

## Lac du Flambeau Tribe Statement On Federal Court Decision

LAC DU FLAMBEAU—MARCH 10 2023—The Lac du Flambeau Band of Lake Superior Chippewa Indians issued the following statement on the recent federal court order in *Pollard v. Johnson* related to reservation roads access.



“The federal court’s ruling not only denies the plaintiffs’ request for a temporary restraining order, it also calls into question whether the court has jurisdiction to issue an injunction and how the plaintiffs presented their case,” Lac du Flambeau Band of Lake Superior Chippewa Indians Tribal President John D. Johnson, Sr. said. “We feel for the impacted property owners and hope this ruling encourages all property owners to press for immediate action by the Town of Lac du Flambeau, the involved Title Insurance Companies, and the Bureau of Indian Affairs to resolve this matter.”

“As we have said before, this entire situation could have been avoided if the Town and the Title Insurance Companies would have negotiated in good faith” President Johnson said. “The Tribe feels for the property owners impacted by the actions of the Town and the Title Insurance Companies. In fact, we share in their frustration in dealing with government and lawyers, as well as the associated costs that add up quickly over a short period of time—much less over the 10 years that we’ve been trying to get this resolved with the Town and Title Insurance Companies.”

“The Town of Lac du Flambeau and the Title Insurance Companies have repeatedly tried to circumvent the negotiations with the Tribe over the last 10 years,” President Johnson added. “By acting disingenuously and delaying the negotiation process, we arrived at this point.”

# # #

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U.S. District Court

Western District of Wisconsin

### Notice of Electronic Filing

The following transaction was entered on 3/8/2023 at 8:09 AM CST and filed on 3/8/2023

**Case Name:** Pollard, Donald et al v. Johnson, Sr., John et al

**Case Number:** [3:23-cv-00135-wmc](#)

**Filer:**

**Document Number:** 21(No document attached)

**Docket Text:**

**\*\* TEXT ONLY ORDER \*\***

**Plaintiffs' motion for a temporary restraining order (dkt. [8]) is denied, because plaintiffs have not shown that injunctive relief is warranted without giving defendants an opportunity to be heard. Defendants may have until March 28, 2023 to file a response to plaintiffs' motion for a preliminary injunction. The court will then set a hearing if necessary. In the interim, plaintiffs may have until March 14, 2023 to supplement their jurisdictional statement to explain under what authority, and what cause of action, this court could enter an injunction, beyond citing to a federal regulation and the Declaratory Judgment Act. Signed by District Judge William M. Conley on 3/8/2023. (rks)**

**3:23-cv-00135-wmc Notice has been electronically mailed to:**

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