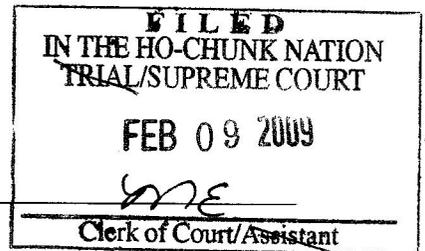


IN THE
HO-CHUNK NATION SUPREME COURT



GERALD CLEVELAND, JR.,
Appellee,

vs.

ELLIOT GARVIN,
ROBERTA DECORAH and
DOUGLAS GREENGRASS, in
The Capacity as check signers for the
HCN Legislature
Appellants.

ORDER DENYING APPEAL
SU 09-01

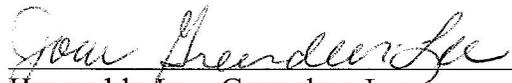
Trial Court CV 08-36

On the 2nd day of February, 2009, the HCN Supreme Court, Associate Justice Joan Greendeer-Lee, Associate Justice Dennis Funmaker, and Chief Justice Mary Jo Hunter reviewed the above entitled matter. The Appellants, through their attorney, Huma Ahsan, filed a *Notice and Motion for Request to Appeal Trial Court Order To Not Quash Subpoenas for Representative Garvin, Greengrass, Decorah and Judge Thompson and To Not Dismiss the Plaintiff's Complaint* for an interlocutory order on January 29, 2009. The Appellee filed an *Objection Notice of Appeal* within the prescribed time period. This Court reviewed the request of the Appellants and hereby denies the request for an interlocutory order of the Trial Court's *Order* of February 2, 2009.

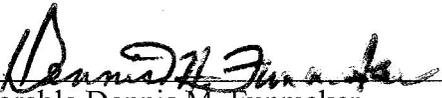
The full Court considered the lower court's order and the Appellant's *Notice and Motion...* for an interlocutory order. In *Michele M. Ferguson v. Ho-Chunk Nation Insurance Review Commission/Division of Risk Management*, SU00-13, (HCN S.Ct. October 14, 2000); *Daniel M. Brown v. Silas Cleveland, Executive Director of Business for the Ho-Chunk Nation*, SU01-10 (HCN S. Ct. August 24, 2001) Order (Denying Appeal), the Court concluded that "the merits of the case are intertwined within the (interlocutory) appeal and may have been filed prematurely". In the present case, Appellants appeared to rush to the Supreme Court to protect its right to appeal. The Supreme Court did not find that a final decision has been made by the lower court. The Trial Court has yet to make a finding of facts and conclusions of law. Since this case is not ripe nor ready for appellate review, this Court hereby denies Appellant's Interlocutory Appeal.

SU 09-01 Order Denying Appeal

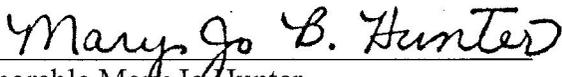
EGI HESKEKJET. Dates this 9th day of February 2009.



Honorable Joan Greendeer-Lee
Associate Justice, HCN Supreme Court



Honorable Dennis M. Funmaker
Associate Justice, HCN Supreme Court



Honorable Mary Jo Hunter
Chief Justice, HCN Supreme Court

FILED
IN THE HO-CHUNK NATION
TRIAL/SUPREME COURT
FEB 09 2009
ME
Clerk of Court/Assistant

CERTIFICATE OF SERVICE

I, Mary K. Endthoff, Clerk of the Ho-Chunk Nation Supreme Court, do hereby certify that on the date set forth below, I served a true and correct copy of the Order Denying Appeal in Case No. SU 09-01, upon all persons listed below:

By United States Postal Service:

Attorney Mark L. Goodman
Osborne, Goodman & Tripp, S.C.
132 N. Water Street
P.O. Box 420
Sparta, WI 54656

Attorney Huma Ahsan
Legislative Counsel
W9814 Airport Road
Black River Falls, WI 54615

Dated: February 9, 2009

Mary K. Endthoff

Mary K. Endthoff, Clerk
Ho-Chunk Nation Supreme Court