

NOTICE TO DEFENDANT – READ THESE PAPERS CAREFULLY

I certify that the foregoing is a true copy of
the claim filed herein.

Clerk: _____

Within 21 days after receiving this notice, you **MUST** either admit or deny the claim by completing the enclosed form, **ANSWER OF DEFENDANT**, and returning it to Tribal Court. The form can also be used to file a counterclaim against the Plaintiff.

Complete the form and mail or deliver it to:

**CLUSI Tribal Court
1245 Fulton Avenue
Coos Bay, OR 97420**

If you admit the claim, you may settle it as follows:

- a. Pay the plaintiff the amount of Plaintiff's claim and the filing fees and service expenses paid by the plaintiff as shown on claim; complete the **Answer of Defendant** form, plus: provide proof of payment to the court with the **Answer of Defendant** form; or
- b. Deliver the property in dispute to the plaintiff, and if applicable, an amount of money equaling the value of the loss or damage to the property, and mail or provide proof of delivery to the court with the completed **Answer of Defendant** form; or
- c. Complete performance of the promised service(s) and mail or provide proof of performance to the court with the completed **Answer of Defendant** form; and
- d. Pay defendant's filing and service fees.

If you deny the claim, you may proceed as follows:

- a. Demand a tribal court hearing in writing by submitting an **Answer of Defendant** within 21 days of receiving the claim filed by Plaintiff, or
- b. File a counterclaim and demand for hearing by submitting within 21 days of receiving the claim filed by the plaintiff and submitting a **Counterclaim** if it arises out of the same transaction, act or occurrence that is the subject matter of the Claim. The Tribal Court Clerk will serve the Counterclaim on the Plaintiff. All rules which apply to the filing of a Claim also apply to the filing of a Counterclaim; and
- c. Pay defendant's filing and service fees.

NOTE: If you fail to do one of the above things within 21 days after receiving this NOTICE, then upon written request from the Plaintiff, the Clerk of the Court may enter a judgment against you for the amount claimed plus filing fees and service expenses paid by the Plaintiff. If you have questions about the Small Claims Court filing procedures after reading this notice, you may contact the Clerk of the Court at (541)888-1306 or toll-free at (888)280-0726 for a copy of the court's Small Claims Information Sheet. Small claims procedures are governed by tribal code chapter 2-12. Current copies of the code may be found at tribal libraries, city libraries, tribal administration and outreach offices, or the court office. Tribal code may be accessed at the following web site for research purposes: <http://www.narf.org/nill/index.htm> (Click on Tribal Law Collection). Court users should refer to www.ctclusi.org, the Tribes' web site for up-to-date changes.

Additional Answer of Defendant forms may be obtained from the Tribal Court at 1245 Fulton Avenue in Coos Bay, Oregon, in person or by mail. You may call (541)888-1306 or toll free at (888)280-0726 to make an in-person appointment or to request that a form be mailed to you. Forms are also available on the Tribal Court link at the tribal website: www.ctclusi.org.