

LOWER BRULE SIOUX TRIBE  
LOWER BRULE INDIAN RESERVATION  
LOWER BRULE, SOUTH DAKOTA

IN TRIBAL COURT

Case No. Civ. 16-1-001

LOWER BRULE SIOUX TRIBAL  
MEMBERS: Gail Ziegler, Janice Larson,  
George Estes, Sheryl Scott, Janet Traversie,  
and Maria Sexton,

MOTION TO DISMISS

Plaintiffs,

v.

ORVILLE C. (RED) LANGDEAU, JR.,

Defendant.

Comes now Orville Langdeau, through his attorney, Terry L. Pechota, pursuant to the attached affidavit, and moves to dismiss the action with prejudice.

Dated March 11, 2016.



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Terry L. Pechota  
Attorney for Orville Langdeau  
1617 Sheridan Lake Road  
Rapid City, SD 57702  
605-341-4400  
[tpechota@1868treaty.com](mailto:tpechota@1868treaty.com)

# CERTIFICATE OF SERVICE

I certify that on March 11, 2016, I caused to be served by first class mail, postage prepaid, from Rapid City, South Dakota, the above motion to dismiss upon the following people at the address listed:

Gail Ziegler, Box 15, Lower Brule, SD 57548

Janice Bad Horse Larson, Box 24, Lower Brule, SD 57548

Maria Sexton, 22298 Little Bend Road, Lower Brule, SD 57548

Janet Traversie, Box 85, Lower Brule, SD 57548

George Estes, Box 304, Lower Brule, SD 57548

Sheryl Scott, Box 253, Lower Brule, SD 57548



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Terry L. Pechota

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**LOWER BRULE SIOUX  
TRIBAL COURT**

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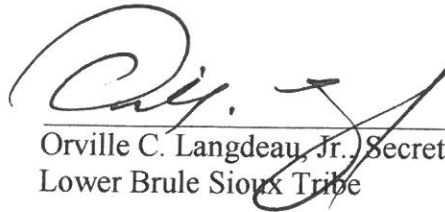
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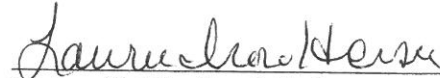
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1. That my address is Post Office Box 282, Lower Brule, South Dakota 57548.
2. That in response to the January 27<sup>th</sup>, 2016 Scheduling Order issued by the Judge B. J. Jones of the Lower Brule Sioux Tribal Court, I, Orville C. Langdeau, Jr. do hereby submit the following documentation to the Court:
  - The Agenda as presented by Vice-Chairman Wright, the presiding officer, for the February 5<sup>th</sup>, 2016 Lower Brule Sioux Tribal Council Meeting
  - Approved Minutes from the February 5<sup>th</sup>, 2016 Regular Lower Brule Sioux Tribal Council Meeting
  - Approved Minutes from the February 11<sup>th</sup>, 2016 Lower Brule Sioux Tribal Council Meeting (continuation of the February 5<sup>th</sup>, 2016 Meeting)
  - The Agenda as presented by Vice-Chairman Wright, the presiding officer, for the March 2<sup>nd</sup>, 2016 Lower Brule Sioux Tribal Council Meeting
3. That the above documented meetings were the only Lower Brule Sioux Tribal Council Meetings held with a quorum present, occurring after the issuance of the Scheduling Order (January 27<sup>th</sup>, 2016), through the date of this Affidavit.
4. That the Scheduling Order issued by the Court ordering that the Plaintiffs shall have 30 days from the date of the Scheduling Order (January 27<sup>th</sup>, 2016), "to demonstrate that they have filed their petition with the Tribal Council and that a lawful quorum of the Council has taken action on the petition." was not complied with, within the timeframe ordered by the Court as evidenced in the above listed and attached documentation.

