

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION**

CHIPPEWA CREE INDIANS OF THE  
ROCKY BOY’S RESERVATION *et*  
*al.*,

Plaintiffs,

v.

CHOUTEAU COUNTY, MONTANA,  
*et al.*,

Defendants.

Case No. 4:25-cv-00069-BMM

**JOINT MOTION TO DISMISS AND  
FOR ENTRY OF CONSENT  
DECREE AND JUDGMENT**

The parties to this action are Plaintiffs the Chippewa Cree Indians of the Rocky Boy’s Reservation, Tanya Schmockel, and Ken Morsette, and Defendants Chouteau County, Montana; the Chouteau County Board of County Commissioners; Chouteau County Commissioners Clay Reihl, Robert Pasha, and Rick Darlington, in their official capacities; and Chouteau County Clerk and Recorder Lana Claassen, in her official capacity (collectively, “the Parties”).

The Parties participated in mediation on November 14, 2025, before United States Magistrate Judge John Johnston and the Material Terms of Settlement are attached as Exhibit A.

Through their undersigned counsel, the Parties respectfully request that the Court dismiss this action and enter the Consent Judgment and Decree (“the Decree”)

attached as Exhibit B.

1. Montana law permits counties to implement districted commissioner elections if “provided for under a court order.” § 7-4-2104(1)(b), MCA.

2. The Decree satisfies the requirement that a consent decree be “fundamentally fair, adequate and reasonable.” *United States v. Oregon*, 913 F.2d 576, 580 (9th Cir. 1990). Because the Decree results in a method of election that complies with Section 2 of the Voting Rights Act, it is also “consistent with the public objectives sought to be attained by Congress.” *United States v. Oregon*, 699 F. Supp. 1456, 1461 (D. Or. 1988), *aff’d*, 913 F.2d 576 (9th Cir. 1990).

WHEREFORE, the parties respectfully request that this Motion be granted.

Dated: December 12, 2025.

For the Plaintiffs:

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