

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

FEB 28 2008

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

KLAMATH TRIBES OF OREGON;
JOSEPH HOBBS; ROBERT
ANDERSON; JOSEPH KIRK; ORIN
KIRK; LEONARD NORRIS, JR.;
PHILLIP TUPPER; ROBERT
BOJORCAS; KLAMATH CLAIMS
COMMITTEE; CATHERINE WEISER-
GONZALEZ; MILLER ANDERSON,

Plaintiffs - Appellants,

v.

PACIFICCORP,

Defendant - Appellee.

No. 05-36010

D.C. No. CV-04-00644-AA

MEMORANDUM*

Appeal from the United States District Court
for the District of Oregon
Ann L. Aiken, District Judge, Presiding

Argued and Submitted February 7, 2008
Portland, Oregon

Before: RYMER, T.G. NELSON, and PAEZ, Circuit Judges.

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

The Klamath Tribes of Oregon, the Klamath Claims Committee, and individual members of the Klamath Tribe (collectively the “Tribe”) appeal from the district court’s grant of summary judgment in favor of PacificCorp. We have jurisdiction under 28 U.S.C. § 1291. We affirm.

The Tribe’s cause of action for damages is foreclosed by our prior decision in *Skokomish Indian Tribe v. United States*, 410 F.3d 506 (9th Cir. 2005) (en banc).

AFFIRMED.