



INTERIOR BOARD OF INDIAN APPEALS

HSC Logging, Inc. v. Acting Deputy Assistant Secretary - Indian Affairs (Operations)

13 IBIA 147 (04/17/1985)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

HSC LOGGING INC.,	:	Order Dismissing Case With Prejudice
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 84-47-A
DEPUTY ASSISTANT SECRETARY--	:	
INDIAN AFFAIRS (OPERATIONS),	:	
Appellee	:	April 17, 1985

On August 29, 1984, the Board of Indian Appeals (Board) received a notice of appeal from HSC Logging, Inc. (appellant). Appellant sought review of a June 22, 1984, decision issued by the Deputy Assistant Secretary--Indian Affairs (Operations) (appellee) regarding appellant's attempt to recover alleged overcharges for timber harvested under the Grayback Mountain Logging Unit Timber Sale Contract No. P11C14201573, between appellant and the Confederated Tribes and Bands of the Yakima Indian Nation (Tribe).

On October 30, 1984, the Board received a motion from appellant to refer the case to the Hearings Division of the Office of Hearings and Appeals for an evidentiary hearing and recommended decision by an Administrative Law Judge. Appellee objected to the motion, and appellant filed a reply to appellee's objection.

By order dated January 14, 1985, the Board deferred final decision on whether the case would be referred until after the parties had filed opening briefs. A briefing schedule was established in that order.

On February 11, 1985, the Board received a joint motion from the parties seeking an extension of time because of pending settlement negotiations. The extension was granted. The Board received the settlement agreement, which had been approved by the Tribe, on April 16, 1985.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the proposed settlement agreement in this matter is accepted and the case is dismissed with prejudice.

//original signed
Bernard V. Parrette
Chief Administrative Judge

//original signed
Jerry Muskrat
Administrative Judge

//original signed
Anne Poindexter Lewis
Administrative Judge