

FILED

NOV 19 2011

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Kurt Kanam

Cause no.11-19-11-1

Pilchuck Nation

Plaintiff,

vs.

All active parties of

U.S. V. Washington

SUMMONS

CAUSE NO.2:70-CV-09213RSM

Defendant.

To: (Defendants name and address)

All active parties of

U.S. V. Washington

CAUSE NO.2:70-CV-09213RSM

See attachment 1 enclosed

A Lawsuit has been filed against you.

SUMMONS

Native Village of Karluk Tribal Court

P.O. Box 237 Toledo WA. 98591

Page360-864-8665

1 Within 21 days after service of this summons on you (not counting the day you
2 received it) —or 60 days if you are the United states or a United states agency, or
3 an officer or employee of the United States described in Fed. R. Civ. P.12 (a) (2)
4 or (3)— you must serve on the plaintiff an answer to the attached complaint or a
5 motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or
6 motion must be served on plaintiff or plaintiff's attorney whose name and address
7 are:

8 Kurt Kanam

9 2103 Harrison # 143

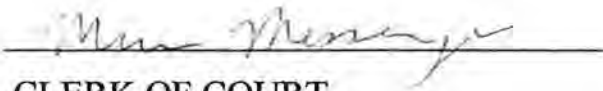
10 Olympia Washington 98502

11 If you fail to respond, judgement by default will be entered against you for the
12 relief demanded in the complaint. You must file your answer with the court at:

13 Native Village of Karluk tribal Court

14 P.O. Box 237 Toledo WA. 98591

15 **MAREM MESSENGER**
16 **CLERK**

17 
18 **CLERK OF COURT**

SUMMONS

Native Village of Karluk Tribal Court

P.O. Box 237 Toledo WA. 98591

360-864-8665

1
2 THE KARLUK TRIBAL COURT
3 For the NATIVE VILLAGE OF KARLUK
4 authorized by Fed. Recognition (74 Fed. Reg. 40218)

5
6 Kurt Kanam
7 Pilchuck Nation

8 Plaintiff,
9 VS.

10 All active Parties of
11 U.S. V. Washington
12 cause number
13 2:70-cv-09213RSM

14 Defendant.

CAUSE NUMBER.11-19-11-1

ORIGINAL COMPLAINT FOR
DECLARATORY JUDGEMENT

AFFIDAVIT IN SUPPORT

15 I Kurt Kanam, make the following statement under
16 penalty of perjury under the laws of The State of
17 Washington. I make this statement upon my personal
18 knowledge and would be offered by me as testimony at
trial.

Original Complaint

Kurt Kanam

2103 Harrison #143

Olympia WA 98502

INTRODUCTION

This is an action to declare that Kurt Kanam as descendant of Pat Kanam signatory to the Point Elliot Treaty of 1855, for the Pilchuck Nation. also as a direct descendant a signatory to the Point Elliot Treaty of 1855, Kurt Kanam, the Pilchuck Nation are guaranteed the right to gather food for subsistence and ceremonial purposes under the Point Elliot Treaty of 1855 and list The Pilchuck Nation as a Treaty Tribe as stated below:

Pilchuck Nation, A Treaty Tribe occupies the status of a party to one or more of the Stevens' treaties and therefore holds for the benefit of its members a reserved right to harvest anadromous fish at all usual and accustomed places outside reservation boundaries, in common with others.

PARTIES

Kurt Kanam, Pilchuck Nation
2103 Harrison #143
Olympia WA 98502

All active parties of US V Washington #2:70-cv-09213RSM
please see Attachment 1. (affidavit of service)

Original Complaint

Kurt Kanam
2103 Harrison #143
Olympia WA 98502

1 ALLEGATIONS

2 1. The Pat Kanam is the signatory for the Pilchuck
3 Nation on the Point Elliot Treaty of 1855 Attachment
4 2. PosenJak Affidavit.

5 2. The Point Elliot Treaty of 1855 guarantees that the
6 descendants of the treaty signatories shall have the
7 right to gather food Attachment 3 Point Elliot Treaty

8 3. Kurt Kanam as a direct descendant of Pat Kanam who
9 signed The Point Elliot Treaty is beneficiary of The
Point Elliot Treaty. Attachment 4 and Memorandum.

10 4. Robert Posenjak is the direct descendant of Pat
11 Kanam. Attachment 5 Joseph Letter and claims commission
12 judgement.

13 5. The Native Village of Karluk Tribal Court has
14 Jurisdiction to hear this matter Under the Uniform
15 Foreign Judgements Act as there is a Diversity of
citizen ship and a Treaty question. Attachment 6

16 6. This cause concerns a treaty question, The Federal
17 District Court is obliged to register the Declaratory

18 Original Complaint

Kurt Kanam

2103 Harrison #143

Olympia WA 98502

1 judgement of this court in U.S. v Washington #2:70-cv-
2 09213RSM under Uniform Foreign Judgments Act. See also
3 the jurisdiction and removal Act.

4 JURISDICTION

5 This court has jurisdiction over this matter by way of
6 the Constitution and the Treaties of the United States,
7 including the Commerce Clause, Article 1 section 8,
8 Clause 3 of the Constitution; The Supremacy Clause
9 Article IV, Clause 2, of the Constitution; Amendments I
10 and V to the Constitution, and the due Process and equal
11 Protection clauses and Amendment XIV to the
12 Constitution; 18 U.S.C. Sections 1151 through 1153; 42
13 U.S.C. Section 1983; Public Law 280 (Act of August 15,
14 1953, 67 Stat.583 ET Seq., As amended) The Treaty of
15 Point Elliot, January 22, 1855, 12 Stat. 1132, The
16 United Nations Human Rights Treaty, The Declaratory
17 Judgement Act and the Administrative Procedures Act,
18 and Cr 82 in pari materia with Washington court Local
Rules 82.5.

15 REQUEST FOR RELIEF

16 Plaintiff's respectfully requests, that this court
17 declare that:

18 Original Complaint

Kurt Kanam

2103 Harrison #143

Olympia WA 98502

1 1. The Pat Kanam is the signatory for the Pilchuck
2 Nation on the Point Elliot Treaty of 1855.

3 Attachment 2 PosenJak Affidavit.

4 2. The Point Elliot Treaty of 1855 guarantees that the
5 descendants of the treaty signatories shall have the
6 right to gather food.

7 3. Kurt Kanam is the adopted son of Robert Posenjak.

8 4. Robert Posenjak is the direct descendant of Pat
9 Kanam.

10 5. The Federal District Court is obliged to register
11 the Declaratory order of this court in to US v
12 Washington #2:70-cv-09213RSM under Uniform Foreign
13 Judgments Act.

