

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.)

ELECTION COMMISSION DEFENDANTS REPLY TO THE
 RESPONSE OF THE FEDERAL DEFENDANTS TO THE 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 Reply to the
 Response of the Federal Defendants to the Cherokee Freedmen's
 Motion for Reconsideration or, in the Alternative for Certification
 on file herein, and in accordance with the Court's Order herein,
 respectfully submit the following:

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 Reply to the said Response of the Federal Defendants to the Cherokee Freedmen's Motion for Reconsideration or, in the Alternative for Certification, the response and authorities in support of Plaintiff, Cherokee Nation's Reply to the Response of the Federal Defendants to the Freedmen's Motion for Reconsideration or Certification, and supporting authorities, filed May 8, 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,

s/Harvey L. Chaffin
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CERTIFICATE OF SERVICE

I hereby certify that on May 8 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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