

EXHIBIT “14”



United States Department of the Interior

BUREAU OF INDIAN AFFAIRS

Central California Agency
650 Capitol Mall, Suite 8-500
Sacramento, CA 95814-4710

IN REPLY REFER TO

DEC 14 2007

CERTIFIED MAIL NO. 7001 2510 0009 4494 1906
RETURN RECEIPT REQUESTED

Silvia Burley
10601 Escondido Place
Stockton, California 95212

Dear Ms. Burley:

In accordance with 25 CFR Part 900.6, Subpart B, Definitions, we are returning your application to contract FY 2008 funding from the Bureau of Indian Affairs, under P.L. 93-638, as amended as it does not meet the definition stated below:

"Tribal Organization means the recognized governing body of any Indian tribe; any legally established organization of Indians which is controlled, sanctioned, or chartered by such governing body or which is democratically elected by the adult members of the Indian community to be served by such organization and which included the maximum participation of Indians in all phases of its activities; provided, that, in any case where a contract is let or a grant made to an organization to perform services benefiting more than one Indian tribe, the approval of each such Indian tribe shall be a prerequisite to the letting or making of such contract of grant."

Under this Part, consideration to contract federal funds to operate Bureau of Indian authorized programs will only be given to an application submitted by federally recognized tribe with a recognized governing body. The Department of the Interior does not recognize that the California Valley Miwok Tribe has a governing body. The District Court for the District of Columbia has upheld that determination, California Valley Miwok Tribe v. United States, 424 F Supp. 2d 197 (D.C.D.C. 2006). That decision is now on appeal.

Because we do not recognize any current governing body for the California Valley Miwok Tribe, we are unable to accept the proposal for the above stated reason. We are hereby returning the proposal.

Should you wish to appeal any portion of this letter, you are advised that you may do so by complying with the following:

This decision may be appealed to the Regional Director, Pacific Regional Office, Bureau of Indian Affairs, 2800 Cottage Way, W-2820, Sacramento, California 95825. In accordance with the regulations in 25 CFR Part 2 (copy enclosed), your notice of appeal must be filed in this office within 30 days of the date you receive this decision. The date of filing your notice of appeal is the date it is postmarked or the date it is personally delivered to this office. Your notice of appeal must include your name, address and telephone number. It should clearly identify the decision to be appealed. If possible attach a copy of the decision. The notice of appeal and the envelope which it is mailed, should be clearly labeled "NOTICE OF APPEAL." The notice of appeal must list the names and addresses of the interested parties known to you and certify that you have sent them copies of the notice.

You must also send a copy of your notice to the Regional Director, at the address given above.

If no timely appeal is filed, this decision will become final for the Department of the Interior at the expiration of the appeal period. No extension of time may be granted for filing a notice of appeal.

Sincerely,



Troy Burdick
Superintendent

Enclosure

EXHIBIT “15”

ADMITTED TO
PRACTICE IN:
CALIFORNIA, UTAH
AND NEW MEXICO

MANUEL CORRALES, JR.
ATTORNEY AT LAW

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December 21, 2007

California Gambling Control Commission
2399 Gateway Oaks Drive, Suite 100
Sacramento, California 95852-6013

Via Fax and U.S. Mail
(916) 263-0499

Re: California Valley Miwok Tribe
Revenue Sharing Trust Fund Payments

Dear Commissioners:

I have been retained by the California Valley Miwok Tribe ("the Miwok Tribe") to investigate, and, if necessary pursue legal action against, the California Gambling Control Commission ("Commission") for its refusal to continue disbursement of the Miwok Tribe's share of payments from the Indian Gaming Revenue Sharing Trust Fund ("RSTF"). It is my understanding that on August 4, 2005, the Commission notified the Miwok Tribe that it would be withholding distribution of those funds on the grounds that the Miwok Tribe was purportedly not "organized". However, the Commission is without any legal authority to do so.

