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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
EASTERN DISTRICT OF CALIFORNIA, SACRAMENTO DIVISION

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

Plaintiffs,

v.

S.M.R. JEWELL, in her official capacity as
U.S. Secretary of Interior, et al.,

Defendants.

Case No. 2:16-01345 WBS CKD

**STIPULATION RE INTERVENTION BY
THE CALIFORNIA VALLEY MIWOK
TRIBE, THE TRIBAL COUNCIL, AND
COUNCIL MEMBERS YAKIMA DIXIE
ET AL.**

Judge: Hon. William B. Shubb
Date: N/A
Time: N/A
Courtroom 5

RECITALS

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2 **A.** On June 17, 2016, Plaintiffs in this case filed their First Amended Complaint
3 (FAC) against federal Defendants S.M.R. Jewell, *et al.*, challenging the Assistant Secretary –
4 Indian Affairs’s December 30, 2015 decision (2015 Decision) regarding the California Valley
5 Miwok Tribe (Tribe). Federal Defendants’ answer to the FAC is currently due on September 6,
6 2016. The parties have stipulated that federal defendants may have up to and including September
7 16, 2016, to file their answer to the FAC.

8 **B.** On July 8, 2016, Plaintiffs filed a Motion for an Order Staying the 2015 Decision
9 and an ex parte application to shorten time for hearing the motion. The Court denied the ex parte
10 application by order dated July 14, 2016. The motion is currently set for hearing on October 17,
11 2016 at 1:30 p.m.

12 **C.** On August 8, 2016, proposed Intervenor-Defendants the California Valley Miwok
13 Tribe, its Tribal Council, and Council members Yakima Dixie, Velma WhiteBear, Antonia Lopez,
14 Michael Mendibles, Gilbert Ramirez, Jr., Antoinette Lopez, and Iva Sandoval filed a Motion to
15 Intervene in this action as Defendants pursuant to Federal Rule of Civil Procedure 24. Plaintiffs
16 and federal Defendants each filed a statement of non-opposition to intervention on August 19,
17 2016 and August 22, 2016, respectively.

18 **D.** Proposed Intervenors claim significant protectable interests that relate directly to
19 the 2015 Decision challenged in this action, as set forth in their Motion to Intervene. The 2015
20 Decision identifies several groups of individuals who are entitled to participate in organization of
21 the Tribe; the proposed Intervenor Council members represent that each of them is a member of
22 one or more of the groups identified in the 2015 Decision and that the Council represents several
23 hundred additional adults and children who are members of the groups identified in the 2015
24 Decision.

25 **E.** As contemplated by the 2015 Decision, proposed Intervenors have requested the
26 Pacific Regional Director of the Bureau of Indian Affairs to recognize the Intervenor Tribal
27 Council as the government of the Tribe; Plaintiffs’ motion for stay seeks, in part, to prevent the
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/s/ Manuel Corrales, Jr. (as authorized on Aug. 24, 2016)

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Official Capacity as U.S. Secretary of the Interior, Lawrence
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Secretary – Indian Affairs, and Michael Black, in his Official
Capacity as Director of the Bureau of Indian Affairs

