

# In the United States Court of Federal Claims

No. 02-25L

(Filed: May 27, 2009)

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JICARILLA APACHE NATION, formerly  
JICARILLA APACHE TRIBE,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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In motions pending before the court, the parties disagree whether documents created by Arthur Andersen in its work for the Bureau of Indian Affairs were made in anticipation of litigation or to assist in trust administration. It appears that Arthur Andersen entered into contracts with the United States in May 1991 and August 1996 in connection with tribal reconciliation work, but neither agreement has been submitted to the court. Accordingly, on or before June 12, 2009, defendant shall provide for *en camera* review a copy:

1. Of its May 1991 and August 1996 contracts with Arthur Andersen; and
2. Of any other contract that describes the relationship between the defendant and Arthur Andersen relevant to the latter's role in tribal trust litigation.

**IT IS SO ORDERED.**

s/ Francis M. Allegra

Francis M. Allegra

Judge