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7 Attorneys for Plaintiff:
8 ME-WUK INDIAN COMMUNITY
OF THE WILTON RANCHERIA
9

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
12 **SAN JOSE DIVISION**

13 ME-WUK INDIAN COMMUNITY OF THE
14 WILTON RANCHERIA,

15 Plaintiff,

16 v.

17 DIRK A. KEMPTHORNE, *et al.*

18 Defendants.
19

CASE NO. C 07-05706 (JF)

**PLAINTIFF'S NOTICE OF CHANGE IN
COUNSEL; [PROPOSED] ORDER**

20 Plaintiff, ME-WUK INDIAN COMMUNITY OF THE WILTON RANCHERIA ("Tribe"), hereby
21 files notice that attorneys Joseph Kitto of Kitto Law Firm, LCC and Travis Trueblood of Trueblood
22 Law Group, PA are no longer the Tribe's legal representatives. The Tribe requests this Court to
23 withdraw Mr. Kitto and Mr. Trueblood from this action, and proposes to substitute attorneys Robert
24 Rosette and Little Fawn Boland of the law firm Rosette & Associates, PC as attorneys of record. The
25 undersigned certifies this change in counsel is approved by Resolution of the Tribe's Business
26
27
28

1 Council, and supported by the sworn Declaration of Henry Sangmaster, Chairman of the Me-Wuk
2 Indian Community of the Wilton Rancheria filed herewith.

3 Accordingly, the Tribe requests all pleadings, motion, correspondence, discovery material and
4 all other papers to be sent to the following:

5
6 Robert A. Rosette and Little Fawn Boland
7 c/o Sonnenschein, Nath & Rosenthal, LLP
8 525 Market Street, 25th Floor
9 San Francisco, CA 94105-2708
10 Telephone: (480) 889-8990
11 Facsimile: (480) 889-8997
12 rosette@rosettela.com
13 lfboland@rosettela.com

14 Respectfully submitted this 29th day of August, 2008.

15 By: /s/ Robert A. Rosette
16 Attorney for Plaintiff

17 Robert A. Rosette (SBN 224437)
18 Little Fawn Boland (SBN 240181)
19 Rosette & Associates, PC
20 c/o Sonnenschein, Nath & Rosenthal, LLP
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27 **[PROPOSED] ORDER**

28 IT IS SO ORDERED.

Dated: 9/2/08


U.S. District Court Judge

ROBERT A. ROSETTE (SBN 224437)
LITTLE FAWN BOLAND (SBN 240181)
ROSETTE & ASSOCIATES, PC
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Attorneys for Plaintiff:
ME-WUK INDIAN COMMUNITY
OF THE WILTON RANCHERIA

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

ME-WUK INDIAN COMMUNITY OF THE
WILTON RANCHERIA,

Plaintiff,

v.

DIRK A. KEMPTHORNE, *et al.*

Defendants.

CASE NO. C 07-05706 (JF)

**DECLARATION OF CHAIRMAN
HENRY SANGMASTER IN SUPPORT
OF PLAINTIFF'S NOTICE OF
CHANGE IN COUNSEL**

DECLARATION OF HENRY SANGMASTER

I, Henry Sangmaster, swear and declare as follows:

1. I am the duly elected Chairman of the Business Council ("Council") of the Me-Wuk Indian Community of the Wilton Rancheria ("Tribe"), and this declaration is based upon my personal knowledge and is made in my capacity as Chairman of the Tribe.
2. The Council has authority and responsibility to conduct business on behalf of the Tribe, and may retain and substitute legal counsel pursuant to that authority.
3. On or about August 19, 2008, the Council met at a duly noticed meeting with a quorum of members present, and considered Resolution No. 81908 "RESOLUTION

Exhibit "A."


4. The Council unanimously adopted the Resolution by a vote of 9 in favor, 0 against and 0 abstaining, as signed and certified by myself as Tribal Chairman and Councilmember Muriel Sangmaster.

5. The Resolution terminated the representation of Joseph Kitto and Travis Trueblood, and retained the law firm Rosette & Associates, PC to represent the Tribe in the matter of Me-Wuk Indian Community of the Wilton Rancheria v. Dirk Kempthorne, et al. (the "Case").

