

PRAIRIE BAND POTAWATOMI NATION, a federally recognized Indian Tribe, 16281 Q Road, Mayetta, Kansas 66509,

Plaintiff,

v.

Case No.: 01-CV-117

WOOD COUNTY PARK AND FORESTRY DEPARTMENT, Wood County Courthouse, 400 Market Street, PO Box 8095, Wisconsin Rapids, Wisconsin 54494-8095; **WOOD COUNTY PARK COMMITTEE**, Wood County Courthouse, 400 Market Street, Room 114, PO Box 8095, Wisconsin Rapids, Wisconsin 54494-8095; **LANCE PLIML**, Chairman, Wood County Park Committee, Office of County Clerk, 400 Market Street, PO Box 8095, Wisconsin Rapids, Wisconsin 54494, in his official capacity; **RONALD C. ARENDT**, Administrator, Wood County Park & Forestry, 400 Market Street, PO Box 8095, Wisconsin Rapids, Wisconsin 54495, in his official capacity; **WILLIAM GOODNESS**, Chairman of the Wood County Board of Supervisors, in his official capacity; **WOOD COUNTY BOARD OF SUPERVISORS**, Wood County Courthouse, 400 Market Street, PO Box 8095, Wisconsin Rapids, Wisconsin 54494-8095.

Defendants.

STIPULATION POSTPONING TEMPORARY INJUNCTION HEARING

Plaintiffs herein are represented by Midwest Environmental Advocates, Inc. and Brown & LaCounte, LLP, and Defendants herein are represented by Peter Kastenholz. On April 12, 2001, Plaintiffs filed their Summons and Complaint, Motion for a Temporary Restraining Order and Temporary Injunction, Memorandum of Law and Affidavits in Support of Motion. An authenticated copy of the Summons and Complaint, Motion for a Temporary Restraining Order and Temporary Injunction, Memorandum of Law and Affidavits in Support of Motion were served upon Defendants on April 17, 2001.

Plaintiff's Motion requests a temporary injunction restraining Defendant from cutting trees, removing stumps, or taking any other action likely to endanger sacred burial sites located in Powers Bluff County Park, in violation of Section 157.70, Wis. Stats., et seq.

NOW, THEREFORE, it is stipulated and agreed by the parties hereto as follows:

1. Until July 1, 2001, Defendants agree that they will not cut trees, remove stumps, or take any action that is likely to endanger sacred burial sites located in Powers Bluff County Park.
2. Defendants retain, however, the right to patch existing roads in the Park, mow grass, and remove naturally-fallen trees that obstruct traveled areas in the Park, provided that due care will be exercised in such removal so as not to disturb those areas currently being investigated for burials.
3. Plaintiff and Defendants shall cooperate with the Court in rescheduling the Temporary Injunction hearing, if necessary, after July 1, 2001.

Dated this 3rdst day of May, 2001.

Wood County Park and Forestry Department

By: _____
Peter Kastenzholz, Corporation Counsel
Attorney for Defendant
State Bar No. _____

Midwest Environmental Advocates, Inc.

By: _____
Melissa K. Scanlan
Attorney for Plaintiff
State Bar No. 1034783

Brown & LaCounte, LLP

By: _____
Carol Brown Biermeier
Attorney for Plaintiff
State Bar No. 1021452