

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**WINNEBAGO TRIBE OF NEBRASKA, a  
federally recognized Indian Tribe; OMAHA  
TRIBE OF NEBRASKA, a federally  
recognized Indian Tribe; VICTORIA  
KITCHEYAN; CHEYENNE ROBINSON;  
BRIAN CHAMBERLAIN; RONA  
STEALER; JAMES LOUIS LaROSE; ARIC  
ARMELL; ESTHER MERCER; LYNELLE  
BLACKHAWK; and GREGORY  
PHILLIPS,**

**Plaintiffs/Counterdefendants,**

**v.**

**THURSTON COUNTY, NEBRASKA;  
THURSTON COUNTY BOARD OF  
SUPERVISORS; GLEN MEYER, in his  
official capacity as Chairman; MARK  
ENGLISH, in his official capacity as Vice  
Chairman; GEORGIA MAYBERRY, in her  
official capacity as Supervisor; JAMES  
PRICE, SR., in his official capacity as  
Supervisor; DAVIN FRENCH, in his official  
capacity as Supervisor; ARNIE HARLAN, in  
his official capacity as Supervisor; JIM  
MUELLER, in his official capacity as  
Supervisor; and PATTY BESSMER, in her  
official capacity as COUNTY CLERK,**

**Defendants/Counterclaimants.**

**Civil No. 8:23-cv-00020-RFR-CRZ**

**ASSENTED MOTION FOR ENTRY  
OF CONSENT DECREE**

Pursuant to a settlement agreement among the parties to this action, the parties respectfully request that the Court approve the proposed consent decree attached as Exhibit 1 hereto and enter it as an Order of this Court. Counsel for the parties in this action have approved this motion.

Dated this 22nd day of November, 2023.

By: s/ Michael S. Carter

Michael S. Carter  
OK No. 31961  
E-mail: carter@narf.org  
Allison A. Neswood  
CO No. 49846  
E-mail: neswood@narf.org  
NATIVE AMERICAN RIGHTS FUND  
250 Arapahoe Avenue  
Boulder, CO 80302  
(303) 447-8760

Samantha B. Kelty  
AZ No. 024110, TX No. 24085074  
E-mail: kelty@narf.org  
NATIVE AMERICAN RIGHTS FUND  
950 F Street NW, Suite 1050,  
Washington, D.C. 20004  
(202) 785-4166

By: s/ Jennifer Nwachukwu

Ezra Rosenberg  
DC No. 360927  
E-mail: erosenberg@lawyerscommittee.org  
Jennifer Nwachukwu  
DC No. 1644313  
E-mail: jnwachukwu@lawyerscommittee.org  
Lawyers' Committee for Civil Rights  
Under Law  
1500 K Street NW, Suite 900  
Washington, DC 20005  
(202) 662-8600 (main)  
*Attorneys for the Plaintiffs/Counterdefendants*

By: s/ Lillian Alvernaz

Lillian M. Alvernaz  
MT No. 58335824  
E-mail: lalvernaz@bigfirelaw.com  
Big Fire Law and Policy Group, LLP  
1905 Harney Street, Suite 300  
Omaha, Nebraska 68102  
Telephone: (531) 466-8725  
Facsimile: (531) 466-8792

*Attorneys for the Winnebago Tribe of  
Nebraska,  
Victoria Kitcheyan, Brian Chamberlain, Rona  
Stealer, James Louis LaRose, Aric Armell,  
Esther Mercer, and Lynelle Blackhawk*

Dated this 22nd day of November, 2023.

By: s/ Patrick R. Guinan

Patrick R. Guinan, #20076  
Governmental Law, LLC  
8040 Eiger Drive  
Suite B  
Lincoln, NE 68516  
patrick@nrmainc.info  
*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was on the 22nd day of November, 2023 filed electronically with the Clerk of Court through CM/ECF system.

*s/ Michael S. Carter*  
Michael S. Carter