

United States Court of Appeals For the First Circuit

Nos. 19-1661, 19-1857

AQUINNAH/GAY HEAD COMMUNITY ASSOCIATION, INC.;
TOWN OF AQUINNAH,

Plaintiffs, Appellees/Cross-Appellants,

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff, Appellee,

v.

THE WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH);
THE AQUINNAH WAMPANOAG GAMING CORPORATION;
THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC.,

Defendants, Appellants/Cross-Appellees,

CHARLIE BAKER, in his official capacity as Governor of the
Commonwealth of Massachusetts; MAURA HEALEY, in her capacity
As Attorney General of the Commonwealth of Massachusetts;
CATHY JUDD-STEIN, in her capacity as Chair of the
Massachusetts Gaming Commission,

Third Party Defendants, Appellees.

Nos. 19-1729, 19-1922

AQUINNAH/GAY HEAD COMMUNITY ASSOCIATION, INC.;
TOWN OF AQUINNAH,

Plaintiffs, Appellees/Cross-Appellants,

COMMONWEALTH OF MASSACHUSETTS,

Plaintiff, Appellee,

v.

THE WAMPANOAG TRIBE OF GAY HEAD (AQUINNAH);
THE AQUINNAH WAMPANOAG GAMING CORPORATION;
THE WAMPANOAG TRIBAL COUNCIL OF GAY HEAD, INC.,

Defendants, Appellants/Cross-Appellees,

CHARLIE BAKER, in his official capacity as Governor of the
Commonwealth of Massachusetts; MAURA HEALEY, in her capacity
as Attorney General of the Commonwealth of Massachusetts;
CATHY JUDD-STEIN, in her capacity as Chair of the
Massachusetts Gaming Commission,

Third Party Defendants.

The opinion of this Court issued on February 25, 2021, is
amended as follows:

On Page 21, line 10, insert "court" between "district" and
"rejected"