

PEACEMAKERS' COURT
THE SENECA NATION OF INDIANS
CATTARAUGUS TERRITORY

TRANSCRIPT

Scott B. Maybee

VERSUS

Karen L. Maybee

HEARING DATE: January 23, 2024

CIVIL ACTION NO.: 1201-23-1

IN THE MATTER OF: Declaratory Relief

JUDGES: Hon. Darlene Lay, Peacemaker Judge

Hon. Sylvia L. Jock, Peacemaker Judge

RECORDER: Megan Torres

BAILIFF: Walter Wilcox

PRESENT: Scott B. Maybee, Petitioner

Michael J. Williams, Esq., Attorney for Scott B. Maybee

Charles C. Ritter, Jr., Esq., Attorney for Karen L. Maybee

Hon. Lay: Seneca Nation Peacemakers' Court is now in session. The Honorable Sylvia Jock and myself Darlene Lay presiding. Today's date is January 23, 2024. The time is 1:08. We're here on Civil Action 1201-23-1, Scott Maybee versus Karen Maybee. You'll have to be... Scott will have to be sworn in.

Bailiff: Attorneys can you please identify yourself for the records?

C. Ritter: Charles Ritter, Duke Holzman on behalf of the Respondent, Karen Maybee.

M. Williams: Michael Williams with Hurwitz and Fine for Petitioner, Scott Maybee.

Bailiff: And sir if you could please stand and raise your right hand? Do you solemnly swear that the testimony you're about to give in this proceeding is the truth, the whole truth and nothing but the truth?

S. Maybee: Yes.

EXHIBIT

8

1 Bailiff: Can you please state your name, address, and current phone number for the
2 record?

3 S. Maybee: Scott Maybee. 60 Upper Moose Hill Drive, Big Sky, Montana 59716. Uh did
4 you say birthday too?

5 Bailiff: Uh no contact number.

6 S. Maybee: Phone number. 716-863-8395.

7 Bailiff: Thank you, you may be seated.

8 Hon. Jock: Okay before we begin um... we heard some good conversation going out in the
9 hall. The attorneys – we would like to know if there is any chance that you may
10 be able to discuss the issues and present something to the court before we move
11 forward with adjudicating the issues?

12 M. Williams: Well, your Honor, we've actually talked a couple of times over the last couple
13 of days as well and we believe there might of been some confusion over the
14 nature of the relief that we're seeking so we may be able to clarify that.

15 Hon. Jock: Okay.

16 M. Williams: And that is that uh Scott is in no way trying to remove the divorce action from
17 the Montana courts. We're strictly here to discuss the evaluation and
18 distribution of his nation's sourced assets. Um there seems there's been a little
19 bit confusion about that because the Montana court deferred to this court to
20 determine jurisdiction but they phrased their order in the way that was broader
21 than the relief that we were seeking. So, I think that we can narrow it down to
22 that issue and to help. But uh opposing counsel [inaudible].

23 C. Ritter: I – I think we're on the same page. I'll say it this way. In Montana there's an
24 action for divorce and the Montana court should have jurisdiction and decide on
25 dissolution of the marriage. There's an action – in that action there's issues of
26 child custody – who's gonna have custody of the kids, child support. There's
27 gonna be an issue of maintenance – marital support. Um and there's gonna be
28 equitable distribution of the assets. And the first three things I mentioned, the
29 divorce, the child custody and child support and marital maintenance are not
30 apart of the petition that Mr. Maybee is seeking here. I wasn't sure about that
when the file first came in. Mr. Williams confirmed that so those issues if we

