

1 EDMUND G. BROWN JR.
Attorney General of the State of California
2 ROBERT L. MUKAI
Senior Assistant Attorney General
3 SARA J. DRAKE
Supervising Deputy Attorney General
4 RANDALL A. PINAL
Deputy Attorney General
5 PETER H. KAUFMAN, State Bar No. 52038
Deputy Attorney General
6 110 West A Street, Suite 1100
San Diego, CA 92101
7 P.O. Box 85266
San Diego, CA 92186-5266
8 Telephone: (619) 645-2020
Fax: (619) 645-2012
9 Email: peter.kaufman@doj.ca.gov

10 Attorneys for the Defendant California Gambling
Control Commission
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12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA
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16 **CALIFORNIA VALLEY MIWOK TRIBE,**

17 Plaintiff,

18 v.

19 **THE CALIFORNIA GAMBLING CONTROL**
20 **COMMISSION; and DOES 1 THROUGH 50,**
Inclusive,

21 Defendants.
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No. 2:08-CV-00984-WBS-GGH

**AMENDED
NOTICE OF MOTION TO
DISMISS THE COMPLAINT FOR
INJUNCTIVE RELIEF,
DECLARATORY RELIEF,
BREACH OF CONTRACT,
BREACH OF FIDUCIARY DUTY
AND INTENTIONAL
INTERFERENCE WITH
PROSPECTIVE ECONOMIC
ADVANTAGE, OR, IN THE
ALTERNATIVE TO STAY
PROCEEDINGS**

Hearing: June 23, 2008

Time: 2:00 p.m.

Courtroom: 5

Judge: The Hon. William B. Shubb

1 TO PLAINTIFF AND ITS ATTORNEY OF RECORD:

2 PLEASE TAKE NOTICE that on June 23, 2008, at 2:00 p.m. or as soon thereafter as the
3 matter may be heard in Courtroom 5 of the United States Courthouse located at 501 "I" Street,
4 Sacramento, California, Defendant California Gambling Control Commission will move the
5 Court for an order dismissing the Complaint in the above entitled matter pursuant to Rule
6 12(b)(1), 12(b)(6) and 12(b)(7) of the Federal Rules of Civil Procedure, or, in the alternative,
7 staying the proceedings pursuant to the Court's inherent authority.

8 Dated: May 9, 2008

9 Respectfully submitted,

10 EDMUND G. BROWN JR.
Attorney General of the State of California
11 ROBERT L. MUKAI
Senior Assistant Attorney General
12 SARA J. DRAKE
Supervising Deputy Attorney General
13 RANDALL A. PINAL
Deputy Attorney General
14

15
16 /s/Peter H. Kaufman
PETER H. KAUFMAN
17 Deputy Attorney General
Attorneys for Defendant California Gambling Control
18 Commission
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