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 14 AND ANTHONY J. LOVERDE

15 UNITED STATES DISTRICT COURT  
 16 NORTHERN DISTRICT OF CALIFORNIA

17 MICHAEL ALMY, JASON KNIGHT, and  
 18 ANTHONY LOVERDE,

19 Plaintiffs,

20 v.

21 UNITED STATES DEPARTMENT OF  
 DEFENSE; ROBERT M. GATES, Secretary  
 of Defense; DEPARTMENT OF THE AIR  
 22 FORCE; MICHAEL B. DONLEY, Secretary,  
 Department of the Air Force; DEPARTMENT  
 23 OF THE NAVY; and RAY MABUS,  
 Secretary, Department of the Navy,  
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25 Defendants.

Case No. cv 10-5627 (RS)

**STATEMENT OF RECENT  
 DECISION IN SUPPORT OF MOTION  
 FOR LEAVE TO AMEND  
 COMPLAINT**

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Plaintiffs, pursuant to Civil L.R. 7-3(d)(2), submit this Statement of Recent Decision to alert the Court and Defendants to a recent decision relevant to the issues set to be heard by the Court on May 5, 2011.

On April 26, 2011, the Supreme Court of the United States issued the following decision: *United States v. Tohono O’Dham Nation*, No. 09-846, slip op. at 5, 10 (2011), attached as Exhibit A.

Respectfully submitted,

Dated: May 3, 2011

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By: /s/ M. Andrew Woodmansee  
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MICHAEL ALMY, JASON KNIGHT,  
AND ANTHONY LOVERDE

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on May 3, 2011, a true and correct copy of the foregoing document was filed electronically in with this court. As such, this document was served on all counsel who have consented to electronic service.

/s/ M. Andrew Woodmansee  
M. Andrew Woodmansee