1 could get clarification from the court so that we can inform Montana that those
2 issues are not in play here and that Peacemakers' are not exercising jurisdiction
3 over the divorce generally um and then what remains. There's another subset
4 that I don't believe is in dispute which are what Mr. Maybee refers too and
5 identifies as his non-tribal assets. Those are properties and memberships and
6 other investments, his children's five twenty-nine accounts. Things of that
7 nature which are off reservation, non-tribal property in Florida, several
8 properties in Montana. I understand that those are not subject to Peacemakers'
9 jurisdiction and either we're in agreement on that. Um. What is – what we do
10 disagree on, and I don't think it's a very broad disagreement um is that whether
11 or not all of the issues Mr. Maybee has said are tribal, are in authority of the
12 Peacemakers' Court. Um those are the issues which he identifies in paragraph
13 fourteen of his petition under subparagraphs A through U. Um now... to be
14 clear, there are two types of assets that he's identified there. Real property is
15 one. So sovereign nation lands that he has title too. The other are what he
16 characterizes as his tribal businesses. Um... let me say first thing about the real
17 estate. His wife has made no claim to ownership to the tribal lands. Um she
18 understands that under um the applicable laws of the Seneca Nation, she has no
19 right or can have no right to own those lands. She recognizes that. That has to
20 do with ownership. With regard to the businesses, it's not entirely clear that they
21 are actually um properly within just the jurisdiction of this court as opposed to
22 Montana. But she's not claiming that she wants ownership of those. Which she
23 – what, what is in play regarding the businesses that were identified is
24 evaluation for purposes of the Montana court's distribution. Now in that regard
25 um the valuation of those businesses have been litigated in Montana already. Uh
26 we attached some information regarding that to Ms. Maybee's affidavit. The
27 other thing that was not attached um which I would be able to provide the court
28 is that there was expert disclosures made. Um which included... for example
29 identifying Mr. Porter who filed a notice of appearance yesterday, Rob Porter.
30 In this case, identified him as a expert witness that would be testifying in
Montana regarding evaluation of businesses that are um... how did he put it

1 here... um Native American run businesses. So unique issues relating to the
2 valuation of those. This kind of ties into the motion that we filed which is that
3 the controversy regarding the valuation of the – what Mr. Maybee calls the
4 Seneca owned businesses, has already been under way in being litigated in
5 Montana. Um it – it has and um I don't generally – in my experience there is
6 and we cited this in the papers we filed that like once a party commits to a
7 judicial proceeding in other words the first to file a judicial proceeding
8 sometimes there's a race to the court house. There's no question the Montana
9 case came before this one. But in addition to that there's the concept that once a
10 party actively participates in a judicial proceeding, the issues that they have um
11 consented to be decided should be decided there. In this case – it is – and this is
12 reflected in Ms. Maybee's affidavit, the letter from her lawyer which is exhibit
13 B. It was only in October of the past year in 2023 that her husband disclosed
14 that he owned certain real estate within the Seneca Nation. It wasn't part of the
15 disclosures before. It wasn't known to her specifically. That had just come up.
16 The businesses themselves though um he had hired in addition to Mr. Porter
17 who's identified in this expert disclosure that was filed in court, there's been
18 consulting group to do evaluation that was produced in the case. His wife hired
19 competing consultants who did evaluations of those same businesses which
20 were filed as part of the Montana case. So, the evaluation of those businesses,
21 even if it is properly here has also been ongoing and properly in Montana. So,
22 for the reasons that we cited in our paperwork, we are asking the court to um
23 retain jurisdiction with respect to the real estate issues um but – but nothing
24 else. So, to sum up, its not over the divorce generally, not over the child
25 support, child custody, not over marital maintenance, not retain jurisdiction over
26 equitable distribution of the non-tribal lands and also to refrain from jurisdiction
27 over the evaluation of what Mr. Maybee is calling his tribal businesses because
28 those issues are already in progress in Montana.

