

UNITED STATES DISTRICT COURT
FOR EASTERN DISTRICT OF CALIFORNIA

CLIFFORD M. LEWIS, et al.,
Plaintiffs,

v.

KEN SALAZAR, et al
Defendants.

) CASE NO. 10-CV-01281 OWW
) DLB

) OLIVER W. WANGER,
) PRESIDING
) UNITED STATES DISTRICT
) JUDGE

) ORDER GRANTING
) SECRETARY OF THE INTERIOR
) TRIBAL DEFENDANTS'
) MOTION TO DISMISS

) Date: August 1, 2011
) Time: 10:00 a.m.
) Place: Courtroom 3

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

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

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IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

(1) That Tribal Defendants' Motion To Dismiss Second Amended Complaint For Lack Of Subject Matter Jurisdiction, Or In The Alternative, For Failure To State A Claim Upon Which Relief Can Be Granted is GRANTED; That Plaintiffs have failed to allege a cognizable claim against Tribal Defendants and that further leave to amend would be futile;

That Plaintiffs' Second Amended Complaint is DISMISSED WITH PREJUDICE; and

The Clerk of this Court is directed grant judgment in favor of Tribal Defendants and close this case.

IT IS SO ORDERED.

Dated: September 8, 2011

/s/ Oliver W. Wanger

UNITED STATES DISTRICT JUDGE