief Ellis' petition seeking extraordinary and injunctive relief against the National Council for alleged contemptuous interference with the annual budget process. The lower court's order and judgment also imposed monetary sanctions for contemptuous failure to appear against three National Council representatives and Appellant, as one of two attorneys representing the National Council that were also held in contempt for failure to appear.

In addition to the instant appeal, another final order appeal, Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*, was taken from the same underlying District Court case at the conclusion of lower court proceedings in the same budget-process dispute. We note that both the instant appeal and SC 11-06 present identical questions of law and fact. Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial

economy, efficiency and convenience. Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 11-04, *Tiger v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*

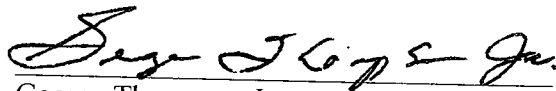
IT IS FURTHER ORDERED that Case No. SC 11-04, *Tiger v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

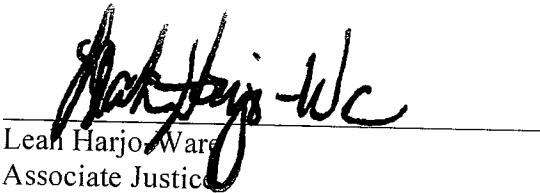
FILED AND ENTERED: January 17, 2014.



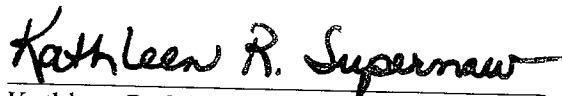
Andrew Adams III
Chief Justice



George Thompson Jr.
Vice-Chief Justice



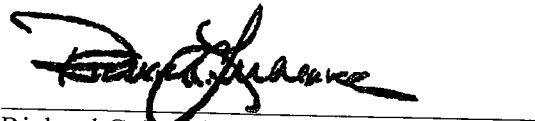
Leah Harjo Ware
Associate Justice



Kathleen R. Supernaw
Associate Justice



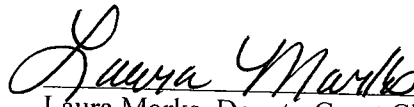
Montie R. Deer
Associate Justice



Richard C. Lerbance
Associate Justice

CERTIFICATE OF MAILING

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Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED
2014 JAN 17 PM 2 38

BARNETT, Roger; FIFE, Bill; and
ALEXANDER, Samuel;

Petitioners,

v.

MOORE, Patrick,

Respondent.

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COURT CLERK

Case No. **SC 11-05**
(District Court Case No. CV 10-157)

ORDER RE CONSOLIDATION

On March 2, 2011, Appellant filed notice of intent to appeal from a final order and judgment delivered by the District Court that granted then-Principal Chief Ellis' petition seeking extraordinary and injunctive relief against the National Council for alleged contemptuous interference with the annual budget process. The lower court's order and judgment also imposed monetary sanctions for contemptuous failure to appear against each Appellant individually, as well as two National Council attorneys also held in contempt for failure to appear.

In addition to the instant appeal, another final order appeal, Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*, was taken from the same underlying District Court case at the conclusion of lower court proceedings in the same budget-process dispute. We note that both the instant appeal and SC 11-06 present identical questions of law and fact. Under M(C)NCA Title 27, Appendix 2, Rule 6.F., this Court may, *sua sponte*, consolidate separate actions and lack of a motion or stipulation from either party is no impediment if relevant considerations warrant consolidation. We have previously exercised such discretionary authority only where consolidation would promote the interests of judicial

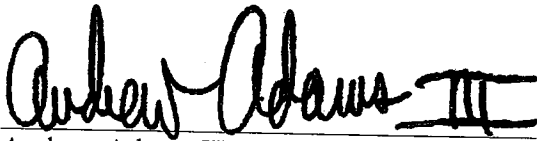
economy, efficiency and convenience. Here, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; Case No. SC 11-05, *Barnett, Fife and Alexander v. Moore*, be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*

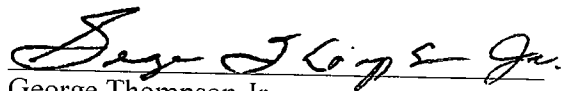
IT IS FURTHER ORDERED that Case No. SC 11-05, *Barnett, Fife and Alexander v. Moore*, be **ADMINISTRATIVELY CLOSED**.

IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

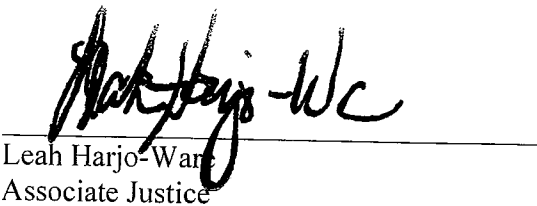
FILED AND ENTERED: January 17, 2014.



