

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA

THE CHEROKEE NATION, )  
)  
) Plaintiff, )

V. )

Case No.11CV-0648  
TCK-TLW

RAYMOND NASH, LARRY WASSON, ROBERT )  
ALLEN, KATHY WASHINGTON, LISA DUKE, )  
KEN SALAZAR, SECRETARY OF THE INTERIOR, )  
AND THE UNITED STATES DEPARTMENT OF THE )  
INTERIOR, )

Defendants/Cross-Claimants/ )  
Counter-Claimants. )

V. )

THE CHEROKEE NATION; )  
)  
PRINCIPAL CHIEF BILL JOHN BAKER, in )  
his Official Capacity; )  
)  
DEPUTY PRINCIPAL CHIEF S. JOE )  
CRITTENDEN, in his Official Capacity; )  
)  
REGISTRAR JOHN DOE, in his Official )  
Capacity; )  
)  
ELECTION COMMISSION CHAIR JOHN DOE, )  
in his Official Capacity; )  
)  
ELECTION COMMISSION VICE-CHAIR, )  
JOHN DOE, in his Official Capacity; )  
)  
ELECTION COMMISSION SECRETARY, )  
JOHN DOE, in his Official Capacity; )  
)  
ELECTION COMMISSION MEMBER 1 )  
JOHN DOE, in his Official Capacity; )  
)  
ELECTION COMMISSION MEMBER 2 )  
JOHN DOE, in his Official Capacity; )

ELECTION COMMISSION MEMBER 3 )  
 JOHN DOE, in his Official Capacity; )  
 )  
           Counter-Defendants, )  
 )  
 KEN SALAZAR, SECRETARY OF THE )  
 INTERIOR, AND THE UNITED STATES )  
 DEPARTMENT OF THE INTERIOR, )  
 )  
           Cross-Defendants. )

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ELECTION COMMISSION DEFENDANTS RESPONSE TO THE  
 CHEROKEE FREEDMEN’S MOTION FOR RECONSIDERATION, OR IN THE  
 ALTERNATIVE, FOR CERTIFICATION

ELECTION COMMISSION CHAIR JOHN DOE, in his Official Capacity;  
 ELECTION COMMISSION VICE- CHAIR JOHN DOE, in his Official Capacity;  
 ELECTION COMMISSION SECRETARY JOHN DOE, in his Official Capacity;  
 ELECTION COMMISSION Member 1 JOHN DOE, in his Official Capacity;  
 ELECTION COMMISSION Member 2 JOHN DOE, in his Official Capacity;  
 and, ELECTION COMMISSION Member 3 JOHN DOE, in his Official  
 Capacity (hereinafter "Commission Members") for their Response to  
 the Cherokee Freedmen’s Motion for Reconsideration or, in the  
 Alternative for Certification on file herein object to said Motion  
 and Certification and move the Court to deny them.

It is in the interest of all parties to have a resolution of  
 the matters at issue in this action as soon as reasonable  
 practicable in order that future elections may be conducted by the  
 Election Commission in a fair and legal manner without strive or  
 controversy and that the parties have their respective legal rights

know.

The Northern District case should be able to resolve the issue of whether the Freedman may be eligible to run for office and vote within a reasonable given the current status of the proceeding; however, if such Motion or Certification is granted, it is likely that a decision will not be reached for an extended period of time; and, the Northern District Court is the most convenient forum for almost all of the parties.

For additional Response to said the Cherokee Freedmen's Motion for Reconsideration or, in the Alternative for Certification, the response and authorities in support of Plaintiff, Cherokee Nation's response to the Cherokee Freedmen's Motion for Reconsideration or, in the Alternative for Certification, and supporting authorities, filed April 22, 2013, herein are incorporated herein in support of the Commission Members position that, the Cherokee Freedmen's Motion for Reconsideration or, in the Alternative for Certification should be denied.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on April 22 2013, I caused a true and correct copy of the within and foregoing Answer of the Election Commission Defendants to be electronically transmitted to the Court via ECF for filing and also electronically transmitted a copy of the same via E-Mail to the following:

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