29 M. Williams: Your Honor there's a – a – a few conceptions here. The valuation issue has not
30 been resolved from the Montana court. In fact, uh the Montana court has stayed
the proceedings there so that this court can determine its jurisdiction. I do have a

1 copy of that order. I'd be happy to present to the court. I would have provided
2 earlier but unfortunately, we only received the opposition papers yesterday, but
3 I'll be happy to provide that to the court. What the issue is here is not just the
4 tribal land assets which this court has exclusive jurisdiction. I don't believe
5 anybody would contend that the Montana court has any right to make any
6 determination about sovereign Seneca territory. But in addition to that, the
7 Nation through the counsel has made the determination that the business and
8 economic interests that are held within the Nation by the Nation's enrollees are
9 subject to the specific protection of Peacemakers' Court. The business code
10 makes that abundantly clear. It spells out that based upon the nation's inherit
11 sovereign authority, there's a policy to look towards the economic security of
12 the Nation, the self determination of the Seneca Nation, and its economic
13 policies. Any business transactions arise between Nation members or Nation
14 members with a non-nation member, any business action is covered under the
15 business code and subject to this court's jurisdiction. Now in the case of Mr.
16 Maybee's uh Nation sourced assets, the land and the businesses are completely
17 intertwined. The land is the basis for the contribution to the business. It's the
18 backing for the business [inaudible] and for the last twenty-five years, he has
19 used both his land holdings and the businesses formed under the Nation's
20 business law and LLC code to work with his fellow enrolled members to create
21 these properties specifically within the Nation. They're operating in the Nation
22 for the benefit of himself and his enrolled partners. They have never been
23 shared with Karen Maybee. They have always been held as separate property
24 specifically for the benefit of Mr. Maybee and his enrolled partners. He began
25 these businesses before marriage. He has maintained them separately
26 throughout the course of marriage. He maintains them separately today. And
27 he's here to testify to you today about the nature of those businesses. The fact
28 that he has already communicated to Karen Maybee that in the event of divorce
29 or death that she has no claim upon the Nation sourced assets. And that she was
30 to walk away, and he has provided for her extensively as opposing counsel's
pointed out. There are extensive marital assets. None of those are in dispute. Mr.

1 Maybee is making them completely available to the Montana court to actively
2 distribute but he has to protect his Nation sourced assets, his Nation enrolled
3 partners, and these assets that have always been separately. And that's why he's
4 asking the court here today and again this is directly out of the Nation's laws
5 and codes that if somebody who's [inaudible] needs the Nation's protection as
6 to these business interests, they are to come before Peacemakers' Court and ask
7 for that protection. Which is why that he asks today that this court, no foreign
8 court, not Montana, no foreign court anywhere should be allowed to value or
9 disperse Nation sourced assets that he has held and developed in this way. And
10 that this court find that these assets have always been and continued to be
11 separate from the martial estate assets that the Montana court should rightfully
12 develop.

13 Hon. Jock:

Okay.

14 C. Ritter:

15 So, there is one additional issue that Mr. Williams raised that I did not address. I
16 – I – I did not see any reference to a prenuptial agreement of any type in Mr.
17 Maybee's application. But I did hear Mr. Williams make a claim specifically
18 that all of these Nation assets are the separate and exclusive property of his
19 client. Uh I know in my experience under Nation law and New York law,
20 parties prior to a marriage can enter into a prenuptial agreement that will define
21 separate property but the general rule is that the assets that are acquired,
22 accumulated during the marriage are marital property. And that goes beyond the
23 question that was originally submitted which is should this court adjudicate a
24 claim to real estate. Should this claim adjudicate claims the value real estate or
25 value businesses. I don't believe that this court should under the circumstances
26 given that Montana has already invested over two years in this case, venture
27 into deciding a claim now raised for the first time that certain assets are separate
28 property. Theres no prenuptial agreement. Theres not any reference to an
29 agreement in fact. Actually, the petition has a couple references to I always told
30 my wife that you couldn't own Nation property. That may be true but that
doesn't mean that she wouldn't have an equitable interest in his businesses.
Another point I wanted to make if I could [inaudible] these are just [inaudible]

