

Ahtna, Inc. and Doyon, Ltd. Border Dispute Postponed

Ahtna, Inc.'s border dispute case against Doyon, Ltd. was postponed last Wednesday by U.S. District Court Judge A. van der Heydt on the grounds that he did not have enough data for a decision.

Another hearing has been set for Monday, Jan. 15. This is also the date set by the judge for submission of briefs and memoranda by both involved parties.

Time is getting short, as Secretary of the Interior Rogers C. B. Morton has declared March 15 as the closing date for boundary settlements. This is just 15 days short of the March 30 enrollment deadline as well.

The suit, filed on Dec. 21 and served six days later, involves about 280 townships of 36 square miles apiece. This covers slightly over 10,000 square miles and would include the villages of Cantwell, Dot Lake, Tanacross, Tetlin and possibly Northway, according to Doyon's attorney Barry Jackson.

The controversy arose when Ahtna claimed this land as its own. The Copper River area is in the southern part of the state.

Robert Goldberg, attorney for Ahtna, has noted that the area each corporation administers, as well as the final land selection and number of enrollees will determine how much money the villages and the corporation will receive. This could involve millions of dollars he said.

An agreement was reached earlier between the Copper River association and the Tanana Chief's Conference concerning borders. But now Ahtna, the regional corporation, is testing the legality of that agreement.

"They state that regardless of what the Act says, an association cannot set boundaries set for a regional corporation. They are, as you know, requesting a preliminary injunction," said John Sackett, head of the TCC.

This injunction would demand that Doyon begin arbitrating with Ahtna over the contested area.

Jackson has made two requests in this case. The first is for more time to get legal data together, such as what laws are specifically involved here, and the second is for Secretary

Morton to get involved in this case.

"He may be an indispensable party," said Jackson. "The

court cannot give full relief that's being asked for by the plaintiff" if the court does not ask Morton to take action, he

concluded.

Ahtna, Inc. says that there is a legitimate case for the courts. Doyon, Ltd. and the

TCC say there is not. Whether there is or not, the outcome remains open until next Monday's hearing.