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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH DAKOTA

OGLALA SIOUX TRIBE, et al,

Plaintiffs,

PLAINTIFFS' MOTION TO

VS.

FILE UNDER SEAL

LUANN VAN HUNNIK, et al,

PLAINTIFFS' MOTION FOR

Defendants.

SANCTIONS

## **INTRODUCTION**

Today, Plaintiffs filed a pleading notifying the Court that "Plaintiffs possess a document that strongly suggests that Judge Davis is concealing information prejudicial to his case." *See* Plaintiffs' Reply Brief Re: Motion to Compel (Docket 100) at 2. The pleading also notified the Court that although Plaintiffs see no reason why this injurious

document should not be filed on the public record, Plaintiffs want to give Defendant Hon.

Judge Davis the opportunity to assert any privilege he may claim regarding it and,
therefore, Plaintiffs are filing that document (along with an accompanying Motion for

Sanctions) under seal.

Accordingly, Plaintiffs hereby request permission to file their Motion for Sanctions under seal. Plaintiffs will file a motion to unseal all of these pleadings in the event Judge Davis lacks a valid basis for keeping these documents sealed.

Respectfully submitted this 7th day of July, 2014.

By: /s/ Stephen L. Pevar
Stephen L. Pevar
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Attorneys for Plaintiffs

## **CERTIFICATE OF SERVICE**

I hereby certify that, on July 7, 2014, I electronically filed the foregoing Brief with the Clerk of Court using the CM/ECF system, which sent a notice of electronic filing to the following counsel for Defendants:

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