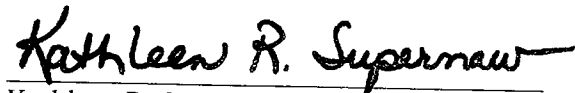
Andrew Adams III
Chief Justice



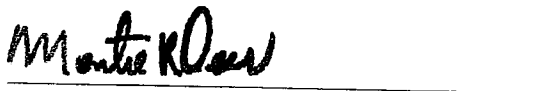
George Thompson Jr.
Vice-Chief Justice



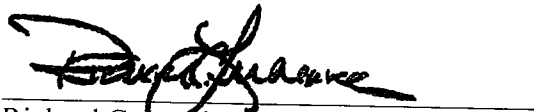
Leah Harjo-War
Associate Justice



Kathleen R. Supernaw
Associate Justice



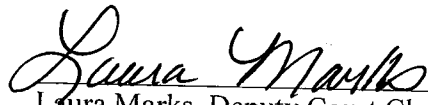
Montie R. Deer
Associate Justice



Richard C. LeBlance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: John Campbell, Campbell & Tiger, PLLC, 2021 S. Lewis Ave, Ste. 630, Tulsa, OK 74104; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; and Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.



Laura Marks, Deputy Court Clerk

IN THE SUPREME COURT OF THE MUSCOGEE (CREEK) NATION

FILED

2014 JAN 17 PM 2 35

MUSCOGEE (CREEK) NATION)
NATIONAL COUNCIL,)
)
Defendant-Appellant,)
)
v.)
)
TIGER, George; in his official capacity as)
Principal Chief of the Muscogee (Creek) Nation,)
)
Plaintiff-Respondent.)

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COURT CLERK

Case No. **SC 11-06**
(District Court Case No. CV 10-157)

ORDER OF NOTICE RE CONSOLIDATION


Prior to Defendant-Appellant filing the instant appeal, additional petitions were sought and appeals taken from the same underlying trial court proceedings in CV 10-157, *Ellis v. National Council*. As the issues presented by the instant appeal encompass all questions of law and fact presented by the earlier filings, we readily confirm that consolidation promotes judicial economy, efficiency and convenience and is unlikely to yield any countervailing inconvenience, delay, prejudice or expense for the parties involved.

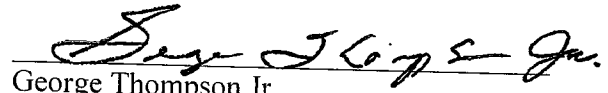
IT IS HEREBY ORDERED that, pursuant to M(C)NCA Title 27, Appendix 2, Rule 6.F.; the following eight actions pending disposition be **CONSOLIDATED** with Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*:

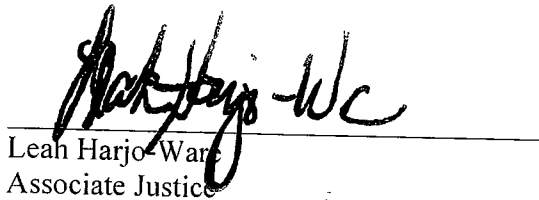
- Case No. SC 10-07, *Alexander v. Moore*
- Case No. SC 10-08, *Fife v. Moore*
- Case No. SC 10-09, *Barnett v. Moore*
- Case No. SC 10-10, *Muscogee (Creek) Nation National Council v. Moore*
- Case No. SC 11-02, *Barnett, et al. v. Moore*
- Case No. SC 11-03, *Tiger, et al. v. Moore*
- Case No. SC 11-04, *Tiger v. Moore*
- Case No. SC 11-05, *Barnett, et al. v. Moore*

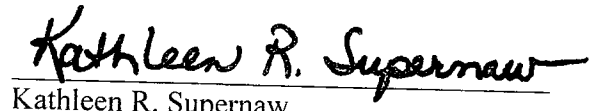
IT IS FURTHER ORDERED that any future filings in these consolidated proceedings be made exclusively in Case No. SC 11-06, *Muscogee (Creek) Nation National Council v. Tiger*.

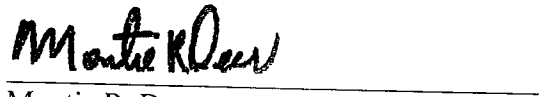
FILED AND ENTERED: January 17, 2014.

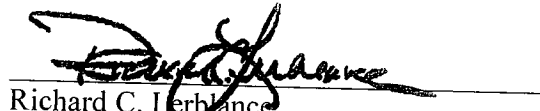

Andrew Adams III
Chief Justice


George Thompson Jr.
Vice-Chief Justice


Leah Harjo-Ward
Associate Justice


Kathleen R. Supernaw
Associate Justice


Montie R. Deer
Associate Justice


Richard C. Lerbance
Associate Justice

CERTIFICATE OF MAILING

I hereby certify that on January 17, 2014, a true and correct copy of the foregoing Order of Notice re Consolidation was served on the parties listed below by placing it in the United States mail, proper postage prepaid, and addressed to the following: Samuel Alexander, 117 W. Miami Street, Broken Arrow, OK 74011; Bill Fife, Secretary of the Nation, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Roger Barnett, Second Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Geoffrey M. Standing Bear, 425 E. 5th Street, Bartlesville, OK 74003; John Campbell, Campbell & Tiger, PLLC, 2021 S. Lewis Ave, Ste. 630, Tulsa, OK 74104; Patrick Moore, 206 W. 7th Street, Okmulgee, OK 74447; George Tiger, Principal Chief, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447; Zeke Fletcher, Fletcher Law, PLLC, Boji Tower, 124 West Allegan Street, Suite 1400, Lansing MI 48933; and Roger Wiley, Attorney General, Muscogee (Creek) Nation, P.O. Box 580, Okmulgee, OK 74447. A true and correct copy was also hand-delivered to: Donna Beaver, Clerk of the Muscogee (Creek) Nation District Court.


Laura Marks, Deputy Court Clerk