### DISMISSED WITH PREJUDICE: October 19, 2016

#### CBCA 5462-ISDA

# ELKO BAND COUNCIL OF THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS,

Appellant,

v.

## DEPARTMENT OF HEALTH AND HUMAN SERVICES,

Respondent.

Ben Fenner of Fredericks Peebles & Morgan LLP, Washington, DC, counsel for Appellant.

Patrick D. Stewart, Office of the General Counsel, Department of Health and Human Services, San Francisco, CA, counsel for Respondent.

## **LESTER**, Board Judge.

On October 18, 2016, the parties filed a joint stipulation of dismissal with prejudice, notifying the Board that they have settled the matters underlying this appeal. In accordance with the parties' stipulation, this appeal is **DISMISSED WITH PREJUDICE**.

HAROLD D. LESTER, JR.

Board Judge