14 6. Pilchuck Nation, A Treaty Tribe occupies the status
15 of a party to one or more of the Stevens' treaties and
16 therefore holds for the benefit of its members a
17 reserved right to harvest anadromous fish at all usual
18 and accustomed places outside reservation boundaries, in
common with others.

Date 11/15/11


Kurt Kanam

Original Complaint

Kurt Kanam

2103 Harrison #143

Olympia WA 98502

Notary Public

STATE OF WASHINGTON)

) ss:

COUNTY OF LEWIS)

On this day personally appeared before me

Kurt Kanam to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this

15 day of 11, 2014 Notary

Public David L Martin

My commission expires 4-27-14.



Original Complaint

Kurt Kanam

2103 Harrison #143

Olympia WA 98502

ATTACHMENT NUMBER 1.

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ATTACHMENT NUMBER 2.

Affidavit Of Robert Posenjak

I, Robert Posenjak, State the following is true and correct under penalty of perjury.

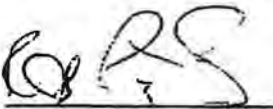
I, Robert Posenjak, am a direct descendent of Chief Pat Kanam, Pat Kanam was the aboriginal chief of the Pilchuck Tribe/Band and was a signatory of the Point Elliot Treaty for the Pilchuck Tribe/Band.

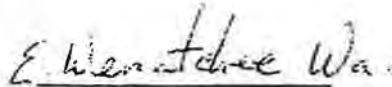
As a direct descendant of Pat Kanam, I, Robert Posenjak, have a religious vision, and conviction that is my duty and obligation to appoint a chieftain for the Pilchuck Tribe/Band.

I, Robert Posenjak, personally have maintained political influence and authority over the Pilchuck Tribe/Band's members as an autonomous entity from the time I received the title of chieftain of the Pilchuck Tribe/Band from my grandfather, William Gildow, who maintained political influence and authority over the Pilchuck Tribe/Band's members as an autonomous entity from before 1900.

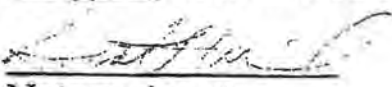
It is my deeply felt religious conviction that my appointment of Kurt Kanam as aboriginal chieftain of the Pilchuck Tribe/Band is a continuation of the aboriginal practice, custom and religion of the Snoqualamoo and Pilchuck Tribes, and that I am fulfilling the will of my ancestor Pat Kanam.

I hereby grant Kurt Kanam complete control of the Pilchuck government, and its members.


Robert Posenjak


Done

The above affidavit was subscribed and duly sworn to before me this 28 of July 2008 I, Scotty L. Wilson a Notary Public under license from the State of Washington whose commission expires on 05/10/2011 And be it known by my hand and seal as follows;


Notary signature



ATTACHMENT NUMBER 3.

BETWEEN

THE UNITED STATES

AND THE

DWAMISH, SUQUAMISH, AND OTHER ALLIED AND
SUBORDINATE TRIBES OF INDIANS IN
WASHINGTON TERRITORY.

JANUARY 22, 1855. RATIFIED APRIL 11, 1859.



Chief Patkanam, pictured above, is one of the signers of the Point Elliot Treaty which assigned Puget Sound area tribes to reserve.

Appendix: The Point Elliott (Muckilteo) Treaty

TREATY WITH THE DWAMISH &c. INDIANS. JAN. 22, 1855.

TREATIES.

Treaty between the United States and the Dwamish, Suquamish, and other allied and subordinate Tribes of Indians in Washington Territory. Concluded at Point Elliott, Washington Territory, January 22, 1855. Ratified by the Senate, March 8, 1859. Proclaimed by the President of the United States, April 11, 1859.



JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING: Jan. 22, 1855.

WHEREAS a treaty was made and concluded at Múckl-te-oh, or Point Elliott, in the Territory of Washington, the twenty-second day of January, one thousand eight hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the hereinafter-named chiefs, headmen, and delegates of the Dwamish, Suquamish, Sk-táhl-mish, Sam-áhmish, Smálh-káhmish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stotuck-whá-mish, Sno-ho-mish, Skágit, Kik-i-állus, Swin-á-mish, Squin-á-mish, Sah-ku-méhu, Noo-whá-há, Nook-wa-cháhl-mish, Mee-see-qua-guileh, Cho-bah-á-hish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes and duly authorized by them; which treaty is in the words and figures following to wit:

Preamble.

Articles of agreement and convention made and concluded at Múckl-te-oh, or Point Elliott, in the Territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the under-signed chiefs, headmen and delegates of the Dwamish, Suquamish, Sk-táhl-mish, Sam-áhmish, Smálh-káhmish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stotuck-whá-mish, Sno-ho-mish, Skágit, Kik-i-állus, Swin-á-mish, Squin-á-mish, Sah-ku-méhu, Noo-whá-há, Nook-wa-cháhl-mish, Mee-see-qua-guileh, Cho-bah-á-hish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

Contracting parties.

ARTICLE I. The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows: Commencing at a point on the eastern side of Admiralty Inlet, known as Point Polly, about midway between Commencement and Elliott Bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the Gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the Straits of Fuca, and crossing the same through the middle of Admiralty Inlet to Soquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's Canal and Admiralty Inlet to the portage known as Wilkes' Portage; thence northeastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty Inlet, and thence round the foot of Vashon's Island eastwardly and south-

Cession of lands to the United States.

Boundaries.

Vol. x. p. 1132.

TREATY WITH THE DWAMISH &c. INDIANS. JAN. 22, 1855.

	eastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.
Reservation.	ARTICLE II. There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; the amount of two sections, or twelve hundred and eighty acres, on the north side of Whomish Bay and the creek emptying into the same called Kwilt-seh-da, the peninsula at the southeastern end of Perry's Island called Shais-quihl, and the island called Chah-choo-sen, situated in the Lummi River at the point of separation of the mouths emptying respectively into Bellingham Bay and the Gulf of Georgia. All which tracts shall be set apart, and so far as necessary surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the said tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.
Whites not to reside thereon unless, &c.	
Further reservation for school.	ARTICLE III. There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the north-eastern shore of Port Gardner, and north of the mouth of Snohomish River, including Tulalip Bay and the before-mentioned Kwilt-seh-da Creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade Mountains in said Territory. Provided, however, that the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.
Tribes to settle on reservation within one year.	ARTICLE IV. The said tribes and bands agree to remove to and settle upon the said first above mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the mean time it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.
Rights and privileges secured to Indians.	ARTICLE V. The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands. Provided, however, that they shall not take shell-fish from any beds staked or cultivated by citizens.
Payment by the United States.	ARTICLE VI. In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars, in the following manner—that is to say: For the first year after the ratification hereof, fifteen thousand dollars; for the next two years, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each year; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same; and the Superintendent of Indian Affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.
How to be applied.	
Indians may be removed to reservation, &c.	ARTICLE VII. The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted, remove them from either or all of the special reservations heretofore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home on the same terms and subject to the same regulations as are pro-
Lots may be assigned to individuals.	

vided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

Vol. x. p. 1044.

