

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CALIFORNIA VALLEY MIWOK TRIBE,
et al.,

Plaintiffs,

v.

KEN SALAZAR, et al.,

Defendants.

Case No. 1:11-CV-00160-RWR

**AFFIDAVIT OF ROBERT A. ROSETTE IN SUPPORT OF PROPOSED INTERVENOR-
DEFENDANT'S MOTION FOR EXTENSION AND/OR MODIFICATION OF
BRIEFING SCHEDULE FOR PLAINTIFF'S MOTION FOR PRELIMINARY
INJUNCTION**

I, Robert A. Rosette, hereby declare:

1. I am an attorney licensed to practice before all the courts of the District of Columbia and the United States District Court for the District of Columbia. I am the Managing Partner of the law firm Rosette & Associates, P.C., attorneys of record for the California Valley Miwok Tribe ("Tribe"), a federally-recognized Indian tribe and Proposed Intervenors in the above-captioned matter. I make this declaration in support of the Tribe's Motion for Extension and/or Modification of the briefing schedule for Plaintiffs' Motion for Preliminary Injunction.

2. I have personal knowledge of the facts stated herein and would be competent to testify as to those facts if called upon to do so in a court of law.

3. The Tribe seeks to intervene in the action on the grounds that it is a real party in interest with a substantial stake in the outcome of this proceeding and seeks to reply to Plaintiffs' pending motion for preliminary injunction.

4. Pursuant to the requirements of Local Civil Rule 7(m) of the Rules of the United States District Court for the District of Columbia, I contacted counsel to Plaintiffs, Christopher

Loveland as well as counsel to Defendants, Kenneth Rooney telephonically to notify them of the Tribe's intention to file its Motion to Modify and Extend the Preliminary Injunction Briefing Schedule and to ascertain whether either party would oppose such a motion.

5. At approximately 12:30 pm PST on March 31, 2011, I contacted Mr. Loveland telephonically and informed him of the Tribe's intent to file its motion. I asked whether Plaintiffs would oppose such a motion. Mr. Loveland stated that in an e-mail that Plaintiffs did not consent to the instant motion.

6. At approximately 3:30 pm PST on March 31, 2011, I contacted Mr. Rooney telephonically and informed him of the Tribe's intent to file its motion and asked whether Defendants would oppose such a motion. Mr. Rooney stated that Defendants do not oppose proposed Intervenor's motion for an extension of time, but, to the extent the motion makes allegations related to the substance of proposed Intervenor's motion to intervene, Defendants maintain the position that they have no opposition to permissive intervention.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 31st day of March, 2011.

By: /s/ Robert A. Rosette
Robert A. Rosette