1 reference some dates too. One of these if – if I may uh an expert disclosure that
2 indicated that Mr. Maybee first provided disclosure regarding the valuation of
3 assets in the Montana case. Expert disclosure in May of 2022. That's referenced
4 to the first paragraph as expert disclosure here. If you – and you can see the very
5 first person identified in the supplement is Robert Porter – Porter the attorney
6 consultant. And then there's also Brisbane Consulting. I've provided their
7 evaluation report. That's number two on the second page. And then also Keith
8 O'Reilly who is an appraiser. This is dated May of 2023. Which is almost a year
9 ago. It's certainly nine – seven months before the petition was filed in
10 Peacemakers' Court. It demonstrates that Mr. Maybee was actively participating
11 in the valuation of his Seneca owned businesses in the Montana case. There's
12 not really any question about that. And this is from his own lawyer. That kind of
13 feeds into my argument I made before. The Montana case has been underway.
14 He's participated in the valuation of these assets. Now something I'd like to ask
15 for the alternative because ultimately the decision of what stays here is up to
16 you Judges. That is that in the event the court is um going to retain jurisdiction
17 and actively litigate or decide this issue of valuation of business assets is that
18 Ms. Maybee should be entitled to obtain disclosure and discovery from Mr.
19 Maybee before this tribunal. We should be allowed to ask them to provide
20 updated information. I would note that his accountants are a local accounting
21 firm in Buffalo – Trinconi Segarra. Brisbane Consulting that he used to value
22 the Seneca businesses is also located here in Buffalo. Um that it would be our
23 request that we be afforded the uh with provided under the rules for discovery,
24 the opportunity to obtain that information in the event that your Honors were
25 gonna make a decision about the value of those assets but before we proceed to
26 that hearing that we have the opportunity to gather that information, conduct a
27 deposition of Mr. Maybee and all of this should probably happen if it happens at
28 all um while the Montana case proceeds forward on the grounds for divorce, the
29 child custody and support and those other issues. I just wanted to be clear that if
30 we're gonna litigate here, we should be afforded some degree of process to
gather that information before we go and have a hearing.

1 Hon. Jock: Okay. So, I'm listening. Just want to point out in everything that you've said.
2 The underlying fact here is yeah, it's been going on in Montana for two years its
3 like I've heard reference, but I've also heard that Montana is deferring to
4 Peacemakers' Court regarding [inaudible]. So...

5 C. Ritter: They're looking to your Honors to make a determination as to the scope of you
6 know the scope of whatever authority you decide to exercise over this dispute.
7 That's correct.

8 Hon. Jock: Now one more question I have real quick, is Mr. Maybee how many businesses
9 do you have within Seneca Nation LLC's?

10 S. Maybee: Oh, geez I have to look them up. I have several. Yeah... Yes, active businesses.
11 I have GTS, I have Red House, Ace... Oh here they are... Five.

12 Hon. Jock: Five. And out of those five businesses did you own or were partners of
13 [inaudible] prior to your marriage to Karen?

14 S. Maybee: No. Some of the business structures were changed over time. So, I started my
15 reservation businesses prior to being married.

16 Hon. Jock: Okay.

17 S. Maybee: And then since then you know the businesses have changed a little bit um you
18 know from management company and Ace and Red House those businesses
19 took shape um over the last several years.

20 Hon. Jock: So, two out of three are during...

21 S. Maybee: No uh well actually over time all of those businesses listed um... I'm trying to
22 think. CW might have been ahead of time. Yeah so, my first two businesses
23 were a mail order business back in the day and then a wholesale business. Those
24 were started prior to my marriage. And as we talked about all of those assets
25 kept totally separate from when I was married. And then uh those businesses
26 then spawned and morphed into other businesses on the territory. So, I mean
27 during my marriage, what would happen is as I earned income right and then I
28 would pull that money out and put it into our joint account. In my mind that was
29 [inaudible] marital asset to kind of provide for my family. You know and
30 keeping my reservation assets on the reservation and kind of doing their thing.
Um taking advantage of business opportunities here. Um and that money call it

1 the reservation sourced or – or native sourced assets all have stayed as native
2 sourced assets. It never became a marital asset. I never pulled them off – out of
3 the businesses into my joint account or saying it a different way, I've never
4 taken Karen's money or our marital money and repatriated them back into the
5 business. I've always kept them entirely separate.

