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*Per Government Code ' 6103, State of
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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**
20 **CONTROL COMMISSION; and DOES 1**
21 **THROUGH 50, Inclusive,**

22 Defendants.

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

**DECLARATION OF TINA LITTLETON
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. Slyn

Trial Date: June 4, 2013

Action Filed: January 8, 2008

23
24 I, TINA LITTLETON, declare:

25 1. I am over the age of 18 years, and am employed as the Executive Director of the
26 California Gambling Control Commission (Commission), a position I have held since May 2011.
27 As such, I have personal knowledge of the matters stated herein, and, if called upon, could and
28 would testify competently thereto.

1 2. I make this declaration in support of the Commission's motion for summary judgment
2 which is filed concurrently herewith.

3 3. The Commission makes no independent determinations on the merits of intra-tribal
4 leadership disputes.

5 4. The Commission takes no position on the merits of intra-tribal leadership disputes.

6 5. When uncertainty exists as to a Non-Compact Tribe's authorized leadership, the
7 Commission, as administrator of the Revenue Sharing Trust Fund (RSTF), defers to the
8 Department of the Interior, Bureau of Indian Affairs' (BIA) determinations.

9 6. Because the BIA deemed the California Valley Miwok Tribe (Miwok Tribe)
10 unorganized and lacking a Tribal Chairperson and suspended PL 638 contract funding
11 disbursement to the Miwok Tribe in 2005, the Commission suspended its disbursement of
12 quarterly RSTF payments, pending BIA's recognition of an authorized Miwok Tribe leader or
13 leadership group with which to conduct its government-to-government business—as evidenced
14 either by the BIA's resumption of PL 638 funding, or other BIA action.

15 7. As of the date of this declaration, I am informed and believe that the BIA has not
16 recognized an authorized leader or leadership group for the Miwok Tribe, and I am informed and
17 believe that the BIA has not resumed disbursing PL 638 funds to the Miwok Tribe.

18 8. As of the date of this declaration, the Commission is holding accrued quarterly RSTF
19 payments totaling \$8,763,001.99, plus interest in the amount of \$420,246.17, for eventual
20 disbursement to the Miwok Tribe.

9. The Commission will promptly disburse the accrued RSTF payments to the Miwok Tribe once the BIA has taken a final agency action that identifies the Miwok Tribe's authorized leader or leadership group.

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

Tina Littleton
TINA LITTLETON