

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

COLORADO RIVER INDIAN TRIBES,

Plaintiff,

v.

NATIONAL INDIAN GAMING
COMMISSION, et al.,

Defendants.

Civil Action No. 04-0010 (JDB)

ORDER

Upon consideration of [15] plaintiff's motion for summary judgment, [20] defendant's cross-motion for summary judgment, and the entire record in this case, and for the reasons stated in the accompanying Memorandum Opinion issued on this date, it is this 24th day of August, 2005, hereby

ORDERED that plaintiff's motion for summary judgment is **GRANTED**; it is further

ORDERED that defendant's cross-motion for summary judgment is **DENIED**; it is further

ORDERED that the Final Decision and Order issued by defendant against plaintiff on July 17, 2003 is outside of the authority of the NIGC; it is further

ORDERED that the Final Decision and Order is **VACATED**; and it is further

ORDERED that this order is **STAYED** until September 7, 2005 to allow plaintiff and the State of Arizona to make necessary modifications, if any, to their tribal-State compact.

/s/ John D. Bates

JOHN D. BATES

United States District Judge

Copies to:

Kim Hoyt Sperduto
2021 L Street, NW
Second Floor
Washington, DC 20036
(202) 408-8900
Fax: (202) 408-8910
Email: ksperduto@sperdulaw.com

Eric N. Shepard
Acting Attorney General
Route 1, Box 23-B
Parker, AZ 85344
(928) 669-1271
Fax: (928) 996-5675
Email: ericshepard@rraz.net

Gwenellen P. Janov
901 Rio Grande Boulevard, NW
Suite F-144
Albuquerque, NM 87104
(505) 842-8302
Fax: (505) 842-8309
Email: gjanov@janovcooneylaw.com
Counsel for plaintiff

Edward J. Passarelli
Department of Justice
Environment & Natural Resources Division
General Litigation Section
P.O. Box 663
Washington, DC 20044-0663
(202) 305-0468
Fax: (202) 305-0506
Email: Edward.Passarelli@usdoj.gov
Counsel for defendant

Scott D. Crowell
Crowell Law Offices
1670 Tenth Street, West
Kirkland, WA 98033
828-9070
Counsel for Amici Curiae Confederated Tribes of Siletz Indians of Oregon et al.

David S. Black
Holland & Knight LLP
1600 Tysons Boulevard
McLean, VA 22102-4867
(703) 720-8600
Fax: 703-720-8610
Email: david.black@hklaw.com

Counsel for Amicus Curiae National Indian Gaming Association

Jennifer L. Nutt Carleton
P.O. Box 109
N7210 Seminary Road
Oneida, WI 54155
(920) 869-4327

Counsel for Amicus Curiae Oneida Tribe of Indians of Wisconsin