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6 IN THE NOOKSACK TRIBAL COURT

7 RUDY ST. GERMAIN, et al.,

8 Plaintiffs,

9 v.

10 ROBERT KELLY, et al.,

11 Defendants.

NO. 2013-CI-CL-____

DECLARATION OF RUDY ST.
GERMAIN

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13 I, Rudy St. Germain, say:

14 1. I am an enrolled Nooksack Tribal member and a direct descendent of Annie
15 George. I am, and I remain, an elected Nooksack Tribal Councilperson. I am over eighteen
16 years of age, I am competent to testify, and I have personal knowledge of the facts set forth
17 herein.

18 2. After I attended the Tribal Court's hearing on Plaintiffs' Motion for Temporary
19 Restraining Order this morning at 11:00 AM, I visited Tribal Headquarters and spoke with
20 several staff. I learned that Treasurer Abby Smith has advised Tribal staff to rush the
21 "Christmas Support" checks today per Resolution No. 13-171, instead of waiting for the Tribal
22 Court's decision on Plaintiffs' Motion by the end of the day.

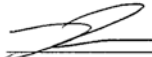
23 3. I saw the checks with my own eyes. They have been printed, signed, stuffed and
24 stamped. Tribal staff are doing as they have been directed. They are in the process of mailing

1 the checks by close of business today.

2 4. For the reasons discussed in Plaintiffs' Motion for Temporary Restraining Order,
3 distribution of these checks pursuant to Resolution No. 13-171, as drafted, is illegal must be
4 immediately enjoined. Until the Court might issue a formal Order at the end of the day, some
5 form of communication must be made to cause Defendants to stop the presses on the Christmas
6 support checks. What Defendants are doing is making a mockery of our entire Tribal
7 Government.

8 The foregoing statement is made under penalty of perjury under the laws of the
9 Nooksack Tribe and the State of Washington and is true and correct.

10 Signed at Deming, Washington this 11th day of December 2013 at 1:55 PM.

11
12 
13 Rudy St. Germain

DECLARATION OF SERVICE

I, Gabriel S. Galanda, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein. I am employed with Galanda Broadman, PLLC, counsel of record for Plaintiffs.

2. Today, I caused the attached documents to be delivered to the following:

Grett Hurley
Rickie Armstrong
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.

DATED this 11th day of December, 2013.



GABRIEL S. GALANDA