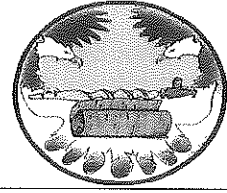


**LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS**

**Tribal Court**



Court Mailing Address: 7500 Odawa Circle, Harbor Springs, MI 49740

Phone: 231-242-1462

**TRIBAL COURT**

Case No: FC-233-0812

Northern Anesthesia Providers, Inc.

Petitioner,

vs.

Melissa J. Welles

Respondent.

**ORDER DENYING MOTION FOR RECONSIDERATION AND OBJECTION TO  
ORDER FOLLOWING REHEARING DENYING FULL FAITH AND CREDIT TO  
CHARLEVOIX COUNTY COURT JUDGMENT**

This order follows a Motion for Reconsideration and Objection to this Court's refusal to grant full faith and credit to the Charlevoix County Court judgment in FC-233-0812. The Court refused to grant full faith and credit to the Charlevoix County Court judgment, finding that doing so would be repugnant to the public policy of the Little Traverse Bay Bands of Odawa Indians ("LTBB") in accordance with Court Rule 4.201(C)(2)(c). Following the Court's judgment in FC-233-0812, issued on July 23, 2013, Northern Anesthesia Providers, Inc. (Petitioner), through S. Garrett Beck, filed this Motion on July 25, 2013. The Petitioner cites the following reasons to in support of its Motion:

- 1) That on June 12, 2013, Petitioner's attorney filed an Objection to Notice of Hearing;
- 2) That Petitioner's attorney objected at the outset to the lack of proper notice of a proper opportunity to prepare for the hearing;

- 3) That the Court indicated that Petitioner's motion or objections would be heard;
- 4) That the portion of the transcript is missing, and the transcript attached as Court's Exhibit 14 has been altered or is otherwise incomplete;
- 5) That the objections to the hearing were properly filed and noticed, but were not heard by the Court;
- 6) That the Court's failure to hear the Petitioner's objection were unfair and disrespectful to the attorney;
- 7) That it is clear from the transcript that the Court gave no opportunity to either party to make a statement or comment about any line of questioning; therefore the transcript on which the order is based is incomplete;
- 8) That had the Court permitted either party to make a statement or comment, or afforded either party the opportunity to cross examine the other, the outcome of the hearing and the basis for this order would have been different;
- 9) That the Court engaged in "file building" and otherwise created evidence upon which it purportedly relied on that was not submitted or created until after the date of the special hearing;
- 10) That although several documents are referenced in the transcript, none was properly offered and admitted into evidence by either party, and therefore, the Court may not consider the documents when drafting and opinion or order;
- 11) That the practice of "file building" or considering evidence not admitted by the Court is inherently improper and unfair and the terms included and or returned should be stricken from the Court file;
- 12) That the transcript shows that Petitioner's attorney was abused mistreated, disrespected, constantly interrupted and repeatedly asked questions which had been asked and answered;
- 13) That the Court continued to use terms within its questions that were inappropriate and failed to allow the attorney the opportunity to respond correctly, thus creating the appearance of incorrect or incomplete answers;
- 14) That the transcript is inaccurate and misleading in that it does not show that the judge left the bench and was out the door at the end of the hearing before the clerk could even say "all rise;"
- 15) That the Petitioner's attorney was prevented from questioning witnesses, making arguments, or offering explanations by the "threats" made by the judge to hold him in contempt and or fine and jail him;
- 16) That the judicial conduct, the tone, and the demeanor of the Court to Petitioner's attorney and the tone and language utilized in the decision, the punitive nature of the order requiring the Petitioner to return \$85.50 to the Respondent within 24 hours or pay fines of \$50 a day is clearly excessive and demonstrative given the fact that the Petitioner came into possession of the \$85.50 following a hearing with a consent decision;
- 17) That the order and findings fail to iterate the denial of full faith and credit and that no order can enter denying full faith and credit to the judgment as no hearing was ever held as to that issue;
- 18) That the decision appears racially motivated, culturally biased, is written in a language foreign to the Petitioner, draws on resources used to justify the outcome that are unknown to the Petitioner and that cannot be judged or

properly evaluated by Petitioner, that the use of these resources was deliberate and not disclosed in advance, and Petitioner has suffered gross abuse in this decision as a result.

For reasons discussed below, the Court finds the Petitioner's allegations to be without merit and DENIES the Petitioner's Motion in full. In reaching its decision, as is the case with all of its decisions, the Court treats all parties before it the same, irrespective of racial, cultural, or other legally protected differences.