ARTICLE VIII. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE IX. The said tribes and bands acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe except in self-defense, but will submit all matters of difference between them and the other Indians to the government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Tribes to preserve friendly relations.

to pay for depredations.
not to make war except, &c.

to surrender offenders.

ARTICLE X. The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

Annuities to be withheld from those who drink etc., ardent spirits.

ARTICLE XI. The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

Tribes to free all slaves and not to acquire others.
not to trade out of the United States.

ARTICLE XII. The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

ARTICLE XIII. To enable the said Indians to remove to and settle upon their aforesaid reservations, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars to be laid out and expended under the direction of the President and in such manner as he shall approve.

\$15,000 appropriated for expenses of removal and settlement.

ARTICLE XIV. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and also to provide a smithy and carpenter's shop, and furnish them with the necessary tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

United States to establish school and provide instructors, furnish mechanics, shops, physicians, &c.

ARTICLE XV. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

Treaty when to take effect.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have herewith set their hands and seals, at the place and on the day and year hereinafore written.

Signatures,
Jan. 22, 1855.

Eighty-three signatures follow.

TREATY WITH THE DWAMISH &c. INDIANS. JAN. 22, 1855.

Consent of
Senate,
March 8, 1855.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of its articles by a resolution in the words and figures following, to wit:

"IN EXECUTIVE SESSION.

"SENATE OF THE UNITED STATES, March 8, 1855.

"Resolved, (two-thirds of the senators present concurring.) That the Senate advise and consent to the ratification of treaty between the United States and the chiefs, headmen and delegates of the Dwamish, Squamish and other allied and subordinate tribes of Indians occupying certain lands situated in Washington Territory, signed the 22d day of January, 1855.

"Attest:

"ASBURY DICKINS, Secretary."

Proclamation,
April 11, 1855.

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.

Done at the city of Washington, this eleventh day of April, in
[SEAL] the year of our Lord one thousand eight hundred and fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, Secretary of State.

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and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of fifteen thousand dollars, to be laid out and expended under the direction of the President and in such manner as he shall approve.

ART. XIV. The United States further agree to establish at the general agency for the district of Puget's Sound, within one year from the ratification hereof, and to support for a period of twenty years, an agricultural and industrial school, to be free to children of the said tribes and bands in common with those of the other tribes of said district, and to provide the said school with a suitable instructor or instructors, and

also tools, and employ a blacksmith, carpenter, and farmer for the like term of twenty years to instruct the Indians in their respective occupations. And the United States finally agree to employ a physician to reside at the said central agency, who shall furnish medicine and advice to their sick, and shall vaccinate them; the expenses of said school, shops, persons employed, and medical attendance to be defrayed by the United States, and not deducted from the annuities.

ART. XV. This treaty shall be obligatory on the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs, and the undersigned chiefs, headmen, and delegates of the aforesaid tribes and bands of Indians, have hereunto set their hands and seals; at the place and on the day and year hereinbefore written.

ISAAC I. STEVENS, Governor and Superintendent. [L. S.]

Seattle, his x mark. [L. S.]

Chief of the Dwamish and Suquamish tribes.

Pat-ka-nam, his x mark. [L. S.]

Chief of the Snoqualmoo, Snohomish and other tribes.

Chow-its-hoot, his x mark. [L. S.]

Chief of the Lummi and other tribes.

Gohah, his x mark. [L. S.]

Chief of the Skagit and other allied tribes.

Kwallattum, or General Pierce, his x mark. [L. S.]

Sub-chief of the Skagit tribe.

S'Hoolst-hoot, his x mark. [L. S.]

Sub-chief of Snohomish.

Snah-talo, or Bonaparte, his x mark. [L. S.]

Sub-chief of Snohomish.

Squash-um, or The Smoke, his x mark. [L. S.]

Sub-chief of the Snoqualmoo.

Seo-alla-pa-han, or The Priest, his x mark. [L. S.]

Sub-chief of Sk-tah-le-jum.

He-uch-ka-nam, or George Bonaparte, his x mark. [L. S.]

Sub-chief of Snohomish.

Tse-nah-talo, or Joseph Bonaparte, his x mark. [L. S.]

Sub-chief of Snohomish.

Na'Ski-oo, or Jackson, his x mark. [L. S.]

Sub-chief of Snohomish.

Wata-ka-lah-tohie, or John Hobst-hoot, his x mark. [L. S.]



JAMES BUCHANAN,

PRESIDENT OF THE UNITED STATES OF AMERICA,

TO ALL AND SINGULAR TO WHOM THESE PRESENTS SHALL COME, GREETING:

Whereas a treaty was made and concluded at Muckl-te oh, or Point Elliott, in the Territory of Washington, the twenty-second day of January, one thousand eight hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the hercinafter-named chiefs, headmen and delegates of the Dwamish, Suquamish, Sk tahl-mish, Sam-ahmish, Smalh kahmish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin a mish, Squin ah-mish, Sah ku-mehu, Noo-wha-ha, Nook wa-chah mish, Mee sec-qua-guilch, Cho bah-ah-bish and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes and duly authorized by law; which treaty is in the following words and figures to wit:

Articles of agreement and convention made and concluded at Muckl-te-oh, or Point Elliott, in the Territory of Washington, this twenty-second day of January, eighteen hundred and fifty-five, by Isaac I. Stevens, governor and superintendent of Indian affairs for the said Territory, on the part of the United States, and the undersigned chiefs, headmen, and delegates of the Dwamish, Suquamish, Sk-tahl-mish, Samahmish, Smalh-kamish, Skope-ahmish, St-kah-mish, Snoqualmoo, Skai-wha-mish, N'Quentl-ma-mish, Sk-tah-le-jum, Stoluck-wha-mish, Sno-ho-mish, Skagit, Kik-i-allus, Swin-a-mish, Squin-ah-mish, Sah-ku-mehu, Noo-wha-ha, Nook-wa-chah-mish, Me-see-qua-guilch, Cho-bah-ah-bish, and other allied and subordinate tribes and bands of Indians occupying certain lands situated in said Territory of Washington, on behalf of said tribes, and duly authorized by them.

