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8 Attorneys for Defendants
9 RAY BARNES, MARIAN BURROUGH
10 (erroneously sued as "MARIAN BURROUGHS"),
11 IVADELLE CASTRO (erroneously sued as
12 "IVDELLE CASTRO"), LEWIS BARNES,
13 WILLIAM WALKER, AARON JONES,
14 CAROLYN WALKER, and TWILA BURROUGH
15 (erroneously sued as "TWILA BURROUGHS"),
16 and LORI CASTRO (erroneously sued as "Lorie
17 Jones Castro")

18 UNITED STATES DISTRICT COURT
19 EASTERN DISTRICT OF CALIFORNIA

SNR DENTON US LLP
525 MARKET STREET, 26TH FLOOR
SAN FRANCISCO, CALIFORNIA 94105-2708
(415) 882-5000

20 CLIFFORD M. LEWIS, et al.,

21 Plaintiffs,

22 vs.

23 KEN SALAZAR, et al.,

24 Defendants.

CASE NO. 1:10-CV-01281-OWW-DLB

**ORDER GRANTING TRIBAL
DEFENDANTS' MOTION TO DISMISS
FOR LACK OF SUBJECT MATTER
JURISDICTION, OR IN THE
ALTERNATIVE, FOR FAILURE TO
STATE A CLAIM UPON WHICH
RELIEF CAN BE GRANTED**

Date: April 4, 2011

Time: 10:00 a.m.

Courtroom: 3

Judge: Hon. Oliver W. Wanger

1 The motion to dismiss of Defendants Ray Barnes, Marian Burrough, Ivadelle Castro,
2 Lewis Barnes, William Walker, Aaron Jones, Carolyn Walker, Twila Burrough, and Lori Castro
3 (hereinafter collectively referenced as “Tribal Defendants”) came regularly for hearing on April 4,
4 2011, at 10 a.m., in Courtroom 3 before the Honorable Oliver W. Wanger.

5 After reviewing all the papers filed in this matter and entertaining oral argument, the Court
6 ruled there is good cause to GRANT Tribal Defendants’ motion.

7 IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

- 8 1. That Tribal Defendants’ Motion To Dismiss For Lack Of Subject Matter
9 Jurisdiction, Or In The Alternative, For Failure To State A Claim Upon Which Relief Can Be
10 Granted is GRANTED;
- 11 2. That Plaintiffs’ First Amended Complaint is DISMISSED, without prejudice;
- 12 3. That Plaintiffs shall file an amended complaint within fifteen days of electronic
13 service of the Court’s Memorandum Decision Regarding Defendants’ Motions To Dismiss (Doc.
14 38); and
- 15 4. That Defendants shall file a responsive pleading within twenty days of service of
16 any amended complaint.

17
18 IT IS SO ORDERED.

19
20 DATED: May 2, 2011

/s/ OLIVER W. WANGER
United States District Judge