Cal. Gov. Code Section 12012.75 establishes that the Commission has a mandatory duty to distribute RSTF payments to non-compact Tribes such as the Miwok Tribe. It states:

There is hereby created in the State Treasury a special fund called the "Indian Gaming Revenue Sharing Trust Fund" for the receipt and deposit of moneys derived from gaming device license fees that are paid into the fund pursuant to the terms of tribal-state gaming compacts for the purpose of making distributions to noncompact tribes. Moneys in the Indian Gaming Revenue Sharing Trust Fund shall be available to the California Gambling Control Commission, upon appropriation by the Legislature, for the purpose of making distributions to noncompact tribes, in accordance with distribution plans specified in tribal-state gaming compacts.

This Code Section requires the Commission distribute the RSTF payments in accordance with the terms of the Compact. To this end, Section 4.3.2.1(a) entitles the non-compact tribes to \$1.1 million per year. Significantly, Cal. Gov. Code Section 12012.90(d) requires the Commission to take funds from the Special Distribution Fund to make up any shortfall, and that the Commission "shall distribute [such] moneys without delay to eligible recipient Indian tribes..." Indeed,

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Section 4.3.2.1(b) establishes that the Commission is to be a "trustee" of those funds and states that the Commission shall have no discretion on deciding whether to make disbursements. It provides in pertinent part as follows:

...The Commission shall have no discretion with respect to the use or disbursement of the trust funds. Its sole authority shall be to serve as a depository of the trust funds and to disburse them on a quarterly basis to Non-Compact Tribes....

Despite these clear statutory requirements, the Commission has inexplicably decided to take it upon itself to determine that the Miwok Tribe is not entitled to further distribution, on the sole ground that the Miwok Tribe is not "organized". The Commission has no discretion to make that determination. Indeed, until there has been a judicial determination to that effect, the Commission has a fiduciary obligation to continue make those distributions to the Miwok Tribe.

In any event, no where in the Compact is there any requirement that a Non-Compact Tribe be "organized" to be entitled to distribution payments under the RSTF. To the contrary, all that is required is that the Non-Compact Tribe be recognized, formally or informally, to be eligible for payment. For example, Section 2.21 of the Compact states:

"Tribe" means a federally-recognized Indian tribe, or an authorized official or agency thereof.

Despite the disputes involving the Miwok Tribe's leadership, the Bureau of Indian Affairs ("BIA") has still recognized the Miwok Tribe as an "unorganized Tribe" and Silvia Burley as "a person of authority". The only issue ongoing with the BIA is the Miwok Tribe's organizational status. The BIA has never stated that the Miwok Tribe, albeit "unorganized", was no longer recognized, or that Silvia Burley was no longer a "person of authority".

Accordingly, the Miwok Tribe is still entitled to continued distribution payments under the RSTF, and the Commission has a continuing, fiduciary obligation to make prompt payments there under.

Please advise in writing the basis for your refusal to continue to make these disbursements, as required under Cal. Gov. Code Section 12012.75.

Also, please advise in writing how much you have withheld, and whether or not you have set aside the funds as disputed, and if so, whether such funds are in an interest bearing account.

If I do not hear back from you within five (5) days of the date of this letter, or, if you advise that you will continue to withhold such money from the Miwok Tribe, then I have been

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authorized to institute formal legal action to compel the Commission to distribute these funds, pursuant to CCP Section 1060 (Declaratory Relief), CCP Section 526 (Injunction), and other legal grounds for relief.

The Commission's unauthorized decision to withhold disbursement under the RSTF has worked an extreme hardship on the Miwok Tribe.

Thank you for your prompt attention to this urgent matter.

Very truly yours,



Manuel Corrales, Jr.

cc: Ms. Terri Ciau, Deputy Director, Licensing and Compliance Division
Mr. Steve Giogi, Executive Director
Ms. Christine Murphy, Deputy Attorney General
Mr. Tiger Paulk/Ms. Silvia Burley c/o California Valley Miwok Tribe