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MIWOK TRIBE, THE TRIBAL COUNCIL,
8 YAKIMA DIXIE, VELMA WHITEBEAR,
ANTONIA LOPEZ, MICHAEL MENDIBLES,
9 GILBERT RAMIREZ, JR, ANTOINETTE
LOPEZ AND IVA SANDOVAL

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

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14 CALIFORNIA VALLEY MIWOK TRIBE, a
federally-recognized Indian tribe, THE
15 GENERAL COUNCIL, SILVIA BURLEY,
RASHEL REZNOR; ANGELICA PAULK; and
16 TRISTIAN WALLACE,

Case No. 2:16-01345 WBS CKD

**DECLARATION OF JAMES RUSK IN
SUPPORT OF MOTION TO INTERVENE**

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Plaintiffs,

Judge: Hon. William B. Shubb

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v.

19 SALLY JEWEL, in her official capacity as
U.S. Secretary of Interior; LAWRENCE S.
20 ROBERTS, in his official capacity as Acting
Assistant Secretary of Interior - Indian Affairs;
21 MICHAEL BLACK, in his official capacity as
Director of the Bureau of Indian Affairs,

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Defendants.

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DECLARATION OF JAMES RUSK

I, James Rusk, declare as follows:

1. I am an attorney with the law firm of Sheppard, Mullin, Richter & Hampton LLP, attorneys for The California Valley Miwok Tribe (Tribe), The Tribal Council, Yakima Dixie, Velma WhiteBear, Antonia Lopez, Michael Mendibles, Antoinette Lopez, Iva (Carsoner) Sandoval and Gilbert Ramirez, Jr., proposed Intervenor-Defendants in this case.

2. This declaration is submitted in support of Intervenor-Defendants' Motion to Intervene.

3. On July 6, 2016, I spoke with Jody Schwarz of the U.S. Department of Justice, attorney for federal Defendants in this case. Ms. Schwarz said that Defendants would not oppose the Motion to Intervene.

4. On July 7, 2016, I electronically mailed Manuel Corrales, attorney for Plaintiffs in this case, at mannycorrales@yahoo.com and informed him that proposed Intervenors planned to seek intervention in the case. I asked Mr. Corrales whether his clients would consent to intervention. Mr. Corrales did not respond.

5. On July 14, 2016, I telephoned Mr. Corrales at his office during business hours to ask whether his clients would consent to intervention. A recorded message stated that the voice mailbox was full and would not accept a message.

6. On July 19, 2016, I electronically mailed Mr. Corrales again and asked whether his clients would consent to intervention. Mr. Corrales did not respond.

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7. On August 8, 2016, I telephoned Mr. Corrales' office again and left a message with his paralegal Heather Turner asking whether Plaintiffs would consent to intervention. Mr. Corrales did not return my call.

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

Executed August 8, 2016, at San Francisco, California.

/s/ James F. Rusk
JAMES F. RUSK