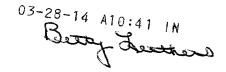
## RECEIVED

MAR 3 1 2014

## Galanda Broadman PLLC



## IN THE NOOKSACK TRIBAL COURT

RUDY ST. GERMAIN, et al.,

NO. NO. 2013-CI-CL-005

Plaintiffs,

REPLY RE: CROSS MOTION FOR PARTIAL SUMMARY JUDGMENT

V

1

2

3

4

5

6

7

8

9

ROBERT KELLY, et al.,

Defendants.

11

10

12

13 14

15

16

17

18

19

20

21

22

23

24

25

<sup>1</sup> Celotex v. Catrett, 477 U.S. 317, 323 (1986). <sup>2</sup> Anderson v. Liberty Lobby, Inc., 477 U.S. 242, 257 (1986).

REPLY RE: CROSS MOTION FOR PARTIAL SUMMARY JUDGMENT - 1

Plaintiffs respectfully reiterate their request that the Court render declaratory and permanent injunctive relief as to all "Christmas Support" laws and policies that Defendants wish to prospectively implement.

## I. LAW AND ARGUMENT

Plaintiffs are entitled to judgment as a matter of law on their equal protection claim. Plaintiffs have introduced evidence, and this Court has already found, that Defendants' Resolution No. 13-171 does not satisfy equal protection scrutiny. Resolution No. 13-181, if valid, does nothing to change the equal protection analysis. Plaintiffs have satisfied their initial burden of providing the Court with legal bases for entry of summary judgment on this claim. Because Plaintiffs have satisfied their initial burden, the burden is shifted to Defendants to present affirmative evidence to defeat Plaintiffs' properly supported motion. Defendants cannot meet

Galanda Broadman PLLC 8606 35th Avenue NE, Ste. L1 Mailing: P.O. Box 15146 Seattle, WA 98115 (206) 557-7509