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The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

NORTH QUINAULT PROPERTIES,
LLC, a Washington limited liability
company; THOMAS LANDRETH,
an individual, and BEATRICE
LANDRETH,

Plaintiffs,

v.

QUINAULT INDIAN NATION, a
federally recognized Indian tribe, in
its own capacity, as a class
representative, and as parens patriae;
STATE OF WASHINGTON,
DEPARTMENT OF NATURAL
RESOURCES; ALL OTHER
PERSONS OR PARTIES
UNKNOWN CLAIMING ANY
RIGHT, TITLE, ESTATE, LIEN, OR
INTEREST IN THE LAKE AND
LAKEBED KNOWN AS LAKE
QUINAULT,

Defendants.

NO. 3:14-cv-06025-RBL

**ORDER GRANTING STATE
DEFENDANTS' MOTION TO
DISMISS**

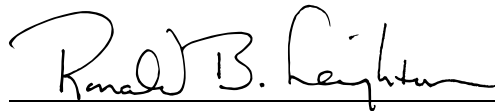
THIS MATTER came before the Court on the motion of Defendants STATE OF WASHINGTON and its DEPARTMENT OF NATURAL RESOURCES (collectively referred to herein as "State Defendants"), to enter an Order of Dismissal under Fed. R. Civ. P. 12(b)(6)

1 for all claims against State Defendants because they are immune from suit in this Court under
2 the Eleventh Amendment of the United States Constitution.

3 State Defendants were represented in this matter by ROBERT W. FERGUSON,
4 Attorney General, and EDWARD D. CALLOW and TERENCE A. PRUIT, Assistant
5 Attorneys General. Defendant QUINAULT INDIAN NATION was represented in this matter
6 by ROB ROY SMITH and CLAIRE NEWMAN. Plaintiffs NORTH QUINAULT
7 PROPERTIES, LLC, and THOMAS and BEATRICE LANDRETH were represented in this
8 matter by attorneys THOMAS L. DICKSON and ELIZABETH THOMPSON.

9 IT IS HEREBY ORDERED and ADJUDGED that Plaintiffs fail to state a claim upon
10 which this Court can grant relief against State Defendants because State Defendants are
11 immune from suit under the Eleventh Amendment of the United States Constitution. State
12 Defendants' Motion to Dismiss is **GRANTED** and all of Plaintiffs' claims against State
13 Defendants are hereby **DISMISSED** without prejudice with leave to amend within thirty (30)
14 days.

15 DATED this 4th day of May, 2015.

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18 RONALD B. LEIGHTON
19 UNITED STATES DISTRICT JUDGE
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