



*Edward E. Tucker*  
CLERK OF COURTS  
SUPERIOR, JUVENILE & MAGISTRATE.  
LUMPKIN COUNTY  
99 COURTHOUSE HILL, SUITE D  
DAHLONEGA, GA 30533-0541  
706-864-3736  
FAX 706-864-5298



STATE OF GEORGIA, LUMPKIN COUNTY

I, Edward E. Tucker, Clerk of the Superior Court for Lumpkin County, Georgia, do hereby attest and certify that, as such Clerk, I am keeper and custodian of all court records, papers, proceedings and process in and for the Superior Court for Lumpkin County, and that said records, papers, proceedings and process are kept by me in my files in conformity with the law.

I do further attest and certify that the annexed is a true copy of the original record now on file in the Court, in the matter of: Case Number 99-CV-078-DB, GEORGIA TRIBE OF EASTERN CHEROKEE VS JOHNNY CHATIN ET AL, MOTION FOR SUMMARY JUDGMENT CONSISTING OF FOUR PAGES (4), FILED AT 4:45 P.M. ON OCTOBER 10, 2000, And I have compared the transcript hereto annexed with the said original record and of the whole thereof.

IN WITNESS THEREOF, I have hereunto  
set my hand and affixed the seal of the  
Superior Court for Lumpkin County this  
7TH DAY of OCTOBER, 2002.



*Edward E. Tucker*  
Edward E. Tucker  
Clerk of Superior Court  
Lumpkin County, Georgia  
EET/RS



Decree, and Plaintiffs' Motion for Summary Judgment should be granted.

Based upon the foregoing, it is hereby finally ordered, adjudged and decreed as follows:

**FINDINGS OF FACT**

The Findings of Fact made and entered by the Court on October 26, 2000 are hereby made the permanent and final Order of the Court as follows:

1. Georgia Tribe of Eastern Cherokee Indians, Inc. was incorporated in the State of Georgia in 1977 and was recognized as the legal tribal organization of Cherokee Indians in the state of Georgia by Executive Order of then Governor George Busbee.
2. That Georgia Tribe of Eastern Cherokee Indians, Inc. has held itself out at all times as Georgia Tribe of Eastern Cherokee.
3. Beginning in 1980, Georgia Tribe of Eastern Cherokee Indians, Inc. (GTECI) filed a petition seeking recognition as a tribe by the Federal Government and since that date, this same organization has been pursuing this application diligently and in good faith.
4. GTECI and Georgia Tribe of Eastern Cherokee (GTEC) have determined that in order not to have further questions by the Federal Government relating to descendants, it has closed its rolls to 480 descendants, all of whom reside in Lumpkin County, or within close proximity thereto. Those members of GTECI are all Cherokee Indian descendants as identified in that certain census entitled the Guion Miller Roll of 1910. This tribe has been recognized as the agency that is authorized to prosecute an application for official recognition of the GTECI with the Bureau of Indian Affairs.
5. In 1995, William Dover was Chief and Plaintiff Thomas Mote was Vice-Chief of GTECI and a major split within the organization took place. Vice Chief Mote is quoted as saying many things, but the evidence is clear that whatever he said, he spoke personally and such talk was not based on any official or binding authority from GTECI.

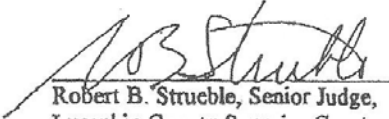
6. Thereafter, in 1996 Defendants formed a tribe with the name of Georgia Tribe of Eastern Cherokee, Echota Fire UKB, and have represented themselves as members of GTECI, Plaintiffs herein, and have purported to act on behalf of such tribe.
7. Plaintiffs have continued to be harmed irreparably by the activities of Defendants in violation of the Plaintiffs' rights to the continued processing of their petition for tribal recognition.
8. Plaintiffs, by virtue of their long standing operation since 1977 of GTECI are entitled to proceed with the corporation and the name of GTEC; that by expending time and money in connection with the application for Federal recognition, Plaintiffs are entitled to protection from this Court against outside interference in the operation of tribal affairs.
9. Defendants have the right to operate their own tribe as descendants of Cherokee Indians and to make their own application for Federal recognition.

Based upon the foregoing, the Court hereby enters this Final Order, Judgment and Decree as follows:

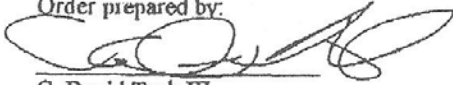
It is hereby ordered, adjudged and decreed by this Court, that the Defendants, and each of them, are hereby permanently restrained and enjoined from interfering in any way with the Plaintiffs in the exclusive use of Georgia Tribe of Eastern Cherokee Indians, Inc. and Georgia Tribe of Eastern Cherokee, or from holding themselves out as members of either of these organizations. Defendants, and each of them, are further permanently restrained and enjoined from interfering with Plaintiffs' ongoing application for Federal tribal recognition. Defendants, and each of them, are further permanently restrained and enjoined from holding themselves out as members of Plaintiffs, from disrupting meetings or actions of Plaintiffs, either privately or publicly, or from advertising that they are members, or from holding any tribal meetings or doing business in any way purporting to represent the Corporation or the Tribe, or from contacting or taking any action with any local county,

state or federal agency which would in any way deal with Plaintiffs, the Corporation, or the Tribe. Defendants shall have the right to operate as Georgia Tribe of Eastern Cherokee, Echota Fire, but not in any way to interfere with Plaintiffs or their application for Federal recognition. Defendants have the right to apply for tribal recognition by the Federal Bureau of Indian Affairs for their own tribe. Plaintiffs' Motion for Summary Judgment is hereby granted.

This final Order, Judgment and Decree is so ordered this the 21<sup>st</sup> day of December, 2000.

  
Robert B. Struble, Senior Judge,  
Lumpkin County Superior Court  
Sitting by Designation

Order prepared by:



C. David Turk III  
Attorney for Plaintiffs  
State Bar No. 718680  
54 Lumpkin Campground Rd. S.  
Suite 120  
Dawsonville, GA 30534  
(706) 216-7228