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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA
12

13 CALIFORNIA VALLEY MIWOK TRIBE,)	
14)	No. 08-CV-00984-WBS-GGH
15 Plaintiff,)	
16)	
17 v.)	
18)	MOTION TO INTERVENE
19 CALIFORNIA GAMBLING CONTROL)	AS PARTY DEFENDANTS
20 COMMISSION, <i>et al.</i> ,)	PURSUANT TO RULE 24
21)	
22 Defendants,)	Motion Hearing noticed for
23)	2 p.m., Monday, July 21, 2008,
24 YAKIMA K. DIXIE and MELVIN DIXIE,)	in Courtroom 5, Honorable
25)	William B. Shubb presiding
26 Movant-Intervenor-Defendants.)	
27 _____)	

28
29 Yakima K. Dixie and Melvin Dixie respectfully move this Court, pursuant to Rule
30 24(a) and (b) of the Federal Rules of Civil Procedure (F.R.Civ.P.), for leave to intervene
31 as party defendants in this proceeding. Movants are spokesmen and putative members of
32 the California Valley Miwok Tribe ("Tribe"), formerly known as the Sheep Ranch Mi-
33 Wuk Indians of Sheep Ranch Rancheria in Calaveras County, California. As explained
34 in the accompanying memorandum in support of this motion, movants do not recognize
35 Silvia Burley as the leader or spokesperson of the Tribe. In movants' view Ms. Burley

1 did not have the authority to file the instant suit in the name of the “California Valley
2 Miwok Tribe” in San Diego County Superior Court. They are seeking to intervene in this
3 suit to protect their interests in the sums on deposit with the defendant California
4 Gambling Control Commission (hereinafter “Commission”).

5 Counsel for the Commission advises that he does not oppose this intervention.
6 Plaintiff may be expected to oppose this Motion. The grounds for this Motion are set out
7 in the accompanying Memorandum of Points and Authorities in Support of the Motion.
8 Movants’ proposed Answer to the Complaint filed in this matter is also attached, as
9 required by Rule 24(c), F.R.Civ.P. A proposed order also accompanies this motion.

10

11 June 2, 2008

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Respectfully submitted,

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/s/

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Tim Vollmann

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Attorney for Defendants

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2 CERTIFICATE OF SERVICE
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4 I, Tim Vollmann, hereby certify that on June 2, 2008, I electronically filed the
5 foregoing Motion to Intervene as Party Defendants, thereby providing automatically for
6 electronic service of process on the following individual attorneys, who have entered
7 their appearances on behalf of the parties to this case:

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26
27

28 _____/s/_____
29 Tim Vollmann
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