6 C. Ritter: Your Honor...

7 S. Maybee: And I know its redundant but no there's never been a prenup and I never even
8 conceived that I would need one with my wife being non-native and you know
9 over the years I clearly communicated to her that anything were to ever happen
10 to me that you know that's why we have these investment accounts, that's why I
11 have life insurance. You can't own or possess or benefit from these businesses
12 whatsoever because you're not Seneca and unfortunately my kids are therefore
13 not Seneca so...

14 Hon. Jock: And I'm gonna assume you've drafted a will to protect those Seneca Nation
15 properties at some point?

16 S. Maybee: Uh yeah, I do have a will. It's – it's so outdated I mean it was after I had my
17 first kid.

18 Hon. Jock: But were – were – were your reservation properties addressed in that will?

19 S. Maybee: Yeah, they were addressed in the will. Um you know and my uh family who are
20 enrolled Seneca members you know my brother, my parents would have been
21 beneficiaries of the business and my land.

22 Hon. Jock: Okay. Mr. Ritter?

23 C. Ritter: Uh your question was when were the businesses formed? We have not been
24 provided with the certificate of formation documents by Mr. Maybee but his
25 petition...

26 S. Maybee: I think you have them in discovery records for sure in Montana.

27 C. Ritter: I – I – I haven't been to Montana. I don't have them. Just to answer the
28 question, they're not apart of this record in this case. But in the petition, it does
29 indicate that the GTS entity was not formed until 2014. They – my
30 understanding is that this marriage occurred um when did you get married in
2003?

1 S. Maybee: Yeah, 2003.

2 C. Ritter: In 2003 and that it was not until – at the time that they were married Mr.
3 Maybee and his wife were not wealthy people. He is a successful businessman
4 and during the course of the marriage built and grew businesses in part –
5 primarily it sounds um based on his Seneca heritage and Seneca connections
6 here. Um but those businesses that are at issue now, the valuation of those
7 businesses – he didn't create those until 2014 and thereafter according to his
8 own petition.

9 S. Maybee: And that's correct. And I was worth well over a million dollars by the time I
10 was married so – so I wasn't dirt broke.

11 C. Ritter: I didn't say you were – I – I – I never said he was dirt poor.

12 S. Maybee: College I was dirt broke.

13 C. Ritter: I – I – I would say he is an extremely wealthy man now and he was not when he
14 got married. He was well enough off to move to Montana for sure.

15 M. Williams: Right but the point worth remembering is that at all times, it was Scott's million
16 dollars to start. And it has been based upon him strictly maintaining his
17 property, his land, his business structures within the Nation separate from the
18 marital estate. Which he has provided very generous. I don't think anybody
19 could disagree looking at the valuation that he has not been extremely generous
20 in making sure his family's cared for. But he also has to look after his Seneca
21 interests which are separate for which his family is the beneficiary for which his
22 partners are actively engaged and rely upon him being able to contribute and
23 being able to back his promises to contribute. Which is the point of why those
24 assets should be considered completely separate. And I would point out that
25 paragraph sixteen C on our request for relief, we made that unambiguous that
26 we were requesting that relief. This is not a surprise um in terms of what we're
27 asking for here today.

28 C. Ritter: And that separate property issue your Honors to the extent the court exercises
29 authority and jurisdiction over that, we would want to have an opportunity for
30 discovery on that issue and for the proceedings. Most simply because that claim
has never been made before. The fact that he just acknowledged no prenup,

1 there's certainly an area of law out there about when something is separate
2 property and when it is not relevant to a marriage. It's not as simple as just
3 asserting that while I built -- I built these businesses on Seneca land so you can't
4 possibly have any marital interest in it. Um it's certainly not briefed in this
5 petition. I understand from what his attorney is saying. They're making that
6 claim now um but that's a -- that's an important and complicated issue because
7 those are valuable assets and if he had decided to protect them by way of a
8 prenuptial agreement, even not a formal one. Even if it was just a simple letter
9 between him and his wife or something like that but they -- he did not do that.
10 So...

