

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION

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UNITED STATES OF AMERICA,	:	CIVIL ACTION No. 07-C-316
	:	Plaintiff,:
v.	:	
	:	
MENOMINEE TRIBAL ENTERPRISES,	:	
the principal business arm	:	
of the Menominee Indian Tribe of Wisconsin,	:	
MARSHALL PECORE, and	:	
CONRAD WANIGER,	:	
	:	
	:	Defendants.:
-----	X	

**DECLARATION OF JOSHUA JAY KANASSATEGA IN SUPPORT OF  
MENOMINEE TRIBAL ENTERPRISES' MOTION TO COMPEL**

Joshua Jay Kanassatega declares and states as follows:

1. I am a shareholder at Leonard, Street and Deinard, Professional Association, counsel to Defendant Menominee Tribal Enterprises ("Menominee") in this action. I submit this declaration to place before the Court certain information relevant to Menominee's Motion to Compel.

2. Attached hereto as Exhibits are true and correct copies of the following:

- Exhibit A: Cited excerpts from Todd Bucci's December 10, 2007 deposition transcript;
- Exhibit B: November 29, 2007 David Congos Expert Report;
- Exhibit C: February 3, 2003 Memorandum of David Congos;
- Exhibit D: January 31, 2005 Memorandum of David Congos;
- Exhibit E: March 17, 2005 Memorandum of David Congos;
- Exhibit F: Cited excerpts from Marshall Pecore's February 6, 2008 deposition transcript;

- Exhibit G: August 31, 2001 e-mail chain between Jay West, Stuart Mani, and Neil Smith;
- Exhibit H: September 10, 2001 e-mail chain between David Congos, Jay West and Stuart Mani;
- Exhibit I: September 12, 2001 e-mail from David Congos to Stuart Mani and Jay West;
- Exhibit J: September 12, 2001 e-mail from Stuart Mani to David Congos;
- Exhibit K: September 12, 2001 e-mail chain between David Congos and Stuart Mani, with attached memorandum regarding stumpage;
- Exhibit L: September 12, 2001 e-mail from Stuart Mani to David Congos;
- Exhibit M: September 13, 2001 e-mail from Stuart Mani to David Congos;
- Exhibit N: October 3, 2001 e-mail from Stuart Mani to Neil Smith;
- Exhibit O: October 1, 2001 e-mail from Sean Hart to David Congos and Jay West;
- Exhibit P: February 28, 2002 letter from BIA Regional Director Larry Morrin to Superintendents, Midwest Region, with attachment;
- Exhibit Q: Cited excerpts from Jacqueline Pubanz's February 5, 2008 deposition transcript;
- Exhibit R: Cited excerpts from Gwendolyn Awonhopay's January 29, 2008 deposition transcript;
- Exhibit S: Cited excerpts from David Congos's December 11, 2007 deposition transcript;
- Exhibit T: February 25, 2008 – March 3, 2008 E-mail chain between counsel regarding electronic discovery issues;

Exhibit U: March 5, 2008 e-mail from AUSA Christian R. Larsen, with attachment;

Exhibit V: Menominee Tribal Enterprises' Fifteenth Set of Requests for Production of Documents to the United States of America;

Exhibit W: United States' Response to Defendant Menominee Tribal Enterprises' Thirteenth Set of Requests for Production of Documents; and

Exhibit X: United States' Response to Defendant Menominee Tribal Enterprises' Twelfth Set of Requests for Production of Documents.

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

Minneapolis, Minnesota

DATE: April 3, 2008

/s/ Joshua Jay Kanassatega

Joshua Jay Kanassatega