ART. I. The said tribes and bands of right, title, and interest in and to the Indians hereby cede, relinquish, and lands and country occupied by them, convey to the United States all their bounded and described as follows: Com-

ment and Elliott bays; thence eastwardly, running along the north line of lands heretofore ceded to the United States by the Nisqually, Puyallup, and other Indians, to the summit of the Cascade range of mountains; thence northwardly, following the summit of said range to the 49th parallel of north latitude; thence west, along said parallel to the middle of the gulf of Georgia; thence through the middle of said gulf and the main channel through the Canal de Arro to the straits of Fuca, and crossing the same through the middle of Admiralty inlet to Suquamish Head; thence southwesterly, through the peninsula, and following the divide between Hood's canal and Admiralty inlet to the portage known as Wilkes' portage; thence north-eastwardly, and following the line of lands heretofore ceded as aforesaid to Point Southworth, on the western side of Admiralty inlet, and thence round the foot of Vashon's island eastwardly and southeastwardly to the place of beginning, including all the islands comprised within said boundaries, and all the right, title, and interest of the said tribes and bands to any lands within the territory of the United States.

ART. II. There is, however, reserved for the present use and occupation of the said tribes and bands the following tracts of land, viz: the amount of two sections, or twelve hundred and eighty acres, surrounding the small bight at the head of Port Madison, called by the Indians Noo-sohk-um; (the amount of two sections, or twelve hundred and eighty acres, on the north side of Whomish bay and the creek emptying into the same called Kwilt-seh-da,) the peninsula at the southeastern end of Perry's island called Shais-quihl, and the island called Ohah-choc-sen, situated in the Summi river at the point of separation of the mouths emptying respectively into Del-lingham bay and the gulf of Georgia; all which tracts shall be set apart, and so far as necessary surveyed and marked

tribes or bands, and of the superintendent or agent, but, if necessary for the public convenience, roads may be run through the said reserves, the Indians being compensated for any damage thereby done them.

ART. III. There is also reserved from out the lands hereby ceded the amount of thirty-six sections, or one township of land, on the northeastern shore of Port Gardner, and north of the mouth of Snohomish river, including Tulalip bay and the before mentioned Kwilt-seh-da creek, for the purpose of establishing thereon an agricultural and industrial school, as hereinafter mentioned and agreed, and with a view of ultimately drawing thereto and settling thereon all the Indians living west of the Cascade mountains in said Territory; provided, however, that the President may establish the central agency and general reservation at such other point as he may deem for the benefit of the Indians.

ART. IV. The said tribes and bands agree to remove to and settle upon the said first above mentioned reservations within one year after the ratification of this treaty, or sooner, if the means are furnished them. In the meantime it shall be lawful for them to reside upon any land not in the actual claim and occupation of citizens of the United States, and upon any land claimed or occupied, if with the permission of the owner.

ART. V. The right of taking fish at usual and accustomed grounds and stations is further secured to said Indians in common with all citizens of the Territory, and of erecting temporary houses for the purpose of curing, together with the privilege of hunting and gathering roots and berries on open and unclaimed lands; provided, however, that they shall not take shell fish from any beds staked or cultivated by citizens.

ART. VI. In consideration of the above cession, the United States agree to pay to the said tribes and bands the sum of one hundred and fifty thousand dollars,

hereof, fifteen thousand dollars; for the next two years, twelve thousand dollars each year; for the next three years, ten thousand dollars each year; for the next four years, seven thousand five hundred dollars each year; for the next five years, six thousand dollars each year; and for the last five years, four thousand two hundred and fifty dollars each year. All which said sums of money shall be applied to the use and benefit of the said Indians under the direction of the President of the United States, who may from time to time determine at his discretion upon what beneficial objects to expend the same; and the Superintendent of Indian Affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ART. VII. The President may hereafter, when in his opinion the interests of the Territory shall require and the welfare of the said Indians be promoted; remove them from either or all of the special reservations hereinbefore made to the said general reservation, or such other suitable place within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of such removal, or may consolidate them with other friendly tribes or bands; and he may further at his discretion cause the whole or any portion of the lands hereby reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the 6th article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indian, and which he shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President and payment made accordingly therefor.

ART. VIII. The annuities of the afore-

--- THE RIGHTS OF INDIVIDUALS.

ART. IX. The said tribes and bands acknowledge their dependence on the government of the United States, and promise to be friendly with all citizens thereof, and they pledge themselves to commit no depredations on the property of such citizens. Should any one or more of them violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the government out of their annuities. Nor will they make war on any other tribe except in self-defence, but will submit all matters of difference between them and the other Indians to the government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on other Indians within the Territory the same rule shall prevail as that prescribed in this article in cases of depredations against citizens. And the said tribes agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ART. X. The above tribes and bands are desirous to exclude from their reservations the use of ardent spirits, and to prevent their people from drinking the same, and therefore it is provided that any Indian belonging to said tribe who is guilty of bringing liquor into said reservations, or who drinks liquor, may have his or her proportion of the annuities withheld from him or her for such time as the President may determine.

ART. XI. The said tribes and bands agree to free all slaves now held by them and not to purchase or acquire others hereafter.

ART. XII. The said tribes and bands further agree not to trade at Vancouver's Island or elsewhere out of the dominions of the United States, nor shall foreign Indians be permitted to reside in their reservations without consent of the superintendent or agent.

And whereas, the said treaty having been submitted to the Senate of the United States for its constitutional action thereon, the Senate did, on the eighth day of March, one thousand eight hundred and fifty-nine, advise and consent to the ratification of its articles by a resolution in the words and figures following, to wit:

"IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES,

"March 8, 1859.

"Resolved, (two-thirds of the senators present concurring,) That the Senate advise and consent to the ratification of the treaty between the United States and the chiefs, headmen, and delegates of the Dwamish, Suquamish and other allied and subordinate tribes of Indians occupying certain lands situated in Washington Territory, signed the 22d day of January, 1855.

"Attest:

"ASBURY DICKINS, *Secretary.*"

Now, therefore, be it known that I, JAMES BUCHANAN, President of the United States of America, do, in pursuance of the advice and consent of the Senate, as expressed in their resolution of the eighth of March, one thousand eight hundred and fifty-nine, accept, ratify, and confirm the said treaty.

In testimony whereof, I have caused the seal of the United States to be hereto affixed, and have signed the same with my hand.



Done at the city of Washington, this eleventh day of April, in the year of our Lord one thousand eight hundred and fifty-nine, and of the independence of the United States the eighty-third.

JAMES BUCHANAN.

By the President:

LEWIS CASS, *Secretary of State.*

ATTACHMENT NUMBER 4.

I, SIRI A. WOODS, County Clerk and ex-officio Clerk of the Superior Court for the State of Washington, for Chelan County, do certify that this instrument is a true and correct copy of the original on file in my office in TESTIMONY WHEREOF, I have set my hand and affixed the Seal of said Court this 9 day of

March, 2008.

SIRI A. WOODS, Clerk

By Susan Borgogna
Deputy Clerk

FILED

MAR 04 2008

SIRI A. WOODS
CHELAN COUNTY CLERK

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

In re the Adoption of

KURT WEINREICH,

A person under age eighteen.

