

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

STATE OF OKLAHOMA, ex rel. Scott	)	
Pruitt, in his official capacity as Attorney	)	
General of Oklahoma,	)	
	)	
Plaintiff,	)	No. 6:11-cv-00030-RAW
	)	
v.	)	
	)	
KATHLEEN SEBELIUS, et al.,	)	
	)	
Defendants.	)	

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE  
NOTICE OF SUPPLEMENTAL AUTHORITY**

In accordance with the Court's January 6, 2014 scheduling order (Dkt. #86), Plaintiff respectfully requests the Court's leave to file a Notice of Supplemental Authority due to the United States Supreme Court's recent decision in *Michigan v. Bay Mills Indian Community*, No. 12-515, which bears on the Government's statutory construction arguments made in the pending cross motions for summary judgment. With the Court's leave, Plaintiff's will file a Notice not to exceed 350 words in length.

Plaintiff's counsel contacted Defendants' counsel to see if Defendants objected to the granting of this motion, and Defendants' counsel asked that the following statement be included in this motion: "The defendants do not believe that the cited decision is relevant to this case, but they do not oppose the plaintiff's motion for leave to file a notice of supplemental authority, provided that the defendants are afforded the

opportunity to file a response to that notice, also not to exceed 350 words, within three business days after the filing of the plaintiff's notice.”

Plaintiff thus respectfully asks the Court to grant it leave to file a Notice of Supplemental Authority not to exceed 350 words in length, and to grant Defendants leave to file a Response to that Notice, also not to exceed 350 words in length, within three days of Plaintiff's filing.

Respectfully Submitted,

**s/PATRICK R. WYRICK**

Patrick R. Wyrick, OBA #21874

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**Attorney for Plaintiff**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of May, 2014, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

Joel McElvain  
Susan S. Brandon

**s/PATRICK S. WYRICK**