11 M. Williams: We can see there's no right but there's no reason that had to be reduced
12 [inaudible] when there's an oral recognition for how they've lived their lives
13 over the last twenty-five years.

14 C. Ritter: There's not -- that's disputed.

15 M. Williams: Well, the finances say what they say and they have been kept completely
16 separate and the documentation shows that.

17 Hon. Jock: Has Mrs. Maybee ever worked in the reservation businesses or participated...

18 S. Maybee: Never.

19 Hon. Jock: In any manner?

20 S. Maybee: No.

21 Hon. Jock: Never... And of course, you don't solely own businesses. You are a partnership.
22 Your LLC as a partnership?

23 S. Maybee: Yes. The businesses in their current form, I'm partners with two other native
24 gentlemen, Gary Sanden and Travis Heron.

25 Hon. Jock: Okay. Anything else?

26 C. Ritter: Nothing further your Honor.

27 Hon. Jock: So, on the matter of the motion to dismiss, I think at this time we will reject that
28 motion. We will reserve decision for ten days. On all other issues, we will
29 acknowledge that we have no jurisdiction over the matters that we started.
30 That's a given. And we will only be dealing with whether the Seneca Nation

1 partnership LLCs will be evaluated and included in the Montana divorce
2 proceedings. Correct?

3 M. Williams: Um that's correct your Honor. Just to clarify, we're not actually disputing uh the
4 real property is that correct?

5 Hon. Jock: Right, right and the real property is not in dispute.

6 C. Ritter: Well, the valuation of those could be done in Montana would be our position.
7 My client is not claim...

8 Hon. Jock: Not of the reservation properties.

9 C. Ritter: I'm getting tongue tied here. In terms of the equitable um considerations, the
10 value of those might come up in Montana but there's not gonna be an award.
11 My client's not asking for an award or any interest in the business or the real
12 property on the reservation. The only issue that she's asking the Montana court
13 would be allowed to decide is what the value of those assets are. So the question
14 for the court is are you going to decide – she's not making a claim for
15 ownership, its just the value so that when they divide the other assets how much
16 her dollar value piece of these businesses be if any and if we're gonna deal with
17 valuation issues here, I'm just asking for an opportunity to go through the legal
18 process of discovery and some notice before a – before a hearing so that we can
19 present those issues in a meaningful way to the panel.

20 Hon. Jock: Okay. And just for your personal information, we are custom and tradition here.
21 Reservation property cannot be evaluated. A long-standing rule of thumb within
22 tribal country.

23 C. Ritter: I explained to Mr. Williams before I got here that I expected that I might hear
24 that.

25 M. Williams: We will still be talking politely afterwards we both understood that coming.

26 Hon. Jock: That's good.

27 C. Ritter: So, with that being the case, I would clarify that our position would be that the
28 value – that being the rule – that the valuation proceedings that would go on
29 here would concern the Nation real estate Mr. Maybee owns that he's identified
30 in paragraph fourteen and the value of the businesses that he's owned. Um and
that we would be – have the opportunity to evaluate those through discovery

1 then present our evidence at a hearing. Uh and I – I will acknowledge that
2 they're already in his – his other lawyers in Montana have – have started to
3 exchange information regarding those. And there's one report for example that
4 Brisbane prepared for him that I provided. Um but this petition identified a
5 number of assets and facts that were not previously on the table out there. So, in
6 some respect we are starting fresh on these Nation assets.

7 Hon. Jock: Oh. Okay.

8 S. Maybee: To clarify, the – I think what you're referencing are a couple of pieces of
9 property that one my mother gave to me and another I bought when I was in my
10 twenties that I forgot about. Those are new which we just talked about are
11 irrelevant anyway for your purposes.