)
) NO. **08-5-00010.4**
)

) DECREE OF ADOPTION
)
)
)

THIS MATTER came on regularly for hearing in this Court upon the Petition of Robert G. Poserjak for the adoption of the above-named child. The Court has reviewed the favorable Post-

~~Placement report on file, and~~ and the testimony of Petitioner(s) and the

adopter and has examined the files and records herein. Having entered its Findings of Fact and Conclusions of Law; now therefore,

IT IS HEREBY ORDERED that the petition of

Robert G. Poserjak to adopt the above-named child
(name or petitioner or petitioners)

is hereby granted; and

IT IS FURTHER ORDERED that the name of the above-named child is changed and established to be N/A and
(child's new name)

the WASHINGTON State Department of Social and Health
(state of child's birth)

Services/Vital Records is ordered and directed/authorized and

DECREE OF ADOPTION - Page 1 of 2

requested to issue a birth certificate for the child showing
him as the child of Robert G. Posnjak
(him/her) (name of Petitioner or Petitioner(s))

IT IS ORDERED that the Clerk of this Court shall issue one
certified copy of this decree for the use of the Washington State
Department of Social and Health Services, Vital Records, and shall
issue one additional certified copies to the
(number desired)
Petitioner or the Petitioner's undersigned attorney.

ADOPTION SUMMARY

1. Full original name of child: KURT WEINREICH
2. Full new name of child: _____
3. Date of Birth of child: 11-24-69
4. Place of birth: Univ. of Washington Hospital, City of
Seattle, County of King,
State of Washington
5. Name of Petitioner(s): Robert G. Posnjak
6. Petitioner(s) is single
(is/are) (a single person/husband & wife)
7. The Indian Child Welfare Act does not apply.
(does/does not)
8. The Soldiers and Sailors Civil Relief Act of 1940
does not apply.
(does/does not)

DONE IN OPEN COURT this 4th day of March, 2008.

Presented by:

[Signature]
JUDGE/COURT COMMISSIONER

[Signature]
Petitioner/Attorney for Petitioner(s)
WSBA Number of Attorney: _____

DISTRICT COURT
THURSTON COUNTY
STATE OF WASHINGTON
2000 Lakeridge Dr SW, #3
Olympia, WA 98502-6045

STATE OF WASHINGTON
) County of Thurston) s.s.
) The undersigned does hereby certify that the
) foregoing is a true and correct copy of the
) original on file in the office of the Thurston
) County District Court.
) Date this 2nd day of Oct, 2008

Judy Lawrence, Administrator
Thurston County District Court

By [Signature] Deputy

ORDER CHANGING NAME

Please note: All written text must be written within page border.

0081645

REFERENCE/CASE NO: _____

GRANTOR/OLD NAME: KURT CHRISTIAN WEINREICH AGE: 38

GRANTEE/NEW NAME: KURT KANAM

THIS MATTER came on regularly for hearing in open court upon the petition of KURT
CHRISTIAN WEINREICH for an Order Changing Name of ☐ Petitioner ☐ Petitioner's minor
child.

The Court finding that Petitioner is a resident of Thurston County, Washington, and further finding that:

- ☒ The allegations in the Petition for Name Change are true and are not intended to defraud or mislead any person.
- ☐ Either both parents of the minor child have consented to changing the child's name, or there is proof on file with this Court that the nonconsenting parent has been served with a copy of Notice of Hearing for Name Change in person or by publication.
- ☐ The name change promotes the minor's best interests.
- ☐ Petitioner (Minor) is currently under the jurisdiction of the Department of Corrections (DOC) and has submitted a copy of the Petition for Name Change to DOC as least five (5) days prior to this hearing.
- ☐ Petitioner (Minor) is required to register as a sex offender and has shown proof of notification to the sheriff of the county of residence and to the Washington State Patrol at least five (5) days prior to this hearing.

IT IS ORDERED that the former name of KURT CHRISTIAN WEINREICH
be changed to the new name of KURT KANAM

Presented by:

[Signature]

DONE IN OPEN COURT ON: 10-2-08

Petitioner (Signature)

2103 HARRISCH #143

Street Address

Apt/Unit

District Court Judge

017 MAIA WA 98502

City

State

Zip

Telephone: 360-450-3743

Memorandum

INTRODUCTION

This court is asked to affirm the existence of the Pilchuck Nation and the aboriginal rights of the Pilchuck Nation based upon the following;

The Pilchuck Nation under the leadership of Chieftain Kurt Kanam descendant of Chief Pat Kanam is a continuing maintenance of the Pilchuck nation's tribal organization and evidence of the Pilchuck Nations possession of Treaty rights.

The Pilchuck Nation makes the same claims as the Stillagaumish tribe in US v Washington. The district court upheld the Stillaguamish's aboriginal treaty rights.

RIGHTS

Aboriginal rights are distinct and different to statutory rights:

While it might be argued that the Pilchuck Nation may not possess statutory rights it does possess inalienable treaty and aboriginal rights. The primary right of the Pilchuck Nation is the right to gather food. Three Primary rules have been developed supporting this notion;

Ambiguous expressions must be resolved in favor of the Indian parties concerned [McLanahan V Store Tax Comm'n 411 US 164 (1923)]; Indian treaties must be interpreted as the Indians themselves would have understood them, [Choctaw Nation v. Oklahoma, 397 US 620 (1970)]; Indian treaties must be liberally construed in favor of the Indians [Choctaw Nation v. US 381 US 423 (1943)];

The Pilchuck Nation has never abandoned its Treaty rights and its treaty rights have not been abrogated;

... it is a fact that no Supreme Court case during the last half-century has permitted the abrogation of Indian treaty rights without an express statement in a subsequent statute. Thus there is a growing tendency to require clarity and specifically in legislative appropriations {63 Calif L.R. 601, 630 (1975)}

The aboriginal treaty rights of the Pilchuck Nation are property rights

Public Law 96-420 section 3 definitions (b) "land or natural resources" means any real property or natural resources, including but without limitation, minerals and mineral rights, timber and timber rights, water and water rights, and hunting and fishing rights."

“Rights of hunting and fishing Guaranteed by
treaty or statute are in some respects property
Rights” Felix Cohen Indian law handbook

Because Tribes are the original owners of the land, courts have held that tribes keep the right to use the land unless they expressly give up that right. Tribes preserve all their rights to use the land until then. This doctrine is known as the “reserved rights doctrine”; it first used by the supreme court in *US v Winans*, 198 US 371 (1905) where the Supreme Court held “The treaty was not a grant of rights to the Indians, but a grant of rights from them – a reservation of those not granted”

The protection promised to the tribes by the United States in treaties is Twofold. First, the United States promises to defend tribes reserved hunting and fishing rights in court *US v Michigan*, 471 Supp. 192 (W.D. Mich 1974)

The second way the United States protects treaty rights is through the place of treaties in our system of constitutional law. Treaties are the supreme law of the land “...all treaties made, or which shall be made, under authority of the United States, shall be the supreme law of the land; and the Judges in every State shall be bound thereby, in anything in the Constitution or laws of any to the contrary notwithstanding.”

