

FILED

NOT FOR PUBLICATION

AUG 20 2009

UNITED STATES COURT OF APPEALS

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

**STATE OF WASHINGTON;
SWINOMISH INDIAN TRIBAL
COMMUNITY; LUMMI NATION;
UPPER SKAGIT INDIAN TRIBE;
CONFEDERATED TRIBES AND
BANDS OF THE YAKAMA INDIAN
NATION; TULALIP TRIBES;
PORT GAMBLE S'KLALLAM INDIAN
TRIBE; JAMESTOWN S'KLALLAM
INDIAN TRIBE,**

Defendants - Appellees,

v.

SAMISH INDIAN TRIBE,

Movant - Appellant.

No. 08-35794

D.C. Nos. 2:01-sp-00002-RSM
2:70-cv-09213-RSM

ORDER

KOZINSKI, Chief Judge:

En banc oral argument will take place during the week of September 21, 2009, in San Francisco, California. The date and time will be determined by separate order. For further information or special requests regarding scheduling, please contact Deputy Clerk Paul Keller at paul_keller@ca9.uscourts.gov or (415) 355-8026.

Within seven days from the date of this order, the parties shall forward to the Clerk of Court thirty additional paper copies of the original briefs and excerpts of record.