

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, et al.,  
Plaintiffs,

vs.

STATE OF WASHINGTON, et al.,  
Defendants.

No. C70-9213  
Subproceeding 11-2

MOTION TO STRIKE AND REPLY TO  
THE LUMMI AND SUQUAMISH  
RESPONSES TO THE S'KLALLAM  
MOTION FOR SUMMARY JUDGMENT

Note on Motion Calendar: June 30, 2015

**INTRODUCTION**

On May 7, 1847, Paul Kane reported:

In the afternoon we touched at Whitby's Island, which divides the Straits of De Fuca from Puget's Sound.

Dkt. # 181-1, p. 103. Lummi recently submitted this information as part of their claim of "credible" evidence. Lummi Response, Dkt.# 179, p. 23:13-15. The irony of this submittal is that the report confirms the S'Klallam position that the eastern boundary of the Strait of Juan de Fuca is at Whidbey Island, and that Lummi did not fish historically in the Strait of Juan de Fuca.

REPLY TO RESPONSE TO MOTION  
C70-9213, SUBPROCEEDING 11-2

LAW OFFICES OF LAUREN P.  
RASMUSSEN  
1904 THIRD AVENUE, SUITE  
1030  
SEATTLE, WA 98101  
(206) 623-0900

1 The Port Gamble S'Klallam and Jamestown S'Klallam Tribes ("S'Klallam") submit this  
 2 Reply to the Suquamish Tribe (Dkt. # 178) and Lummi Nations' Responses (Dkt. # 179) to their  
 3 motion (Dkt. # 164). They also move to strike the Declarations of Philip Buri, and Sharon Kinley,  
 4 and references thereto.

5 The Lummi and Suquamish Responses ask the Court to move the Strait of Juan de Fuca  
 6 thirty miles west from where Paul Kane found in 1847. The Lummi urge the Court to "disregard"  
 7 the labelling on the S'Klallam maps, but do not move to strike them. Lummi Response, Dkt. #  
 8 179, p. 13:3-7. The evidence submitted in support of this request is an argument based on a sketch  
 9 of Haro and Rosario Straits (USA-62), that the water body ends with the lettering on the map. The  
 10 attached Declaration of Sarah Smith, filed in Reply ("Reply Decl. Sarah Smith") establishes that  
 11 this is inaccurate.¶5 ("The extent of a feature is not limited to where its label is placed on a map.");  
 12 Ex. A (varying placements of the words the "Strait of Juan de Fuca"); ¶6;¶9. To make this  
 13 argument, the Lummi turn a blind eye to all the evidence to the contrary, including their own map  
 14 and multiple references in their report that describe the actual location of the Strait of Juan de Fuca  
 15 in a manner which places its eastern boundary on the shores of Whidbey Island. Dkt.# 181-1, pp.  
 16 6-7, 13, 49, 57, 69, 131, 235, 241; Declaration of Sarah Smith, Dkt. # 166, Exhibits B, C; Reply  
 17 Decl. Sarah Smith, ¶¶ 6-9, Exhibits A-F.

### 18 MOTION TO STRIKE

19 The S'Klallam move pursuant to LCR 7(g) to strike the Declarations of Philip Buri, and  
 20 Sharon Kinley, Dkt. # 180, Dkt. # 181, and attachments, and Part IV of the Lummis Brief  
 21 referencing the same.<sup>1</sup> Post-Boldt declarations, reports, and materials, were already ruled

---

22 <sup>1</sup> The portions of *An Ethnohistory of Traditionally Associated Contemporary Populations*  
 (hereinafter "Ethnohistory") by Douglas Deur (2009), Dkt. #181-1, cited by the S'Klallam

inadmissible in this Paragraph 25(a)(1) proceeding. Dkt. # 151 (striking the same exhibits in Dkt. # 143 that were re-filed as Dkt. # 180); Dkt. # 174 (holding that this Court will proceed first under Paragraph 25(a)(1); *United States v. Lummi (Lummi III)*, 235 F. 3d 443, 450 (2000) (holding latter day Declarations inadmissible). New evidence, if allowed, would be evidence that sheds light on the geography in the decree. *Muckleshoot v. Lummi (“Muckleshoot I”)*, 141 F. 3d 1355, 1360 (1998). None of these documents, except for the geographical statements in the *Ethnohistory* regarding the location of the Strait of Juan de Fuca, including the map on p. 7, (Dkt. # 181-1) even possibly satisfy this standard.<sup>2</sup>

The Declaration of Sharon Kinley has additional evidentiary issues. Fed. R. Evid. 702(b); Fed. R. Evid. 801, 802. The Declaration repeats and agrees with another expert’s report, overstates what it says, and contains no factual basis for the opinions. Declaration of Sharon Kinley, ¶ 4 (“I read through his reports and I agree with Dr. Deur’s research” regarding familial ties to Whidbey Island); ¶ 9 (stating without any factual basis that “the same is true for the marine areas south of

---

should remain, in so far as they shed light on the geography of the matter. In particular the map on p. 7. These references from exhibit 181-1 and other relied upon references, should be admitted for that limited purpose only.

<sup>2</sup> Suquamish argues that “contemporary navigational charts” from NOAA and a 2015 fact sheet comply with this standard. Suquamish Response, Dkt # 178, p. 10: 2-4. The Declaration from Sarah Smith, a GIS analyst, explains that the lettering of the water bodies does not depict where the water body ends, and, in response, has attached other maps from the same series and time period from the same publisher which illustrate the NOAA map presented does not stand for the purpose cited. Reply Decl. Sarah Smith, ¶6 (neither the Suquamish map nor USA-62 should be read to limit the Strait of Juan de Fuca to the placement of the label); ¶ 5; ¶7; ¶ 8 (The full extent of the Strait of Juan de Fuca should be taken into consideration for determining the location of the Strait rather than a single chart); Ex. A (varying labels of the words “Strait of Juan de Fuca” in NOAA maps from 1969 to 2013); ¶ 9 (location of the boundary is at Whidbey Island); Ex. F (map with labelling of the Strait of Juan de Fuca directly off the coast of Whidbey Island from the same time period).

San Juan Islands.”). