

FILED

IN THE DISTRICT COURT OF THE CHEROKEE NATION

2016 DEC -9 PM 1:00

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

Plaintiffs,)

v.)

KIMBERLIE GILLILAND,)

Defendant.)

Case No. CV-2016-397

CHEROKEE NATION
DISTRICT COURT
KRISTI MONCOOYEA
COURT CLERK

**ORDER DENYING DEFENDANT'S
MOTION TO DISMISS AND MOTION TO STAY**

THIS matter came on for hearing on the Motion to Dismiss and Motion to Stay filed by the Defendant herein. Whereupon, after review of file and argument of counsel, the Court finds and orders as follows:

The Court finds that the five (5) year statute of limitations applies to all of the causes of action contained in Plaintiff's Petition, and therefore, Defendant's Motion to Dismiss is denied.

The Court further finds that the Motion to Stay is also denied as there has not been a sufficient showing of substantial prejudice to the Defendant that would entitle the her to a stay of this action pending criminal proceedings in this Court.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Defendant's Motion to Dismiss and Motion to Stay are denied.

IT IS SO ORDERED.



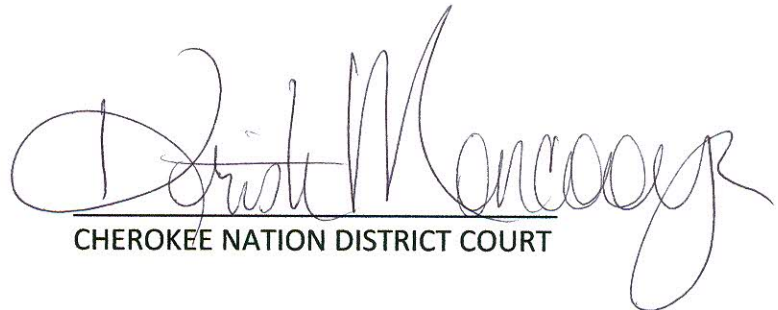
JUDGE OF THE DISTRICT COURT

CERTIFICATE OF DELIVERY

I certify that on the 9th day of December, 2016, I emailed a true and complete copy of the foregoing Order Denying Defendant's Motion to Dismiss and Motion to Stay entered this date in CV-2016-397, and mailed same by U.S. first class mail, to the following:

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CHEROKEE NATION DISTRICT COURT