

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

FILED - MQ
March 8, 2016 9:16 AM
THOMAS L. DORRMAN
CLERK OF COURT
U. S. DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
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PHILIP C. BELLFY, pro per; MONICA CADY,
pro per; JAMES A. LEBLANC, pro per; DIEDRE
J. MALLOY, pro per; NATHAN J. WRIGHT, pro
per; John Does; and Mary Does,

Plaintiffs, pro se litigants

v

KEITH CREAGH,

Defendant.

No. 1:15-cv-00282

HON. PAUL L. MALONEY

MAG. ELLEN S. CARMODY

Philip C. Bellfy, Plaintiff
Article32.org
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Monica Cady, Plaintiff
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William J. Perault
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Martin James Reinhardt, Plaintiff
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Nathan Wright, Plaintiff
Herbal Lodge
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MOTION UNDER RULE 21

Rule 21. Misjoinder and Nonjoinder of Parties -- On motion or on its own, the court may at any time, on just terms, add or drop a party.

Plaintiffs **Diedre Jo Malloy** and **James A. LeBlanc** move this Court to remove them as Plaintiffs in this matter. Plaintiffs Malloy and LeBlanc no longer wish to assert any right to the relief sought.

William Joseph Perault, 1560 U.S. HWY 2 W, Saint Ignace, MI 49781, moves this Court to add him as a Plaintiff in this matter. Mr. Perault is an enrolled member of the Sault Ste. Marie Tribe of Chippewa Indians (Enrollment # 5147; File # 14375). He exercises his Article XIII “usual privileges of occupancy” rights throughout the 1836 Ceded Territory under permit issued by the Sault Tribe (Harvest License # STS0000003425), in full compliance with the 2007 Inland Consent Decree (Section 6.2.a.i.). *Lac Courte Oreilles Band of Lake Superior Chippewa Indians v State of Wis.* (LCO III), 653 F. Supp. 1420 (W.D. Wis. 1987).

Martin James Reinhardt moves this honorable Court to add him as a Plaintiff in this matter. Dr. Reinhardt is an enrolled member of the Sault Ste. Marie Tribe of Chippewa Indians (File # 15244: Enrollment #G01), and is an Associate Professor of Native American Studies at Northern Michigan University. He exercises his Article XIII “usual privileges of occupancy” rights throughout the 1836 Ceded Territory under permit issued by the Sault Tribe (Harvest License # STS0000005183), in full compliance with the 2007 Inland Consent Decree (Section 6.2.a.i.). *Lac Courte Oreilles Band of Lake Superior Chippewa Indians v State of Wis.* (LCO III), 653 F. Supp. 1420 (W.D. Wis. 1987).

Herbal Lodge moves this Court to add them as a Plaintiff in this matter. Herbal Lodge is a Domestic Limited Liability Company registered in the State of Michigan (D6467K). Its Registered Agent is Nathan J. Wright, an enrolled member of the Sault Ste. Marie Tribe of Chippewa Indians.

Herbal Lodge exercises its Article XIII “usual privileges of occupancy” rights throughout the 1836 Ceded Territory under permit issued by the Sault Tribe, in full compliance with the 2007 Inland Consent Decree (Sections 6.2.a.i, and Section 8 – Commercial Harvests).

Through this Motion, Herbal Lodge asserts its rights to access the resources of the Territory which it requires to make a modest living, a Treaty right which is threatened by the pending sale of a portion of the Ceded Territory to Graymont, LLC. Through this Motion, Herbal Lodge asserts its right to the Relief sought in this action. *Lac Courte Oreilles Band of Lake Superior Chippewa Indians v State of Wis.* (LCO III), 653 F. Supp. 1420 (W.D. Wis. 1987).

Article32.org moves this Court to add them as a Plaintiff in this matter. Article32.org is incorporated as a non-profit advocacy organization through the Little Traverse Bay Bands of Odawa Indians Department of Commerce. Its Director is Dr. Phil Bellfy, is an enrolled member of the White Earth Band of Minnesota Chippewa, and Professor Emeritus of American Indian Studies, Michigan State University.

Article 32 refers to the United Nations Declaration on the Rights of Indigenous People (UN-DRIP). In part, Article 32 states: “

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.”

Consequently, through this Motion, Article32.org asserts its rights as a traditional “representative institution,” as the Indigenous people of the Upper Great Lakes would have understood that term in 1836 prior to the signing of the 1836 Treaty of Washington, the core document in this action. Consequently, the “free and informed consent” provisions of the UN-DRIP are threatened by the pending sale of a portion of the Ceded Territory to Graymont, LLC. Through this Motion, Article32.org asserts its right on behalf of the Indigenous people it represents to the Relief sought in

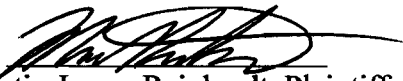
this action. *Presidential Memorandum on the Implementation of Executive Order 13175*, available at: <http://www.state.gov/documents/organization/184099.pdf>

If this Honorable Court grants this Motion, Plaintiffs ask that the “caption” in this case reads as follows:

PHILIP C. BELLFY, ARTICLE32.ORG, pro per; MONICA CADY, pro per; WILLIAM J. PERAULT, pro per; MARTIN J. REINHARDT, pro per; NATHAN J. WRIGHT, HERBAL LODGE, pro per; John Does; and Mary Does,

Plaintiffs, pro se litigants

Respectfully Submitted,

/s/ 
Martin James Reinhardt, Plaintiff
530 Mitchell St.
Gwinn, MI 49841

/s/ Philip C. Bellfy
Philip C. Bellfy, Plaintiff
Article32.org
5759 S. Ridge Rd.
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/s/ Monica Cady
Monica Cady, Plaintiff
4871 N. Pontchartrain Shores Rd.
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/s/ William J. Perault
William J. Perault
1560 U.S. HWY 2 W
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/s/ Nathan Wright
Nathan Wright, Plaintiff
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