## DISCUSSION

### I.

#### A.

As an initial matter, the Court notes that there exist no grounds in the Court Rules to support a Motion for Reconsideration and Objection to a refusal to grant full faith and credit to a foreign court judgment. *See* Little Traverse Bay Bands of Odawa Indians Rules of Civil Procedure; *see also* Little Traverse Bay Bands of Odawa Indians Court Rules. Specifically, neither the Rules of Civil Procedure nor other Court Rules permit motions requesting a rehearing of a case, which is functionally what the Petitioner's Motion seeks. *See id.* Nor does the Petitioner point to any other law or rule which would allow the Court to grant its request. Accordingly, the Court must reject the Petitioner's Motion for failure to follow the Court Rules as adopted by the Tribal Judiciary and available on the Judiciary's website. Even had the Petitioner's Motion been in compliance with the Court Rules, however, the Court details below why it would reach the same conclusion in denying the Petitioner's Motion based on the Court Rules and relevant Tribal law.

### II.

#### A.

The Petitioner's improperly-filed Motion is largely premised on the claim that the Court denied it the opportunity to argue an otherwise properly filed Motion of Objection to Notice, filed on June 12, 2013 in the matter of a June 13, 2013 rehearing in Case No. FC-233-0812. The record reflects, however, that the Petitioner's June 12, 2013 Motion was not properly filed in accordance with well-established Court Rules. Under the LTBB Rules of Civil Procedure, parties making non-dispositive motions must serve and file all documents "no later than fourteen (14) days before the scheduled hearing," "obtain a hearing date from the clerk of clerk" before filing the motion, and must specify the "rule and/or substantive law" upon which the motion is based while stating "clearly and succinctly the relief sought and the factual and legal basis for the motion," among other requirements. LTBBRCP, Rule XIII, Section 4(c)(3)(i), Section 3, Section 1(b). Motions filed outside of this time period "may be rejected by the Court." *Id.* at Section 2(a). Additionally, parties filing motions must adhere to the Court's fee schedule, which is listed at the Court in public view and available on the Court's website. *See* Schedule of Court Fees, available at <http://www.ltbodawa-nsn.gov/Tribal%20Court/Schedule%20of%20Fees.html>. The Petitioner failed to adhere to the 14

day limit, filing its Motion less than one day before the scheduled hearing, despite having more than 60 days' notice, which includes the rehearing being rescheduled for 30 days at the Petitioner's request.<sup>1</sup> Objection to Notice of Hearing, FC-233-0812 filed on June 12, 2013 and Petitioner's Motion to Delay the Hearing, FC-233-0812 filed on May 6, 2013. The Petitioner also failed to obtain a hearing date before filing its motion, in addition to failing to specify the rule or law the motion was based on, clearly and succinctly state the relief sought, and state the factual and legal basis for the motion. Based on the Petitioner's failure to adhere to the well-established Court Rules regarding the filing of non-dispositive motions, the Court was well within its authority to reject the Petitioner's motion.

In reaching this conclusion, the Court notes that the Petitioner is represented by an attorney who has been a member of the Little Traverse Bay Bands (LTBB) of Odawa Indians bar since 2003, a fact that further weighs against a waiver of the rule in question. Mr. Beck has been practicing in front of the LTBB Tribal Court since 2003, and in his long history of practice at this Court he has had more than 90 cases before the Tribal Court and filed numerous motions. In the application to practice in front of the LTBB Tribal Court that the Attorney filled out and signed it states that, "I certify that I have read the Little Traverse Bay Bands of Odawa Indians Tribal Court Rules." Application for Admission to Practice and Attorney Oath, Number 5. Therefore, Mr. Beck had an obligation to the clients he represents in this Court to have working knowledge of the rules and procedures of the Court, information which is available both from the Court itself and through the Judiciary webpage. The Court also notes that Mr. Beck properly filed a motion and paid the \$10 fee on May 15, 2013, in *Vital Care Home Medical Equipment v. Melissa D. Hughes*, almost a full month before filing the Motion at issue in this action. See Petitioner's Motion and Order Reopening Case After Bankruptcy, CG-240-0411. Mr. Beck's actions on May 15, 2013 show that he was well aware of the Court's guidelines for filing motions and should not be granted special consideration in this case.

