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August 24, 2021

*Via E-Mail*

Hon. David A. DeGroat  
White Earth Tribal Court  
P.O. Box 289  
White Earth, MN 56591

**Re: Manoomin et al. v. DNR et al.  
Case No. GC21-0428**

Judge DeGroat:

We have received the Plaintiffs' motion for a temporary restraining order, served late yesterday. For the reasons set forth in last week's teleconference, we ask the Court to enter a ruling on the Defendants' already pending motion for a stay of proceedings while the subject matter jurisdiction issues in this suit are resolved through an interlocutory appeal and/or federal proceedings.

As set forth in the motion for a stay, courts typically do not proceed on the merits of a matter while there are legitimate arguments concerning subject matter jurisdiction still pending. This Court's ruling on the Defendants' motion to dismiss recognizes that the issues presented by the Plaintiffs' suit are, at minimum, novel in tribal courts. The Defendants have acted expeditiously in raising their objections, briefing those objections, and filing a motion for stay. Proceeding with a TRO at this stage will simply lead to a disorderly proliferation of litigation.

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If the Court denies the Defendants' motion to stay, the Defendants ask for a teleconference to set a briefing schedule on the Plaintiffs motion for a TRO.

Sincerely,

/s/ Oliver J. Larson

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