



IN THE PASKENTA BAND OF NOMLAKI INDIANS  
TRIBAL COURT

GERALDINE FREEMAN and INES  
CROSBY,

Plaintiffs,

v.

ANDREW FREEMAN, et al.,

Defendants.

NO. PTCV-14-001

PRELIMINARY INJUNCTION

BEFORE the Tribal Court is Plaintiffs' Motion for Preliminary Injunction. Having reviewed said Motion and the file and pleadings therein, the Tribal Court deems itself otherwise fully advised in the premises. Accordingly, Plaintiffs' Motion is **GRANTED** in part.

The Tribal Court **FINDS** and **CONCLUDES** that (1) there are serious questions going to the merits of Plaintiffs' claims; (2) Plaintiffs would suffer irreparable injury absent the issuance of this injunction; (3) granting the injunction will not harm Defendants; and (4) issuing the injunction serves the public interest.

**IT IS THEREFORE ORDERED THAT:**

1. Russell Dennis, Zak Zacharia, and Zaks Security One are enjoined from entering or being present in any manner upon any of the lands described in Article I of

1 the Tribe's Constitution, and, further, that these Defendants be **ENJOINED** from  
2 interfering in any and all Paskenta Tribal governmental or business affairs, including,  
3 but not limited to, purporting to hold themselves out, or purporting to take action, as  
4 agents of the Tribe or its subordinate entities.

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6 2. Pending the issuance of a final judgment, the following four individuals  
7 shall be **RECOGNIZED** as the rightful and legitimate elected officials of the Paskenta  
8 Rancheria Tribal Council in accordance with Article VI, Section 1 of the Tribe's  
9 Constitution:

- 10 1. David Swearinger, Vice-Chairman
- 11 2. Leslie Lohse, Treasurer
- 12 3. Geraldine Freeman, Secretary
- 13 4. Allen Swearinger, Member At-Large

14 Per Resolution No. 2004-0433, the position of Tribal Chairperson remains vacant.

15 7. Because this suit is an action which Tribal law provides the rule of  
16 decision, this Court's jurisdiction is exclusive and not concurrent with any other federal,  
17 state or court's adjudicatory or legislative powers. P.T.C. § 3.5.2. Provided, any such  
18 other court shall not be foreclosed from extending comity or full faith and credit to this  
19 Order.

20  
21 8. A hearing on Plaintiffs' motion for default judgment shall be held on June  
22 20, 2014, at 1:00 p.m. Proof of service of Plaintiffs' motion for default judgment papers,  
23 as well as this Order, must be provided to the Court prior to June 20, 2014.

24 9. A second hearing on Plaintiff's motion for preliminary injunction shall also  
25 be held on June 20, 2014. Proof of service of Plaintiffs' complaint must be provided to

1 the Court prior to June 20, 2014, at 1:00 p.m.

2 SIGNED and ISSUED this 29<sup>th</sup> day of May, 2014.

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6 HON. LEONA COLEGROVE