Assuming *arguendo* that the Petitioner filed its motion in accordance with the Court Rules, the Court notes that the Petitioner's claim that Petitioner was denied an opportunity to have its motion heard is not supported by the evidence. Specifically, the Court notes that the Petitioner, through Mr. Beck, had ample opportunity to raise the claims in its improperly-filed motion at the June 13, 2013 rehearing. See *Northern Anesthesia Providers, Inc. v. Melissa J. Welles*, Trial Tr. June 13, 2013. While Mr. Beck was instructed by the Court to maintain a respectful demeanor by not interrupting the Court, nothing in the record supports Mr. Beck's claim that he was denied the opportunity to make a statement or comment about any line of questioning. On the contrary, the June 13, 2013 rehearing transcript shows that Mr. Beck regularly interrupted the Court and was presented by the Court with ample opportunity to raise any issues that he had on behalf of the Petitioner. *Id.*

## B.

The Court now addresses the Petitioner's other claims from its July 25, 2013 Motion. Mr. Beck, on behalf of the Petitioner, asserts that part of the June 13, 2013 rehearing transcript is missing, has been altered, or is otherwise incomplete. After reviewing the record in full, the

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<sup>1</sup> Note that contrary to Mr. Beck's claim that the Court is bias against him, the Court rescheduled the hearing at his request despite that fact that it was filed only two days before the hearing date.

Court finds that, even had the Petitioner's July 25, 2013 Motion been filed in accordance with the Court Rules, Mr. Beck's claims are not supported by the evidence and notes that Mr. Beck's failure to raise certain claims, despite being provided with ample opportunity to do so, does not change this outcome.<sup>2</sup>

### C.

The Petitioner's Motion also claims that the Court's July 23, 2013 opinion in FC-233-0812 was based in part on the consideration of evidence improperly admitted and, therefore, should be stricken from the record. Specifically, the Petitioner claims that the fact that several pieces of evidence were not admitted into the record by either party prevents the Court from considering them. The Petitioner's claims, however, fail to take into account that the Court may take judicial notice of public documents absent those documents being submitted by a party to a case. Under the LTBB Rules of Civil Procedure, "[o]fficial documents . . . may be admitted into evidence . . . if the document or record or copy thereof is accompanied by a certificate identifying such thing and stating that it is a true and correct representation of what it purports to be." LTBBRCP Rule, XIX(g) (alteration added). In the July 23, 2013 opinion for Case No. FC-233-0812, the Court bases its decision, in part, on a sworn affidavit from a Court intern detailing a conversation that called into question Mr. Beck's relationship with Professional Collection Service. *Northern Anesthesia Providers, Inc. v. Melissa J. Wells*, Case No. FC-233-0812 (Little Traverse Bay Bands of Odawa Indians Tribal Ct. July 23, 2013). The sworn affidavit is admissible under a plain reading of Rule XIX(g). Indeed, the sworn affidavit serves as a certificate identifying the reported conversation, which is written down by the intern and serves as an official document when sworn to, as a "true and correct representation of what it purports to be." Contrary to the apparent position of the Petitioner, Rule XIX(g) does not require that evidence in the form of official documents be introduced by a party to a case in order to be admitted into evidence by the Court. Moreover, the Court finds that the rule cannot be limited in such a way, as doing so would eliminate the ability of the Court to serve the interests of justice. Accordingly, assuming that the Petitioner had filed its July 25, 2013 Motion in accordance with the Court Rules, the Court finds that the Petitioner's claim as it relates to the Court intern's sworn affidavit is unfounded and that the sworn affidavit was properly admitted.

Apart from being admissible under Rule XIX(g), the Court intern's sworn affidavit, in addition to documents establishing Mr. Beck's relationship with Professional Collection Service, are admissible under Rule XIX(a). According to XIX(a), "[a]ll evidence admissible under the Federal Rules of Evidence or as specified in the LTBBRCP shall be admissible" in Tribal Court. (Alteration added). However, "federal or state case law interpreting federal or state rules are not binding on [the Court] and should not be assumed to apply." *Id.* at Rule 1, Section 2(b) (alteration added). Turning to the Federal Rules of Evidence, which the aforementioned LTBB Rule permits the Court to do, a "court may take judicial notice at any stage of the proceeding" of a "fact that is not subject to reasonable dispute because it . . . can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned." Federal Rules of Evidence, (Rules 201(d), (b)(1)). Additionally a court may take judicial notice "on its own"

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<sup>2</sup> In the Court's prior order the Court found Mr. Beck's representations to the Court dishonest. The Court finds it telling that in Mr. Beck's long list of reasons for requesting that the Court reconsider its' prior order, he does not argue or offer proof that the Court was wrong to make this finding.

