

THE SAINT REGIS MOHAWK TRIBAL COURT

GUILFORD WHITE and BASIL COOK, JR.,)	
)	
Complainants,)	
)	
v.)	Case No.: 16-CIV-00003
)	
)	
ST REGIS MOHAWK TRIBE,)	
)	
Respondent.)	
)	

Procedural History

On September 23, 2016, the Complainants filed a Notice of Substitution seeking an order from this Court which would substitute the Akwesasne Convenience Store Association (ACSA) as the new Complainant in the case on the ground that they assigned their right and interest in the property and this case to the ACSA. On September 27, 2016, the ACSA filed a letter with the Court stating it was now the Plaintiff in the case and that it wished to withdraw the action. On October 12, 2016, the ACSA filed another letter with the Court stating it wished to withdraw the case with prejudice.

On October 26, 2016, the Respondent Saint Regis Mohawk Tribe opposed the Notice of Substitution on the ground that the substitution was improper since the assignment was not valid.

On November 3, 2016, the Complainants filed a Notice of Dismissal which stated that Complainants have assigned all their interest to the ACSA and join in the ACSA's request to withdraw the case with prejudice. The Complainants also stated that, to the extent the assignment is not proper, they seek to withdraw those claims as the Complainants. The affect would be a dismissal of all of the claims in the case.

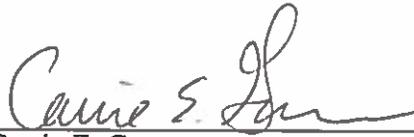
On November 10, 2016, the Respondent filed a response to the Notice of Dismissal agreeing to the request for dismissal.

ORDER

Based on the pleadings before the Court, the Court hereby ORDERS that the request for substitution by the Akwesasne Convenience Store Association is DENIED as there is insufficient proof that the assignment is valid.

The Court further ORDERS that the Complaint filed by Guilford White and Basil Cook is hereby dismissed with prejudice.

Signed by my hand this 16th day of November, 2016.



Carrie E. Garrow
Chief Judge
Saint Regis Mohawk Tribal Court