12 C. Ritter: Uh... he's correct that those were just recently identified. In paragraph fourteen
13 in his petition, there's subparagraphs A through U that identify assets that were
14 not disclosed in the detail before. That was what I was referring too.

15 S. Maybee: I'm confused but [inaudible].

16 C. Ritter: Well, I'll – I'll give you – I'll give you an example. It's – it's your petition.
17 Here – here's an example. The valuation report that Brisbane did for you...

18 S. Maybee: Uh huh.

19 C. Ritter: It – it – it addresses three or four businesses. This petition you identify in
20 paragraph fourteen U – GTSE, Allegany Capital which you call ACE, Red
21 House, Salamanca CBW and Red Oak. So that's five.

22 S. Maybee: Yeah.

23 C. Ritter: So... I – I'm just saying...

24 S. Maybee: Yeah. Red – Red Oak...

25 C. Ritter: That there's – there's more here than there was disclosed before that's all.

26 M. Williams: Right. There's no – no question that the – the names and um and formations
27 within the Seneca LLCs have changed overtime for tax benefits. Things like
28 that. It's – it's just updating the business model as it moves forward from that
29 same pool of assets. But uh if there's any clarification, we will be happy to
30 provide.

1 C. Ritter: And your Honor I'd just like you to know I tried looking on the internet and
2 everywhere I could to find out what the custom and tradition might be regarding
3 valuation of assets here.

4 Hon. Jock: I did too.

5 C. Ritter: You probably had better sources.

6 Hon. Jock: I checked the state court on Indian property yep. Um as you know custom and
7 tradition is basically an unspoken oral tradition and it's something that we
8 learned at a young age carry forward one of the biggest ones we learned on top
9 of this is landlocking. So, in your world, you can't do it. It's - it's - it's written.
10 You have county codes, ordinances, and easements and you know real property
11 transfers that include those easements. It's just been a long-standing road that
12 our people cannot landlock one another and it's not written. It creates some
13 havoc sometimes, but these are some of the things that we deal with. And again,
14 valuation of Indian property - if I wanted to say... what's the value of my
15 property? Um probably about ten million dollars. My acre. You know and
16 whose gonna dispute it. It's land that cannot be transferred outside of Indian
17 people. It's land that's valuable in culture, tradition, history. It's land that's
18 looked forward too our seven generations. And its land that's protected by our
19 um... ties to our mother earth and everything we believe in so those are what -
20 other factors behind our custom and tradition.

21 C. Ritter: I understand. I wanted you to know no disrespect by not being aware of that
22 rule.

23 Hon. Jock: Yeah. Okay so is there anything else gentlemen?

24 M. Williams: Uh just your Honor if you would like accept a copy of the Montana state court's
25 order as an exhibit?

26 Hon. Jock: Yes... Okay. So, identification for the record is Petition Montana State Court
27 has been marked at P1. Respondent's supplemental expert disclosure submitted
28 by Mr. Ritter is R1, and the Brisbane report is R2.

29 C. Ritter: Thank you.

30 M. Williams: Thank you, your Honor.

1 Hon. Jock: Alright. We will reserve decision for ten days and see if we have any further
2 proceedings after at that point.

3 C. Ritter: Thank you very much.

4 Hon. Jock: Thank you for driving out today.

5 Hon. Lay: Okay. Courts adjourned.
6
7

8 RESPECTFULLY SUBMITTED,
9

10 Megan M. Torres

11 MEGAN M. TORRES, COURT CLERK
12 PEACEMAKERS' COURT
13 THE SENECA NATION OF INDIANS
14 CATTARAUGUS TERRITORY
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Hon Darlene Lay

HONORABLE DARLENE LAY
PEACEMAKERS' JUDGE
THE SENECA NATION OF INDIANS
CATTARAUGUS TERRITORY