UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MUSCOGEE CREEK INDIAN FREEDMEN BAND, INC., *et al.*, Plaintiffs v. DAVID BERNHARDT[1], *et al.*, Defendants	Civil Action No. 18-1705 (CKK)

ORDER
(May 6, 2019)

For the reasons set forth in the accompanying Memorandum Opinion, it is, this 6th day of May 2019, hereby

ORDERED that Defendant James Floyd's [21] Motion to Dismiss is **GRANTED**. It is further

ORDERED that the federal Defendants' [20-1] Motion to Dismiss is **DENIED WITHOUT PREJUDICE**. It is further

ORDERED that Plaintiffs' Complaint is **DISMISSED WITHOUT PREJUDICE** pending Plaintiffs' exhaustion of tribal remedies.

This is a final appealable Order.

SO ORDERED.

/s/
COLLEEN KOLLAR-KOTELLY
United States District Judge

[1] Pursuant to Fed. R. Civ. P. 25(d), David Bernhardt is substituted in his official capacity as United States Secretary of the Interior.