

Manuel Corrales, Jr., Esq. SBN 117647

Attorney at Law

11753 Avenida Sivrita
San Diego, California 92128
Tel: (858) 521-0634
Fax: (858) 521-0633
Email: mannycorrales@yahoo.com

Terry Singleton, Esq. SBN 58316

SINGLETON & ASSOCIATES

1950 Fifth Avenue, Suite 200
San Diego, California 92101
Tel: (619) 239-3225
Fax: (619) 702-5592
Email: terry@terrysingleton.com

Attorneys for Plaintiff
CALIFORNIA VALLEY MIWOK TRIBE

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF SAN DIEGO - CENTRAL DISTRICT**

CALIFORNIA VALLEY MIWOK TRIBE

Case No.37-2008-00075326-CU-
CO-CTL

Plaintiff,

**DECLARATION OF MANUEL
CORRALES, JR., IN SUPPORT OF
SUPPLEMENTAL BRIEF**

vs.

**CALIFORNIA GAMBLING CONTROL
COMMISSION,**

Date: December 12, 2008
Time: 8:30 a.m.
Dept: 65
Judge: Hon. Joan M. Lewis

Defendant

I, Manuel Corrales, Jr., declare that if called as a
witness in this case I could and would testify as follows:

1. I am an attorney at law duly licensed to practice
in the State of California, the State of Utah and the State
of New Mexico, and I am the attorney of record for

1 Plaintiff California Valley Miwok Tribe herein. I have
2 personal knowledge of the facts set forth herein.

3 2. Attached herewith and marked as Exhibit "28" is a
4 true and correct copy of a letter dated November 10, 2008,
5 from George T. Skibine, Acting Deputy Assistant Secretary
6 for Policy and Development in the United States Department
7 of the Interior, Office of the Secretary. The letter is
8 addressed to Silvia Burley as "Chairperson" of the
9 California Valley Miwok Tribe ("the Tribe").

10 3. Plaintiff wishes to allege in its proposed Second
11 Amended Complaint this letter as a further basis that the
12 federal government recognizes Silvia Burley as the
13 Chairperson of the Tribe, that the federal government
14 recognizes the Tribe's presently constituted government,
15 and that the federal government presently has a government-
16 to-government relationship with the Tribe.

17 I declare under penalty of perjury under the laws of
18 the State of California that the foregoing is true and
19 correct.

20 Executed this 7 day of January, 2009 at San Diego,
21 California.

22
23
24 
Manuel Corrales, Jr.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240



November 10, 2008

The Honorable Silvia Burley
Chairperson, California Valley Miwok Tribe
10601 Escondido Place
Stockton, CA 95212

Dear Chairperson Burley:

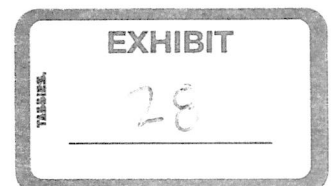
I am writing to encourage you to nominate representatives to a Negotiated Rulemaking Committee whose charge will be to develop recommendations for proposed report(s) or regulation(s) on issues related to repair, renovation, and replacement of Bureau of Indian Education (BIE)-funded school facilities, as required by the No Child Left Behind (NCLB) Act of 2001.

The purpose of the NCLB Act Negotiated Rulemaking Committee is to serve as an advisory committee, under the Federal Advisory Committee Act and the Negotiated Rulemaking Act, to provide recommendations to the Secretary of the Interior (Secretary). The general objective of the Committee, as described in the NCLB Act, is to prepare and submit to the Secretary proposed report(s) or regulation(s) setting out:

- A method for creating a catalog of school facilities;
- The school replacement and new construction needs, and a formula for the equitable distribution of funds to address those needs;
- The major and minor renovation needs, and a formula for the equitable distribution of funds to address such needs; and
- Facilities standards for home-living (dormitory) situations.

The enclosed Federal Register Notice outlines the Committee's purpose and the process for creating the Committee. While the Notice covers these issues in greater detail, I want to make you aware of the following key points:

- The opportunities and challenges of this proposed Committee were analyzed by the Consensus Building Institute (CBI), an independent facilitator, using input from 198 interviewees representing 99 BIE-funded schools. The Final Convening Report prepared by CBI was released on March 5, 2008, and can be accessed at http://ecr.gov/pdf/BIA_FinalConvRpt200803.pdf.

