

The U.S. Court of Federal Claims recently denied the Government's motion for a more definite statement in a breach-of-trust suit brought by the Quapaw Tribe of Oklahoma and a companion class action on behalf of members of the tribe, stating:

*Defendant argues that it “has insufficient knowledge of exactly what plaintiffs believe the United States did wrong.” Def.’s Reply 4. Under Rule 8, “a short and plain statement of the claim showing that the pleader is entitled to relief” satisfies the notice pleading requirements. Defendant has in its possession both the Quapaw Analysis and the “database in which up to half-a-million documents were collected and analyzed” to create the Quapaw Analysis. Opp’n 18. Accordingly, Defendant’s argument that it has “insufficient knowledge” concerning the actual leases in Plaintiffs’ third claim fails to persuade the Court that a more definite statement is appropriate. See Fed. Air Marshals, 74 Fed. Cl. at 488 (“[c]onsidering defendant has control over the[] records itself, it can easily access those documents during discovery . . . [t]herefore the court denies defendant’s Motion for a More Definite Statement.”).*

The CFC orders in the two cases are [here](#) and [here](#).

Although the court dismissed one claim on statute of limitations grounds and an alternative claim that did not ripen, it left intact the majority of the Indians' breach-of-trust claims. And the single claim that was dismissed will be tried in another suit brought by the Quapaw—this one a congressional reference case in which the statute of limitations does not apply. The complaint in that case is [here](#).

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