

**WHITE EARTH BAND OF OJIBWE  
COURT OF APPEALS**

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Minnesota Department of Natural Resources, et al,  
Appellants,

v.

Manoomin, et al,

Respondents,

**ORDER RE SUPPLEMENTAL  
BRIEFING ON MOTION FOR  
RECONSIDERATION**

**File No. AP21-0516**

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Respondents have filed a Motion for Reconsideration under Rule 24 of the White Earth Band of Ojibwe Court of Appeals Rules of Appellate Procedure.

The Court requests that Respondent file a Supplemental Brief by Wednesday, April 6, 2022, addressing the following questions:

Is there legal authority in support of the conclusion that a Tribal Court should apply only Tribal law and should not apply federal law in determining subject matter jurisdiction over nonmembers (other than legal authorities cited by Respondents in their Motion)?

Is there legal authority in support of the conclusion that a Tribal Court can have subject matter jurisdiction in a lawsuit against a nonmember under the *Montana* doctrine when the allegedly unlawful conduct of the nonmember occurs off the Reservation but results in an impact on the Reservation (other than legal authorities cited by Respondents in their Motion)?

Appellants may file their Brief in response to the Motion for Reconsideration within 15 days of filing of Respondents' Supplemental Brief. Appellants should address the questions listed above in their Brief.

Dated: March 29, 2022.

BY THE COURT:

George W. Soule

George W. Soule  
Lenor Scheffler Blaeser  
David Harrington