

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

R.H. NERO, et al.,)
)
 Plaintiffs,)
)
 vs.) No. 84-C-557-C
)
 THE CHEROKEE NATION OF OKLAHOMA,)
 et al.,)
)
 Defendants.)

AFFIDAVIT OF DENNIS C. SPRINGWATER

I, Dennis C. Springwater, depose and say:

1. I serve as Area Tribal Operations Officer, Muskogee Area Office, Muskogee, Oklahoma, and I have held this position since March 1975.

2. My duties include providing technical assistance to the Tahlequah Agency Superintendent and officials of the Cherokee Nation of Oklahoma and advising the Muskogee Area Director with respect to tribal elections.

3. My involvement with the 1983 Cherokee tribal elections began in April 1983.

4. My only recollection of an oral discussion concerning the participation of freedmen descendants in the tribal election was with the Tahlequah Agency Superintendent, Joe Parker. I told him it was my opinion that the descendants of freedmen are eligible to vote in tribal elections.

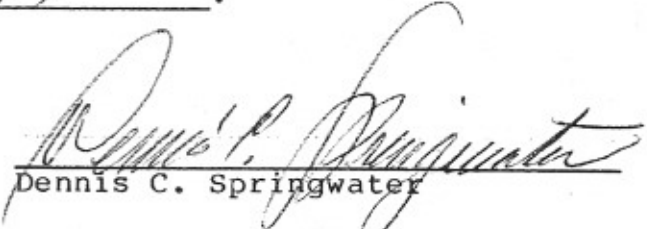
5. My only written discussion concerning the participation of freedmen descendants in the tribal election is contained in a memorandum, which I drafted, dated April 21, 1983, from the Muskogee Area Director to the Acting Tahlequah Agency Superintendent, which responds to his memorandum to the Muskogee Area Director dated April 19, 1983. Both of those memorandums are attached as Exhibit 1 to this affidavit.

6. At no time since January 1, 1982, have I taken any action or made any statement, orally or in writing, to encourage or assist any of the defendants in the above-captioned lawsuit to deny the descendants of Cherokee freedmen any of the rights asserted by the plaintiffs in the above-captioned lawsuit.

I declare under penalty of perjury that the foregoing statement is true and correct.

Executed on

8/2/84


Dennis C. Springwater

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

R.H. NERO, et al.,)
)
 Plaintiffs,)
)
 vs.) No. 84-C-557-C
)
 THE CHEROKEE NATION OF OKLAHOMA,)
 et al.,)
)
 Defendants.)

AFFIDAVIT OF JOE M. PARKER

I, Joe M. Parker, depose and say:

1. I serve as Superintendent, Bureau of Indian Affairs Tahlequah Agency in Tahlequah, Oklahoma, and I have held this position since March 14, 1976.

2. My duties include providing technical assistance, as requested, to tribal officials with respect to tribal elections.

3. Throughout my tenure as superintendent, I have always had the opinion that, according to the Constitution of the Cherokee Nation of Oklahoma, descendants of Cherokee freedmen are eligible to vote in tribal elections and I have so informed those BIA and tribal officials with whom I have discussed the issue.

4. In at least one meeting that I attended with the Cherokee Tribal Election Committee between May 23, 1983 and the dates of the 1983 elections, I advised the committee that, in my opinion, descendants of Cherokee freedmen are entitled to be registered as members of the Cherokee Nation, in accordance with the Constitution of the Cherokee Nation.

5. At no time since I have been superintendent have I taken any action or made any statement, orally or in writing, to encourage or assist any of the defendants in the above-captioned lawsuit to deny the descendants of Cherokee freedmen any of the rights asserted by the plaintiffs in the above-captioned lawsuit.

I declare under penalty of perjury that the foregoing statement is true and correct.

Executed on August 13, 1984.

Joe M. Parker
Joe M. Parker