initiative and without a party's request." *Id.* at Rule 201(c)(1). Applying the rule to the facts of this case, it is clear that the Court acted within its authority by taking judicial notice of evidence that was not introduced by the parties. Likewise, the facts—namely the Court intern's affidavit and the public records detailing Mr. Beck's relationship with Professional Collection Service and S.G.B. LTD.—are not subject to "reasonable dispute" because they come from sources whose accuracy cannot "reasonably be questioned." Indeed, a sworn affidavit of a conversation from a bank employee knowledgeable of Mr. Beck's relationship with Professional Collection Service's account with said bank and public records pulled from trustworthy reporting cites cannot be reasonably questioned; these are the type of sources one reasonably expects to have accurate answers to the questions the Court sought to be answered before issuing its July 23, 2013 opinion. While the Federal Rules of Evidence, Rule 201(e), enable a party, "on timely request," to be heard on the "propriety of taking judicial notice and the nature of the fact to be noticed," the Court notes that the Petitioner's Motion here does not do such. Instead of addressing the "propriety of taking judicial notice and the nature of the fact to be noticed," the Petitioner's Motion accomplishes only the former, failing to dispute the nature or accuracy of the information contained in the Court intern's sworn affidavit or in the public records. Accordingly, assuming that the Petitioner had in fact filed its July 25, 2013 Motion in accordance with the Court Rules, the Court finds that the Petitioner's claims as they relate to the Court interns sworn affidavit and public records to be unfounded and that the aforementioned evidence was properly admitted.

#### D.

The Petitioner also claims in its Motion that the July 23, 2013 opinion in Case No. FC-233-0812 appears "racially motivated, culturally biased," "written in a language foreign to the Petitioner, and draws on resources used to justify the outcome that are unknown to the Petitioner and that cannot be judged or properly evaluated by Petitioner." Additionally, the Petitioner claims that the use of the aforementioned resources was "deliberate and not disclosed in advance," which led the Petitioner to suffer "gross abuse" in the Court's decision. Much like the Petitioner's claims regarding the Court's decision to take judicial notice of certain evidence and the Petitioner's ability to argue its improperly-filed motion, the Court finds that the Petitioner's claims here are completely unfounded and not supported by the evidence in this matter. Consistent with the expectations of the judiciary established in the Tribal Constitution and under applicable legal ethics rules, the Court notes that it does not discriminate based upon racial, cultural, or other legally protected differences when issuing opinions. While not necessary to this opinion, and certainly irrelevant to any stage of this or other proceedings or to ensuring that justice is served, the Court notes that the Respondent Melissa Wells, like Mr. Beck, is not a citizen of the LTBB.

When applying for admission to practice before the LTBB Tribal Court, Mr. Beck swore to "uphold the Constitution and laws of the [Tribe]." Little Traverse Bay Bands of Odawa Indians Application for Admission to Practice and Attorney Oath, *filed by* S. Garrett Beck on Feb. 20, 2013. Adopted in 2005, the LTBB Constitution expresses that it is a document of People who "follow the Anishinaabe Traditions, Heritage and Cultural Values." LTBB CONST. *Preamble*. The Constitution also directs the Judicial branch to "[p]romote the preservation and revitalization of Anishinaabemowin and Anishinaabe culture" and grants the Tribal Court jurisdiction over cases based on, among other things, the Tribe's "traditional custom." LTBB

CONST. art. I, Section (B)(1) (alteration added); art. IX, Section (C)(1). Additionally, the Tribe's highest court has stated that, in addition to taking into account other Tribal opinions, statutes, and procedures, this Court may consider "traditional Odawa values" when issuing opinions. *See Carey v. Victorias Casino*, No. A-005-0507 (Little Traverse Bay Bands of Odawa Indians Ct. App. May 5, 2008). Furthermore, and perhaps most pertinent to this case, the Court's Recognition of Foreign Judgment Procedures, which the Petitioner invoked when it originally filed to have this Court recognize the Charlevoix County Court judgment against the Respondent, states that the Court may deny recognition of a foreign judgment when doing so would be "repugnant to the public policy of the LTBB Tribe." LTBB Court Rule, Rule 4.201(C)(2)(c). All of the aforementioned documents are available online on the Tribe's website, and are accessible to the general public. The Attorney was or should have been well aware of this and could have become somewhat familiar with the customs of the Tribe when he began practicing here 10 years ago. If an attorney is not comfortable with the language, customs or law of a jurisdiction then he or she should not apply to practice there. Furthermore, although Odawa phrases were used translations were given and citations to the website where the information was found were made available as well. Additionally, information about the Seven Grandfather teachings, a widely taught traditional Native value, is easily accessible through a simple Google search. As an Attorney who applied to the LTBB for the privilege of practicing law here, he should have taken the steps necessary to know the laws and customs of the jurisdiction of his choice.