GOVERNMENT

It is irrefutable that the Pilchuck Nation has maintained a hierarchical Chiefdom government in accordance with its aboriginal custom.

“Whether a group of citizens of Indian ancestry is descended from a treaty signatory and has maintained an organized tribal structure is a factual question which a district court is competent to determine”

Cf. *Upper Chehalis tribe v United States*, 155 F. Supp 225 (ct. C. 1957)

A question of the continuing nature of the Pilchuck Nation Government would be question of the Point Elliott treaty and an attempt to annul the treaty

"To Maintain that the United States untended by a change of its fundamental law, which was not ratified by these tribes ***** to annul treaties then existing **** Would be to charge-upon the United states repudiation of national obligations, repudiations doubly infamous from the fact that the parties whose claims were thus annulled are too weak to enforce their just rights, and were enjoying the voluntary assumed guardianship and protection of this Government." (Sen. Report No. 268 41st Cong 3d sess, December 14, 1870, p11

25 USC 177 (Indian Non-Intercourse Act); 26 Stat. 851 (Indian Depredation Act.)

[T]here is an irreputable presumption that it (Pilchuck Nation) has not abandoned its treaty rights today. (3) If it the Tribe is composed of Indians descended from a treaty signatory and has maintained a tribal organization.

Kurt Kanam is a Pilchuck Indian and a direct descendant of the treaty signatory and the Pilchuck nation has maintained it's aboriginal tribal government.

The ninth circuit upheld the notion that being a descendant of a treaty signatory and maintaining a tribal organization was to posses treaty rights.

There is no specified evidentiary requirement for maintaining a tribal organization.

"Evidence supported the Court's finding that members of the two tribes (Upper Skagit and Stillaguamish) are descendants of treaty signatories and have maintained tribal organizations. We, therefore, affirm the District court's conclusion that the Stillaguamish and upper Skagit are entities possessing rights under the Treaty of Point Elliot"

FEDERAL RECONITION

The opinion of the United States US v Washington # 9213, That only members of a federally recognized tribe posses treaty rights, is based upon no published law and is unconstitutional in that it attempts to supercede the constitution prohibition on the corruption of blood (inheritance) with an administrative action.

This notion is constitutionally repugnant and therefore void.

This Court is requested to void the above mention US order as void.

In addressing the relationship of Federal recognition to treaty rights;

Non-recognition of the tribe by the federal government and the failure of the secretary of the Interior to approve a tribe's enrollment may result in a loss of statutory benefits, but can have no impact on vested treaty rights.

US v Washington Slip opinion at p 21 (9th Cir. 1975)

>>>> Only Indians are entitled to be enrolled for the purpose of receiving allotment and the fact of enrollment would be evidence that the enrollee is an Indian. But the refusal of the Department of Interior to enroll a certain Indian as a member of a certain tribe is not necessarily an administrative determination that the person is not an Indian. Morre's mother failed to be enrolled as a St. Croix Indian because she was too young not because she was not an Indian (pp 31-32) EX PARTE Pero, 99 F. 2d 28 (c.c.a. 7 1938)

25 CFR 52.1 (g)

"Recognized Tribe means any Indian Tribe which has entered into a treaty convention or executive agreement with the Federal government or whose tribal entity has been otherwise recognized by the United States"

ATTACHMENT NUMBER 5.



United States Department of the Interior



Bureau of Indian Affairs
Puget Sound Agency
2707 Colby Ave. - Suite 1101
Everett, Washington 98201-3665
(425) 258-2651

May 02, 2002

Mr. Robert Gene Posenjak
c/o 6560 Cultee Bay Road
Clinton, WA 98236

Dear Mr. Posenjak:

This letter is to confirm that you participated in the Snoqualmie Judgement under PL 92-30, Act of May 29, 1967 (81 Stat. 30-42); Docket 93. You were determined to be the great-great-great-grandson of Chief Pat-ka-nam and shared in the distribution of the funds to those descendents of members of the Snoqualmie and Skykomish Tribes as they were constituted in 1855.

Pat-Ka-nam signed the Point Elliot Treaty, a copy of which is attached.

Sincerely,

Judith R. Joseph
Superintendent

Enclosures

Copies made from the
Archives of the Bureau
Of Indian Affairs, Puget
Sound Agency, Everett,
Washington
March 28, 2005

ENROLLMENT TO SHARE IN ONE OR MORE OF THE FOLLOWING JUDGMENT AWARDS:
UPPER SNAKIT, INCLUDING SAUK-SUIATTLE SNOQUALMIE-SKYKOMISH
ACT OF JUNE 23, 1971 (85 Stat. 83)

Be filed with the Superintendent, Western Washington Agency, 3006 Colby
Everett, WA 98201 and must be postmarked not later than April 23, 1972.

Application No. 11-28-70

Date Postmarked 8 JAN 7

PLEASE PRINT

(DO NOT WRITE ABOVE THESE LINES)

Social Sec

1. Name Robert Eugene ⁶⁶ M ⁶⁹ 5-30-62
Last Name First Middle Jr., Sr., Sex
Etc.

2. Maiden Name

3. Previous married names in order

4. In care of AITA Posenjak

5. Address 12606 Ruggs Lake Rd ⁴³ Everett ¹²² Wash. ²⁴ 98
Street & No. or Rt. & Box No. City or Town State Zip

6. Place of Birth Everett ²⁹ Wash. Date of Birth Mar ³¹ 29 ³³ 1
City State Month Day

7. If enrolled in any tribe, give name of tribe None ³⁷ Enrollment No. ⁵⁰

8. Is applicant an adopted child? Yes ☐ No ☒ If yes, show real parents on family tree

9. Have you shared in any other judgment award? If so, name judgment award None

10. Check which award or awards you believe you are eligible to share in:

Snohomish ☐ ⁵⁸ Upper Skagit-Sauk-Suiattle ☐ ⁵⁹ Snoqualmie-Skykomish ☒ ⁶⁰

1. Eligibility depends upon establishing ancestry. Therefore, the family tree on the back
be filled out to the best of your ability.

2. OFFICIAL BIRTH DOCUMENTS MUST BE FURNISHED SHOWING NAME OF APPLICANT, BIRTH DATE, NAME
FATHER AND MAIDEN NAME OF MOTHER. See item No. 11 on instruction sheet for type of pro
accepted.