6. I reviewed the "Notice of Change in Counsel; [Proposed] Order" requesting the U.S. District Court for the Northern District of California to withdraw attorneys Joe Kitto and Travis Trueblood and substitute attorneys Robert Rosette and Little Fawn Boland of the law firm Rosette & Associates, PC as attorneys of record, and affirm the Tribe supports the change in counsel.

I SWEAR THE FOREGOING IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE UNDER PENALTY OF THE PERJURY LAWS OF THE STATE OF CALIFORNIA.

Dated this 27 day of August, 2008.

By: 
Henry Sangmaster, Chairman
Me-Wuk Indian Community of the
Wilton Indian Rancheria

**RESOLUTION TERMINATING LEGAL REPRESENTATION BY THE
KITTO LAW FIRM, PLLC AND TRUEBLOOD LAW GROUP, PA, AND
RETAINING ROSETTE & ASSOCIATES, PC AS LEGAL COUNSEL**

Resolution No: 81908

Dated: August 19, 2008

WHEREAS, the duly elected Business Council (“Council”) of the Me-Wuk Indian Community of the Wilton Rancheria (“Tribe”) is vested with responsibility and authority to retain legal counsel on behalf of the Tribe; and

WHEREAS, the Tribe is a plaintiff in the action Me-Wuk Indian Community of the Wilton Rancheria v. Dirk Kempthorne, et al. to restore the Tribe’s federal recognition by the United States; and

WHEREAS, the Tribe has been represented by attorneys Joseph Kitto of the Kitto Law Firm, PLLC and Travis Trueblood of the Trueblood Law Group, PA in the litigation against the United States; and

WHEREAS, the Council has determined that it is in the best interests of the Tribe to terminate the legal representation of the Kitto Law Firm, PLLC and the Trueblood Law Group, PA, and to retain the law firm Rosette & Associates, PC as replacement legal counsel pursuant to the engagement letter (“Engagement Letter”) attached hereto as Exhibit “A”; and

NOW THEREFORE BE IT RESOLVED that the Council hereby terminates the services of the Kitto Law Firm, PLLC and Trueblood Law Group; and

LET IT BE FURTHER RESOLVED that the Council hereby approves to retain Rosette & Associates, PC to perform legal services on behalf of the Tribe pursuant to the terms set forth in the Engagement Letter.

CERTIFICATION

The Business Council of the Me-Wuk Indian Community of the Wilton Rancheria enacted this Resolution at a regular meeting of the Business Council, with a


quorum of members present, held on August 19, 2008, by the following vote:
9 FOR, 0 AGAINST, and 0 ABSTAINING.

ME-WUK INDIAN COMMUNITY OF THE WILTON RANCHERIA

Signed:


Henry Sangmaster, Chairman

Attested:


Councilmember

1 **Certificate of Service**

2 I hereby certify that on August 29, 2008, I electronically filed the following with the Clerk of the
3 Court using the ECF system:

4 **PLAINTIFF’S NOTICE OF CHANGE IN COUNSEL; [PROPOSED] ORDER**
5 **DECLARATION IN SUPPORT OF PLAINTIFF’S CHANGE IN COUNSEL**

6 Notice of this filing will be sent by operation of the Court’s electronic filing system to all parties
7 indicated on the electronic filing receipt.

8 /s/ Robert A. Rosette

9 COPY of the foregoing mailed*/
10 electronically delivered ** this 29th day of
11 August 2008 to:

12 RONALD J. TENPAS8*/**
13 Acting Assistant Attorney General
14 Environmental and Natural Resources Division
15 SARA E. COSTELLO
16 Natural Resources Section
17 P.O. Box 663
18 Washington, DC 20044-0663

19 CHARLES O’CONNOR*/ **
20 U.S. Attorney’s Office
21 450 Golden Gate Avenue
22 P.O. Box 36055
23 San Francisco, CA 94102
24 Attorneys for Defendants
25 THE UNITED STATES DEPARTMENT OF THE
26 INTERIOR, DIRK KEMPTHORNE, et al.

CHRISTINA V. KAZHE (BAR NO. 192158)*/**
ROSE WECKENMANN (BAR NO. 248207)
KAZHE LAW GROUP PC
8359 Elk Grove-Florin Road
Suite 103287
Sacramento, California 95829
Attorneys for Plaintiffs,
WILTON MIWOK RANCHERIA,
ITS MEMBERS; and DOROTHY ANDREW