

FILED

IN THE DISTRICT COURT OF THE CHEROKEE NATION

2016 AUG 17 AM 11:35

CHEROKEE NATION EDUCATION
CORPORATION, d/b/a CHEROKEE
NATION FOUNDATION,

Plaintiff,

v.

Case No. CV-16-397

KIMBERLIE GILLILAND,

Defendant.

CHEROKEE NATION
DISTRICT COURT
KRISTI MONROE
COURT CLERK

**DEFENDANT'S MOTION TO DISMISS EMBEZZLEMENT AND CONVERSION
CLAIMS**

Defendant Kimberlie Gilliland ("Gilliland") respectfully moves this Court to dismiss Plaintiff Cherokee Nation Education Corporation's ("CNEC") embezzlement and conversion claims on the ground that such claims are barred by the applicable statutes of limitation, all as more fully set forth in the supporting brief Gilliland has filed with this motion.

WHEREFORE, Gilliland respectfully requests the Court to dismiss CNEC'S claims for embezzlement and conversion.

Respectfully submitted,


James J. Proszek, CNBA #0199

jproszek@hallestill.com

HALL, ESTILL, HARDWICK, GABLE,
GOLDEN & NELSON, P.C.

320 South Boston Avenue, Suite 200

Tulsa, OK 74103-3706

Telephone (918) 594-0400

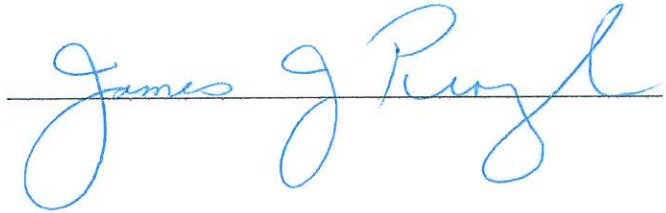
Facsimile (918) 594-0505

ATTORNEYS FOR DEFENDANT
KIMBERLIE GILLILAND

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that on this 17 day of August 2016, a true and correct copy of the above and foregoing instrument was sent by U.S. Mail, with proper postage thereon fully paid, to:

Ralph F. Keen II
KEEN LAW OFFICE, P.C.
205 W. Division
Stilwell, OK 74960



2801139.1:411365:01951