3. If applicant died after June 23, 1971, give date of death ⁶¹ ⁶³ ⁶⁵
Month Day Year

4. I certify that I, for whom this application is made was liv
on June 23, 1971 and is a descendant of the person through whom eligibility for enrollm
claimed. I am aware that criminal penalties are provided by statute for knowingly maki
false statements. (18 U.S.C. 1001)

My relationship to the applicant is

5. 11-28-70 Robert Eugene Posenjak
Date Signed Signature of Applicant or Sponsor

6. Address of person making and certifying application on behalf of another if different f
line 5 above.

BE SURE TO FILL OUT FAMILY TREE ON BACK

Age _____
 Sex _____
 Telephone (A/C) _____

ANCESTRY CHART

CHART NO. _____

Person No. 1 on this chart is the same person as No. _____ on chart No. _____.

KEY TO ABBREVIATIONS:

b. Date of Birth
 p.b. Place of Birth
 m. Date of Marriage
 p.m. Place of Marriage
 d. Date of Death
 p.d. Place of Death
 Write dates as month, day, year [Oct 2, 1978]
 Write places as city or town, (county), state [Chicago (Cook) Illinois]

USE THIS FORM: Begin by entering the information about yourself at No. 1, your father at No. 2, his father at No. 4, and so on. If you need to trace your ancestry farther back than this form allows, simply enter the name of your relative which in the column numbered 8 through 15 in blank No. 1 on another chart and continue. Documentary evidence must be furnished.

2 Joseph Steve Posenjak
 (Father of No. 1)

b. Feb. 15, 1921
 p.b. Buffalo (Erie) N.Y.
 m. Aug. 14, 1943
 p.m. Bremerton (Kitsap) Wa.
 d. Sept. 9, 1985
 p.d. Everett (Sno.) Wa.

Julia Latka
 (Mother of No. 2)

b. _____
 p.b. Poland
 d. _____
 p.d. Lackawanna, N.Y.

1 Robert Gene Posenjak

b. Mar. 29, 1955
 p.b. Everett (Sno) Wa.
 m. Jan 30, 1976
 p.m. Everett (Sno) Wa.
 d. _____
 p.d. _____

3 Alta Virginia Gildow
 (Mother of No. 1)

b. Mar. 16, 1921
 p. Langley (Island) Wa.
 d. _____
 p.d. _____

Sherri Aley

(Spouse of No. 1)

b. Oct. 4, 1960

6 William Marcus Gildow
 (Father of No. 3)

b. Feb. 13, 1884
 p. Oak Harbor (Island) Wa.
 m. April 3, 1919
 p.m. Coupeville (Island) Wa.
 d. Mar. 19, 1963
 p.d. Freeland (Island) Wa.

7 Alta Viola Rothgeb

(Mother of No. 3)

b. Sept 14, 1896
 p.b. Perry (Noble) Ok.
 d. Oct 1927
 p.d. Langley (Island) Wa.

8 Caucasian

(Father of No. 4)

b. _____
 p.b. _____
 m. _____
 p.m. _____
 d. _____
 p.d. _____

Caucasian

9

(Mother of No. 4)

b. _____
 p.b. _____
 d. _____
 p.d. _____

10 Caucasian

(Father of No. 5)

b. _____
 p.b. _____
 m. _____
 p.m. _____
 d. _____
 p.d. _____

Caucasian

11

(Mother of No. 5)

b. _____
 p.b. _____
 d. _____
 p.d. _____

12 William I Gildow

(Father of No. 6)

b. June 9, 1835
 p.b. England
 m. June 3, 1870
 p.m. Coupeville (Island) Wa.
 d. Mar. 14, 1914
 p.d. Coupeville (Island) Wa.
 Charlotte Glasgow

(Mother of No. 6)

b. Sept. 6, 1855
 p.b. Olympia (Thurston) Wa.
 d. Oct. 2, 1888
 p.d. San de Fuca (Island)

14 Daniel D. Rothgeb

(Father of No. 7)

b. July 21, 1855
 p.b. Fairview, Ohio
 m. Nov. 2, 1875
 p.m. _____
 d. Sept 23, 1922
 p.d. Langley (Island) Wa.

15

Melissa Marsh

(Mother of No. 7)

b. Feb. 14, 1854
 p.b. Fairview, Ohio
 m. 26 1878

Name _____
 Address _____
 Telephone (A/C) _____

ANCESTRY CHART

CHART 1

Person No. 1 on this chart is the same
 person as No. _____ on chart No. _____

KEY TO ABBREVIATIONS:

b. Date of Birth
 p.b. Place of Birth
 m. Date of Marriage
 p.m. Place of Marriage
 d. Date of Death
 p.d. Place of Death
 Write dates as month, day,
 year [Oct 2, 1978]
 Write places as city or
 town, (county), state
 [Chicago (Cook) Illinois]

TO USE THIS FORM: Begin by entering the information about yourself at No. 1, your father at No. 2, his father at No. 4, his father at No. 8, and so on. If you need to trace your ancestry farther back than this form allows, simply enter the name of your relative which
 are in the column numbered 8 through 15 in blank No. 1 on another chart and continue. Documentary evidence must be furnished.

2 PatKanim
 (Father of No. 1)
 b.
 p.b. Yakima Wa.
 m.
 p.m.
 d. 1858
 p.d. Snohomish, Wa

4 $\frac{1}{2}$ Yakima
 $\frac{1}{2}$ Snoqualmie
 (Father of No. 2)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.

8 Nez Pierce
 (Father of No. 4)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.
 9 Indian
 (Mother of No. 4)

5 $\frac{1}{2}$ Yakima
 $\frac{1}{2}$ Snoqualmie
 (Mother of No. 2)
 b.
 p.b.
 d.
 p.d.

10 (Father of No. 8)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.
 11 Indian
 (Mother of No. 8)

1 Julia PatKanim
 b.
 p.b. Washington
 m.
 p.m.
 d.
 p.d. Coupeville (Island) Wa. Indian
 (Father of No. 3)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.
 3 $\frac{1}{2}$ Skykomish
 $\frac{1}{2}$ Snoqualmie
 (Mother of No. 1)

12 Indian
 (Father of No. 10)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.
 13 Indian
 (Mother of No. 10)

7 Indian
 (Mother of No. 3)
 b.
 p.b.
 d.
 p.d.

14 Indian
 (Father of No. 12)
 b.
 p.b.
 m.
 p.m.
 d.
 p.d.
 15 Indian
 (Mother of No. 12)

b. 1825
 p.b.

Thomas Glasgow

(Spouse of No. 1)

ATTACHMENT NUMBER 6.



