

NOV 03 2021

BY

IN THE TRIAL COURT OF THE OSAGE NATION  
PAWHUSKA, OKLAHOMA

Osage News Editorial Board  
Plaintiff(s)/Petitioner(s)

Kathryn Gardner  
Attorney(s) for Plaintiff(s)/Petitioner(s)

--vs--

Case No. CV-2021-03

Osage Nation Executive Branch  
Office of the Chiefs-Principal Chief  
Of the Osage Nation Geoffrey in  
His official Capacity  
Defendant(s)/Respondent(s)

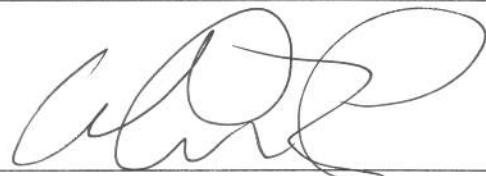
Attorney(s) for Defendants(s)/Respondent(s)

COURT MINUTE

**Appearances:**

**Date:** 11/03/2021

Petitioner/Claimant Osage News Editorial Board appears through its counsel, Kathryn Gardner. No other parties appear. This matter comes on for hearing on Petitioner's Motion for Default Judgment. It appears from the file that service of Petitioner's Amended Claim for Records was served upon the K. Cedar of the Executive Branch on September 10, 2021. No Answer or other responsive pleading has been filed within the time period allowed by statute. Therefore, Petitioner's Motion for Default Judgment is granted as to its Amended Claim for Records. Petitioner's counsel shall prepare an appropriate Journal Entry for the Court's approval.



W. Lee Stout, Associate Trial Court Judge

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IN THE TRIAL COURT OF THE OSAGE NATION  
PAWHUSKA, OKLAHOMA

OSAGE NEWS EDITORIAL BOARD, )  
Claimant, )  
)  
vs. )  
)  
OSAGE NATION EXECUTIVE BRANCH, )  
OFFICE OF THE CHIEFS - PRINCIPAL CHIEF )  
OF THE OSAGE NATION GEOFFREY )  
STANDING BEAR, in his official capacity, )  
Respondent. )

CASE NO. CV-2021-0003

**ORDER**

NOW on this 3<sup>rd</sup> day of November 2021, this matter comes before the Court on Claimant’s Amended Claim of Records Access and Motion for Default Judgment. The Claimant, Osage News Editorial Board, appears by and through its counsel, Kathryn E. Gardner. The Respondent, Osage Nation Executive Branch, Office of the Chiefs – Principal Chief of the Osage Nation Geoffrey Standing Bear, in his official capacity, does not appear. The Court having heard the argument of counsel, having reviewed the file and pleadings therein and being fully advised, finds and Orders as follows:

1. Claimant filed an Open Records Request Form dated December 15, 2020, requesting certain records [documents showing “individuals named/placed/appointed to the Small Business CARES Act Assistance Committee by Principal Chief Standing Bear] from the Executive Branch of the Osage Nation.
2. Said request was responded to by the Attorney General of the Osage Nation in a written letter dated December 28, 2020, which denied said request.
3. On June 2, 2021, Claimant timely filed a Claim of Records Access with this Court as required by 15 ONC § 8-109 and named Principal Chief of the Osage Nation Geoffrey

Standing Bear as Respondent. Claimant's original Claim of Records Access was dismissed by this Court and leave was granted for Claimant to file an Amended Claim of Records Access within twenty (20) days of August 5, 2021.

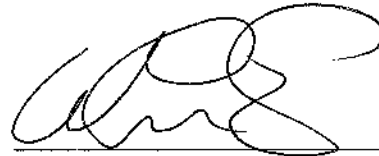
4. On August 19, 2021, Claimant timely filed an Amended Claim of Records Access with this Court and named Osage Nation Executive Branch, Office of the Chiefs – Principal Chief of the Osage Nation, Geoffrey Standing Bear, in his official capacity, as Respondent.
5. Respondent was personally served with a Summons, to which the Amended Claim of Records Access was attached, and a Notice of Hearing on September 10, 2021, by a member of the Osage Nation Police Department, as evidenced by the Declaration of Service filed in the Osage Nation Trial Court in this matter on September 13, 2021.
6. Respondent has failed to answer, appear, or otherwise defend in this action within thirty (30) days as required by ON-OR-01, Osage Nation Judicial Branch Open Records Act Information Sheet, which describes the procedures for Claim of Records Access matters; accordingly, Respondent is in default.
7. Claimant filed a Motion for Default Judgment on November 2, 2021, with this Court. Pursuant to Osage Nation Rules of Court in re: Civil Matters, Rule 1.12, notice of taking default is not required where the defending party has not made an appearance.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** by the Court that Claimant's Motion for Default Judgment shall be granted.

**IT IS FURTHER ORDERED, ADJUDGED, AND DECREED** by the Court that Respondent is compelled and shall disclose the requested records [documents showing "individuals

named/placed/appointed to the Small Business CARES Act Assistance Committee by Principal Chief Standing Bear] to Claimant within two (2) days of the date of this Order.

Signed,

A handwritten signature in black ink, appearing to be 'W. Lee Stout', written over a horizontal line.

The Honorable W. Lee Stout  
Judge of the Osage Nation Trial Court