

## **EXHIBIT 2**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA  
Civil Division

THE CALIFORNIA VALLEY MIWOK  
TRIBE, *et al.*,

v.

KEN SALAZAR, in his official capacity  
as Secretary of the United States  
Department of the Interior, *et al.*

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

Affidavit of Velma WhiteBear In Support of  
Plaintiffs' Motion to Supplement the  
Administrative Record

Hon. Richard W. Roberts

AFFIDAVIT OF VELMA WHITEBEAR

I, Velma WhiteBear, declare as follows:

1. I am an individual and a party in the above-entitled action. I am over the age of 18 and a resident of Sacramento County, California. I have personal knowledge of the facts set forth herein, which are known by me to be true and correct, and if called as a witness, I could and would competently testify thereto.

2. This affidavit is submitted in support of Plaintiffs' Motion to Supplement the Administrative Record.

3. I am a member of the California Valley Miwok Tribe ("Tribe") and a member of its Tribal Council ("Council").

4. In my capacity as a member of the Tribal Council, one of my responsibilities is maintaining the Tribe's membership roster.

5. I have reviewed the Tribe's membership roster that was submitted to the Assistant Secretary – Indian Affairs in April 2011. Based on the birthdates recorded in


1 the Tribe's membership records, at least 83 of the members on the Tribe's April 2011 roster  
2 were at least 18 years old in September 1998 (the "1998 Adult Members").

3  
4 6. Each of the individual Plaintiffs in this action, including myself, is  
5 one of the 1998 Adult Members.

6  
7 7. In addition to the 1998 Adult Members, other Tribal members who  
8 are now deceased were alive and over the age of 18 in September 1998.

9  
10 8. I declare under penalty of perjury under the laws of the United States  
11 of America that the foregoing is true and correct.

12  
13 Executed March 1, 2012, at Sacramento County, California.

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16 Velma WhiteBear  
17 Velma WhiteBear

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