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*Per Government Code § 6103, State of  
California is exempt from filing fee*

11 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
12 COUNTY OF SAN DIEGO  
13 CENTRAL BRANCH  
14

15 **CALIFORNIA VALLEY MIWOK TRIBE,**  
16  
Plaintiff,  
17  
v.  
18  
19 **THE CALIFORNIA GAMBLING**  
**CONTROL COMMISSION; and DOES 1**  
20 **THROUGH 50, Inclusive,**  
21  
Defendants.

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

**DECLARATION OF SYLVIA A. CATES  
IN SUPPORT OF DEFENDANT  
CALIFORNIA GAMBLING CONTROL  
COMMISSION'S MOTION FOR  
SUMMARY JUDGMENT**

Date: April 26, 2013  
Time: 2:00 p.m.  
Dept: 62  
Judge: The Honorable Ronald L. Styn  
Trial Date: June 4, 2013  
Action Filed: January 8, 2008

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24 I, SYLVIA A. CATES, declare:

25 1. I am a Deputy Attorney General with the California Department of Justice, Office of  
26 the Attorney General, and was formerly one of the attorneys of record for the California  
27 Gambling Control Commission (Commission) in this matter. I am an attorney at law duly  
28 licensed to practice before all courts within the State of California. From January, 2010, to

1 September, 2011, I was employed in the Indian and Gaming Law Section of the Office of the  
2 Attorney General of California, which has responsibility for representing state agencies in tribal  
3 gaming matters. I have personal knowledge of the facts set forth below and if called as a witness,  
4 I could and would competently testify to them.

5 2. Attached to the concurrently filed Request for Judicial Notice as Exhibit A is a true  
6 and correct copy of relevant portions of an executed tribal-state gaming compact between the  
7 State of California and the Dry Creek Rancheria of Pomo Indians. I have personal knowledge of  
8 the all of the tribal-state gaming compacts and their content based upon my tenure in the Indian  
9 and Gaming Law Section of the Office of the Attorney General of California. Based on my  
10 review of the tribal-state gaming compacts entered into in 1999 by the State with federally  
11 recognized Indian tribes, the Dry Creek Rancheria compact accurately reflects the language of all  
12 the signed 1999 compacts in every material respect.

13 3. Attached to the concurrently filed Request for Judicial Notice as Exhibit B is a true  
14 and correct copy of a letter dated December 22, 2010, from Larry Echo Hawk, Assistant  
15 Secretary – Indian Affairs, United States Department of the Interior, to Ms. Sylvia [sic] Burley. I  
16 received Exhibit B by email from counsel for Plaintiffs and for Intervenors in this action, and it  
17 has been filed with various pleadings in this action.

18 4. Attached to the concurrently filed Request for Judicial Notice as Exhibit C is a true  
19 and correct copy of a complaint filed on January 24, 2011, in the United States District Court for  
20 the District of Columbia, *The California Valley Miwok Tribe, et al., v. Ken Salazar, et al.*, No.  
21 1:11-cv-00160. Exhibit C was received by the Office of the Attorney General of California in the  
22 regular course of business and has been maintained in the case file for this matter. It also has  
23 been filed by Intervenors in this action in support of their opposition to Plaintiff's demurrer and  
24 motion for reconsideration.

25 5. Attached to the concurrently filed Request for Judicial Notice as Exhibit D is a true  
26 and correct copy of a letter dated April 1, 2011, from Larry Echo Hawk, Assistant Secretary –  
27 Indian Affairs, United States Department of the Interior, to Mr. Yakima Dixie. Exhibit D was  
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1 received or obtained by the Office of the Attorney General of California in the regular course of  
2 business and has been maintained in the case file for this matter.

3 6. Attached to the concurrently filed Request for Judicial Notice as Exhibit E is a true  
4 and correct copy of a letter dated August 31, 2011, from Larry Echo Hawk, Assistant Secretary –  
5 Indian Affairs, United States Department of the Interior, to Mr. Yakima Dixie and Ms. Silvia  
6 Burley. Exhibit E was received or obtained by the Office of the Attorney General of California in  
7 the regular course of business and has been maintained in the case file for this matter.

8 7. Attached to the concurrently filed Request for Judicial Notice as Exhibit F is a true  
9 and correct copy of the relevant portions of the executed tribal-state gaming compact between the  
10 State of California and the Pinoleville Pomo Nation.

11 I declare under penalty of perjury, under the laws of the State of California, that the  
12 foregoing is true and correct of my own personal knowledge except as to those matters stated  
13 upon information and belief, and, as to them, I believe them to be true. Executed this 6th day of  
14 March, 2013, at Sacramento, California.

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17 SYLVIA A. CATES  
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