Enforcement of

[ABOUT US](#) | [TRENDS](#) | [NEWS & EVENTS](#) | [CONTACT](#) | [AUTHORS](#)[SEARCH GUIDE](#)[GO](#)[Entry Money](#)
[Act](#)
[s Abroad](#)

Ch. 18 Recognition & Enforcement of Judgments

Author: MARGARET A. DALE

II. The Uniform Foreign Country Money Judgments Recognition Act

Text Size: A A A [Print](#)

ation

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in Deference to

Selecting the

Proof of Non-U.S.

nmental Entities in

Enjoining Non-U.S.
U.S. CourtsEnjoining U.S. Court
U.S. Courts

o: Provisional

A. In 1962, the National Conference of Commissioners on Uniform State Laws approved and recommended for enactment the Uniform Foreign Money-Judgments Recognition Act ("UFMJRA" or the "Act"). See 13 U.L.A. 39 (1986). At the time, it was common for judgments rendered in U.S. courts not to be recognized abroad because of the concern held by other nations that judgments by their courts would not be recognized in a U.S. court. The Act codified the common law applied in the majority of U.S. states. The expectation was that, by adopting a "standard," U.S. judgments would more likely be recognized abroad. See also Chapter 6 of this Guide, which also discusses the UFMJRA.

B. Many states in the U.S., including New York, have adopted the Act or some parts of it. Currently, more than half the states have adopted some version of the Act.

1. The New York statute can be found in Article 53 of the New York Civil Practice Law and Rules.

2. The UFMJRA was revised and updated in 2005 to clarify provisions and correct problems created by the interpretation of provisions by courts over the years. Since its revision, the 2005 Act has been adopted by Idaho and Nevada, and has been introduced for adoption in California and Michigan. See <http://www.nccusl.org/Update/>.

C. The UFMJRA applies to non-U.S. court judgments granting or denying the recovery of a sum of money.

1. While the Act does not extend recognition to judgments for taxes, fines or penalties and support judgments in

FILED

NOV 19 2011

Karluk Tribal Court
THE KARLUK TRIBAL COURT
For the NATIVE VILLAGE OF KARLUK
authorized by Fed. Recognition (74 Fed. Reg. 40218)

Kurt Kanam

Pilchuck Nation

Plaintiff,

vs.

All active parties of

U.S. V. Washington

CAUSE NO.2:70-CV-09213RSM

Defendant.

Cause no.11-19-11-1

PROPOSED

DECLARATORY JUDGMENT

This court upon consideration of the evidence
presented here by, DECLARES THAT:

1. All active parties of U.S. V. Washington 2:70-cv-
09213RSM have properly served and have stipulated to
the following:

2. The Pat Kanam is the signatory for the Pilchuck
Nation on the Point Elliot Treaty of 1855
Attachment 2 PosenJac Affidavit.

3. The Point Elliot Treaty of 1855 guarantees that the
descendants of the treaty signatories shall have the
right to gather food.

Proposed Declaratory Judgment

Kurt Kanam

2103 Harrison #143

1 4. Kurt Kanam is the adopted son of Robert Posenjac.

2 5. Robert Posenjac is the direct descendant of Pat
3 Kanam.

4 6. The Native Village of Karluk Tribal Court has
5 Jurisdiction to hear this matter Under the
6 Jurisdiction and removal act of 1875 as there is a
Diversity of citizen ship and a Treaty question.

7 7. Pilchuck Nation, A Treaty Tribe occupies the status
8 of a party to one or more of the Stevens' treaties and
9 therefore holds for the benefit of its members a
10 reserved right to harvest anadromous fish at all usual
and accustomed places outside reservation boundaries, in
common with others.

11 8. The Federal District Court is obliged to register
12 the Declaratory order of this court in US v
13 Washington 2:70-CV-09213RSM under Uniform Foreign
Judgments Act.

14 Done _____

15 Native Village of Karluk Tribal Judge

16
17
18 Proposed Declaratory Judgment

Kurt Kanam

2103 Harrison #143

FILED

NOV 19 2011

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Kurt Kanam

Cause no.11-19-11-1

Pilchuck Nation

Plaintiff,

vs.

All active parties of

U.S. V. Washington

CAUSE NO.2:70-CV-09213RSM

Defendant.

ORDER TO SHOW
CAUSE

This Court here by ORDERS the defendant's to show cause to this court within 20 days and by 11-17-2011 date why this court should not grant the Plaintiff's requested relief.

Done 11-19-2011 Oskar Muller

Native Village of Karluk Tribal Court Judge



ORDER TO SHOW CAUSE

Native Village of Karluk Tribal Court

P.O. Box 237 Toledo WA. 98591

Page 1 360-864-8665

FILED

NOV 19 2011

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Kurt Kanam

Cause no.11-19-11-1

Pilchuck Nation

Plaintiff,

vs.

All active parties of

U.S. V. Washington

EX parte

CAUSE NO.2:70-CV-09213RSM

Defendant.

It is the finding of this court that do to the large number of active parties in U.S. v. Washington 2:70-cv-09213RSM, Kurt Kanam, Pilchuck Nation may serve cause no.11-19-11-1 by U.S. first class Mail.

Done on this date 11-19-2011


Native Village of Karluk Tribal Court Judge

Ex parte waver
to serve cause no.
11-19-11-1 by US
First class mail

Native Village of Karluk Tribal Court

P.O. Box 237 Toledo WA. 98591

FILED

NOV 19 2011

Karluk Tribal Court

THE KARLUK TRIBAL COURT

For the NATIVE VILLAGE OF KARLUK

authorized by Fed. Recognition (74 Fed. Reg. 40218)

Kurt Kanam

Pilchuck Nation

Plaintiff,

vs.

All active parties of

U.S. V. Washington

CAUSE NO.2:70-CV-09213RSM

Defendant.

Cause no. 11-19-11-1

CERTIFICATE OF SERVICE

By FIRST CLASS MAIL

I here by certify that on 11-21-2011, I served by first class US Postal Service the following documents ORIGINAL COMPLAINT, SUMMONS, and KARLUK TRIBAL COURT ORDER TO SHOW CAUSE dated 11-19-2011 and a PROPOSED ORDER, **EX-PARTE ORDER TO SERVE BY FIRST CLASS U.S. MAIL**, to the following :

All active parties of

U.S. V. Washington

Certificate of Service

Native village of Karluk Tribal Court

P.O. Box 237 Toledo WA.98591

Page 1360-864-8665

1 All active parties of

2 U.S. V. Washington

3 CAUSE NO.2:70-CV-09213RSM See attachment 1.

4 Date 11/19/2011

5 Signature *Win Messer*

6 MAREM MESSENGER
CLERK

7
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11
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13
14
15
16
17 Certificate of service

Native Village of Karluk Tribal Court

P.O. Box 237 Toledo WA. 98591

360-864-8665