Applying the facts relevant to the Petitioner's Motion to the law, the traditional Odawa values used by the Court in its July 23, 2013 decision to support its refusal to grant full faith and credit to the Charlevoix County Court judgment against the Respondent are supported by the law and are not unfair to the Petitioner. Much of the traditional values evidence cited by the Court is, like the aforementioned documents in this section, readily available online. By voluntarily signing an oath to practice before this Court that included an agreement to adhere to the Tribe's Constitution and other laws, Mr. Beck was put on notice, even if indirectly, of the Court's authority to utilize traditional values in reaching its decision. This point became explicitly clear to Mr. Beck when he invoked the Court's Recognition of Foreign Judgment Procedures and when the Court mentioned to the parties in the February 26, 2013 objection hearing that it could refuse to grant full faith and credit to the Charlevoix County Court judgment against the Respondent if doing so would be repugnant to the Tribe's public policy. As an attorney who voluntarily agreed to submit to the Court's jurisdiction and to follow the laws of the Tribe, it fell to Mr. Beck to see to it that both he and the Petitioner were aware of Tribal laws, including the traditional values of the Tribe. This is especially true where Mr. Beck received first hand instruction that the Court could refuse to grant full faith and credit to the Charlevoix County Court judgment against the Respondent if doing so would be repugnant to the Tribe's public policy. That Mr. Beck failed to do his legal due diligence, or was otherwise ignorant of the law and policies which he agreed to follow, does not exempt him from following these laws and policies. Had Mr. Beck applied and been accepted to practice law in another state or nation, he would undoubtedly be held to and responsible for knowing the laws and customs of that state or nation. The Little Traverse Bay Bands of Odawa Indians, a federally-recognized Tribe of Odawa Indians and a sovereign dependent nation in its own right, is no different. To hold otherwise would not only threaten to violate the text and spirit of the Tribe's Constitution and the Court's constitutional directive to "[p]romote the preservation and revitalization" of Odawa culture, but

would also be unfair to those attorneys and parties who are held to the Tribe's laws in other matters.

Additionally, although Mr. Beck apparently believes that racial prejudice colored the Court's decision against him, Mr. Beck's success record in front of this Court proves otherwise. Since Mr. Beck began practicing in this Court in 2003, he has had over 90 Recognition of Foreign Court judgments and 92 Civil Garnishment judgments and he has won every case. This includes cases in front of Judge Maldonado, whom Mr. Beck claims is "extremely" biased against him. The fact that this is the first case that has not been decided in this Attorney's favor in almost 11 years further shows that clearly this decision was not racially motivated, but instead was based on Mr. Beck's deceptions and misrepresentations to the Court.

Apart from the clear record in this and other cases involving Mr. Beck, the Court notes that its jurists, both past and present, include nationally-recognized individuals who have always been dedicated to following the canons of judicial professionalism and to ensuring equal justice under the law. The Tribe's past and present judiciary consists of law trained judges and one Tribal elder. The Court's past and present bench has graduated from law schools such as William Mitchell College of Law, the University of Wisconsin Law School, the University of Michigan Law School and Harvard Law School. Additionally, the Court's bench currently includes nationally-published authors, a former Department of Justice litigator, and a law school professor and a Presidential appointee. Judges on the Court also have had distinguished careers in litigation, including successfully arguing cases before both the Michigan Supreme Court in *In Re Morris*, 815 N.W.2d 62, and the United States Supreme Court in *Minnesota v. Mille Lacs Band of Chippewa Indians*, 526 U.S. 172. Professionalism and ethical behavior have been at the core of every stage of the careers of judges of the LTBB Judiciary, both past and present and therefore, we expect the same of the attorneys who choose to appear before us. The integrity of the Court is of the utmost importance to this Court. As such, any allegation of unprofessional demeanor or unethical behavior by one of the judges is taken seriously. However, such allegations must be based on some actual inappropriate or unethical conduct.

