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Attorneys for Plaintiff
CALIFORNIA VALLEY MIWOK TRIBE

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CALIFORNIA VALLEY MIWOK	)	Case No.: 2:08-CV-00984-WBS-
	)	GGH
TRIBE,)	
	)	AMENDED
Plaintiff,	)	NOTICE OF HEARING AND MOTION
	)	TO REMAND BACK TO STATE
vs.	)	COURT; MEMORANDUM OF POINTS
	)	AND AUTHORITIES
CALIFORNIA GAMBLING CONTROL)	
	)	DATE: June 23, 2008
COMMISSION,	)	TIME: 2:00 p.m.
	)	COURTROOM: 5
Defendant	)	JUDGE: Hon. William B. Shubb
	)	LOCATION: 501 "I" Street
	)	Sacramento, CA
	)	95814

TO DEFENDANT CALIFORNIA GAMBLING CONTROL COMMISSION AND
ITS ATTORNEYS OF RECORD, AND ALL INTERESTED PARTIES:

PLEASE TAKE NOTICE that on June 23, 2008, at 2:00 p.m.,
or as soon thereafter as the matter can be heard in

1 Courtroom 5 of the above-entitled Court, located at 501 "I"
2 Street, Sacramento, California 95814, the Honorable William
3 B. Shubb presiding, Plaintiff CALIFORNIA VALLEY MIWOK TRIBE
4 will, and hereby does, move this Court for an order
5 remanding this case back to the State Superior Court in San
6 Diego from whence it came, on the grounds that no federal
7 question jurisdiction exists and removal was therefore
8 improper, and on the further ground that Plaintiff's
9 Complaint seeks only declaratory/injunctive relief under
10 State law. Moreover, the Compact which forms part of the
11 basis for relief does not permit a claim for monetary
12 damages, only equitable relief with respect to enforcement
13 of the Compact provisions.

14 **PLEASE TAKE FURTHER NOTICE** that the Court will decide
15 this motion based upon the motion papers, opposition
16 papers, and reply papers previously filed with the U.S.
17 District Court for the Southern District of California,
18 prior to transfer of this case to this Court.

19 This motion will be based on this notice, the attached
20 memorandum of points and authorities, the complete file and
21 records of this action, and such other oral and documentary
22 evidence as may be presented at the time of hearing.

23 Dated: May 8, 2008
24

25 _____ /s/
26 Manuel Corrales, Jr., Esq.
27 Attorney for Plaintiff
28 California Valley Miwok Tribe

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I declare: On May 8, 2008, I electronically filed the following documents:

ELECTRONIC MAIL NOTICE LIST

Peter.kaufman@doj.ca.gov terry@terrysingleton.com

The following are those who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing): NONE

Executed this 8th day of May, 2008, at San Diego, CA.

AMENDED NOTICE OF HEARING AND M. TO REMAND BACK TO STATE COURT (2:08-CV-00984-WBS-GGH)Page 3

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