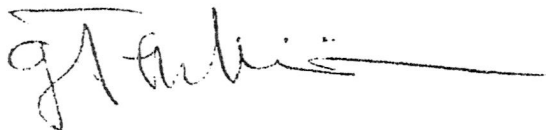


- The Secretary is seeking nominations from tribes for membership in the Negotiated Rulemaking Committee, as well as comments on the establishment of this Committee, including additional interests other than those identified in the attached Notice.
- The NCLB Act requires tribes to be represented on the Committee in proportion to their school enrollment numbers. Thus, I would greatly appreciate you submitting nominations for a seat or seats on the Committee. Each nomination is expected to identify a representative and an alternate who can fulfill the obligations of membership should the representative be unable to attend. Please refer to the Notice for additional information, including nominee qualifications and instructions for submitting nominations. More information about the rationale for recommended allocations of Committee member seats is in the attached "Negotiated Rulemaking Committee on Bureau of Indian Education-Funded School Facilities Construction: Assigning Committee Membership by Proportionate Share of Students and Need for Diversity."
- The Secretary is utilizing the services of CBI through the U.S. Institute for Environmental Conflict Resolution, an independent Federal agency, to assist with convening and facilitating the first Committee meeting. The facilitation team is available to assist you in determining appropriate nominees who meet the nomination criteria and represent the interests of your tribe and schools. For such assistance, please contact Sarah Palmer, Senior Program Manager, U.S. Institute for Environmental Conflict Resolution, at (520) 901-8556 or by email at palmer@ecr.gov.

Nominations and comments must be postmarked or faxed no later than December 8, 2008. You may send nominations and comments to the Designated Federal Official, at the following address: Michele F. Singer, Director, Office of Regulatory Management, Office of the Assistant Secretary-Indian Affairs, 1001 Indian School Road, NW, Suite 312, Albuquerque, NM 87104 or fax to (505) 563-3811. For further information, please contact Ms. Singer at (505) 563-3805.

We look forward to your nomination.

Sincerely,



George T. Skibine
Acting Deputy Assistant Secretary
for Policy and Economic Development

Enclosures

cc: School Principals/Administrators/Superintendents
Bureau of Indian Education, Education Line Officers

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Manuel Corrales, Jr., Esq., SBN 117647 11753 Avenida Sivrita San Diego, CA 92128 TELEPHONE NO.: (858) 521-0634 FAX NO. (Optional): (858) 521-0633 E-MAIL ADDRESS (Optional): mannycorrales@yahoo.com ATTORNEY FOR (Name): Plaintiff California Valley Miwok Tribe	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO STREET ADDRESS: 330 W. Broadway MAILING ADDRESS: 330 W. Broadway CITY AND ZIP CODE: San Diego, CA 92101 BRANCH NAME: Central District	
PETITIONER/PLAINTIFF: California Valley Miwok Tribe RESPONDENT/DEFENDANT: California Gambling Control Commission	
PROOF OF SERVICE BY FIRST-CLASS MAIL—CIVIL	CASE NUMBER: 37-2008-00075326-CU-CO-CTL

(Do not use this Proof of Service to show service of a Summons and Complaint.)

1. I am over 18 years of age and **not a party to this action**. I am a resident of or employed in the county where the mailing took place.

2. My residence or business address is:

11753 Avenida Sivrita
 San Diego, CA 92128

3. On (date): January 7, 2009 I mailed from (city and state): San Diego, California the following documents (specify):

Declaration of Manuel Corrales, Jr., in Support of Plaintiff's Supplemental Brief

☐ The documents are listed in the Attachment to Proof of Service by First-Class Mail—Civil (Documents Served) (form POS-030(D)).

4. I served the documents by enclosing them in an envelope and (check one):

- a. ☒ **depositing** the sealed envelope with the United States Postal Service with the postage fully prepaid.
 b. ☐ **placing** the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

5. The envelope was addressed and mailed as follows:

a. **Name** of person served:

b. **Address** of person served:

Mr. Peter Kaufman, Esq., Deputy Attorney General, 110 W. "A" Street, Ste. 1100, San Diego, CA 92101
 Mr. Terry Singleton, Esq., 1950 Fifth Ave., Suite 200, San Diego, CA 92101

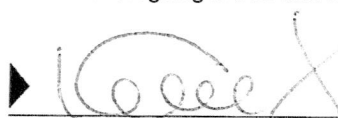
☐ The name and address of each person to whom I mailed the documents is listed in the Attachment to Proof of Service by First-Class Mail—Civil (Persons Served) (POS-030(P)).

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: January 7, 2009

Manuel Corrales, Jr., Esq.

(TYPE OR PRINT NAME OF PERSON COMPLETING THIS FORM)



(SIGNATURE OF PERSON COMPLETING THIS FORM)