#### E.

The Petitioner's Motion also claims that the judicial conduct, tone, and demeanor of the Court to Mr. Beck and the tone and language utilized in the decision, the punitive nature of the order requiring Mr. Beck to return \$85.50 to the Respondent or pay fines of \$50 a day are "clearly excessive and demonstrative given the fact that the Petitioner came into possession following a hearing with a consent decision." The Court notes, however, that the record does not support the Petitioner's claims. Under the Court Rules regarding admission to practice before this Court, Mr. Beck agreed to be held to the highest degree of "ethical and moral standards" of the legal profession, and to conform his conduct to the requirements of the Michigan Code of Ethics or Professional Responsibility. See Application for Admission to Practice and Attorney Oath, filed by S. Garrett Beck on Feb. 20, 2013; LTBB Court Rule 14.105. Looking to the Michigan Ethics Rules, Rule 3.5, attorneys are barred from engaging in "conduct intended to disrupt a tribunal." Comment 4 to Rule 1 states that lawyers "should demonstrate respect for the legal system and for those who serve it, including judges." (Emphasis added). In instructing Mr. Beck not to interrupt the presiding judge when she was speaking, and later threatening Mr.



Beck's repeated failure to comply with the instruction with contempt of court, the Court was simply responding to a failure of Mr. Beck's duty to respect the Court and to not engage in conduct intended to disrupt the tribunal. The actions by the Court were consistent with its inherent authority and responsibility to maintain order and decorum in the courtroom, representing a continued pattern of the highest degree of professionalism adhered to by the judges comprising the Tribal Judiciary. *See generally* Michigan Code of Judicial Conduct, available at <http://jtc.courts.mi.gov/codeofconduct.htm>; *see also* LTBB CONST.

The Court's order for Mr. Beck to reimburse the Respondent costs of \$85.50 or pay fines of \$50 a day is likewise neither excessive nor punitive under the Court's judicial responsibilities and actually is reasonable under the Court's inherent authority to enact measures to ensure compliance with its orders. Specifically, as related to the Petitioner's claim of a punitive measure, the Court's order for Mr. Beck to pay the Respondent \$85.50 was merely a reimbursement measure, intended to make the Respondent whole again rather than to punish Mr. Beck. The Court also notes that, contrary to the Petitioner's claims, Mr. Beck did not come into possession of the \$85.50 following a consent decision, but rather based on a pending order from the Court based on information that was ultimately deemed inaccurate. *Northern Anesthesia Providers, Inc. v. Melissa J. Wells*, Case No. FC-233-0812 (Little Traverse Bay Bands of Odawa Indians Tribal Ct. July 23, 2013). Accordingly, the Petitioner's claims on this issue are without merit.

#### F.

Finally, the Petitioner's claims that the Court failed to "iterate the denial of full faith and credit and that no order can enter denying full faith [and] credit to the judgment as no hearing was ever held as to that issue." Like the other claims before it, the Court finds that this claim is not supported by the evidence. Contrary to the Petitioner's claim, the record supports that the Court's decision to deny full faith and credit to the Charlevoix County Court judgment against the Respondent is extensively supported and articulated by the opinion issued on July 23, 2013. Indeed, the Court provided more than two full pages in the opinion to discussing its decision to deny full faith and credit to the Charlevoix County Court judgment. *See Northern Anesthesia Providers, Inc. v. Melissa J. Wells*, Case No. FC-233-0812 (Little Traverse Bay Bands of Odawa Indians Tribal Ct. July 23, 2013). The Court also notes that both the February 26, 2013 objection hearing, where the Court first indicated that it intended to grant full faith and credit to the Charlevoix County Court judgment, and the June 13, 2013 rehearing, served as hearings to determine whether full faith would be granted to the Charlevoix County Court judgment. Even, assuming *arguendo*, in the event that the aforementioned hearings did not serve as hearings for full faith and credit determination purposes, the Court can find no language in the Court Rules or Tribal law requiring a physical hearing before deciding whether to grant full faith and credit to a foreign court judgment as a general matter. Accordingly, the Court finds that the Petitioner's claims are unfounded and not supported by the evidence and law.

In light of the Court's findings above, the following is ORDERED:

- 1) Petitioner Northern Anesthesia Providers, Inc. Motion for Reconsideration and Objection to Order Following Rehearing Denying Full Faith and Credit to Charlevoix County Court Judgment is DENIED and
- 2) As Mr. Beck paid the Respondent the money owed to her on July 25, 2013, this case is closed.

**IT IS SO ORDERED**

8/5/13

Date

\_\_\_\_\_  
Allie Greenleaf Maldonado, LTBB Chief Judge

**CERTIFICATE OF MAILING**

I certify that on this date copies of this *Order* were served to the parties by First-Class Mail.

8-6-13

Date