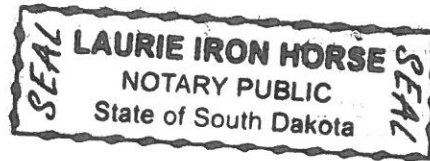
Dated this 7<sup>th</sup> day of March, 2016

  
Orville C. Langdeau, Jr., Secretary-Treasurer  
Lower Brule Sioux Tribe

Subscribed and sworn to me, this 7<sup>th</sup> day of March, 2016

  
Notary Public South Dakota

My Commission Expires: 12/14/2016



The Lower Brule Sioux Tribal Council Meeting was held at the Tribal Administration Building on February 5, 2016, and called to order by Vice Chairman Kevin Wright at 10:19 a.m.

**Present**

Kevin Wright, Vice Chairman  
Orville C. Langdeau, Jr., Secretary/Treasurer  
John McCauley, Council Member  
Desiree LaRoche, Council Member  
Sonny Ziegler, Sergeant At Arms

**Also Present**

Carl Johnson  
Jera Brouse  
Trish Jandreau  
Jill Brouse  
Mary Gourneau  
Ursula Estes

**Roll Call**

A quorum was established.

**Opening Prayer**

Opening prayer was led by Kevin Wright.

**1.) CLOSE LAST MEETING**

Motion was made by Orville Langdeau Jr. to close the January meeting. This motion was seconded by Desiree LaRoche. Motion was carried with the vote being four members for, none opposing.

**2.) OLD BUSINESS—NAHA BOARD**

Discussion: Awaiting a list from Personnel (Wilma Wilson). No action taken.

**3.) Lee Brannan—Incomplete Board/Member list**

Discussion: Farm Board is a separate entity. Request for Lee Brannan to check on when the contract for the Farm board management is up. Lee Brannan has provided list of all Boards that he is aware of to the council. No action taken.

**4.) SELECT ELECTION BOARD**

Discussion: Council to make an announcement for selection of Election board at a separate time, to be done by June 2016.

Motion was made by Orville Langdeau Jr. to take formal action to call for Election. This motion was seconded by John McCauley. Motion was carried with the vote being four members for, none opposing.

5.) John McCauley contacted Eyvonne Rekow concerning LB IHS. Eyvonne wants to bring Bernie Long and present information to the council. No action taken.

**6.) OTHER BUSINESS**

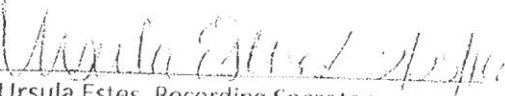
No further business.

**7.) RECESS**

There being no further business, the meeting Recessed at 10:43 a.m.

**CERTIFICATION**

The foregoing is a true and correct transcript of the actions and decisions of the Lower Brule Sioux Tribal Council assembled in Regular Session, with quorum present, on the 5<sup>th</sup> day of February, 2016.

  
Ursula Estes, Recording Secretary  
Lower Brule Sioux Tribe













Agenda  
Lower Brule Sioux Tribal Council  
Regular Scheduled Council Meeting  
February 5, 2016  
Lower Brule Sioux Tribal Administrative Building

10:19 AM

1. Roll Call
2. Opening Prayer
3. Close January meeting & minutes approval.
4. Old Business –
  - a. NAHA Board/Issues.
  - b. Lee Brennan – incomplete Board/member list.
5. Select election board.
6. Other Business

10:34 AM Called for Election 2016

**Agenda**  
**Lower Brule Sioux Tribal Council**  
**Regular Scheduled Council Meeting**  
**March 2, 2016**  
**Lower Brule Sioux Tribal Administrative Building**

-  Roll Call
-  Opening Prayer
-  Close February meeting & Minutes approval.
-  Old Business –
  -  NAHA board.
-  BIA
-  Wildlife
-  Lower Brule Research Institute Request (Lower Brule Schools). – *March 16, 2016* ←
-  Jacob Brouse – business/home site lease.
-  Housing (RIF's).
-  Head Start Funding
-  Election Board
- 12. Other Business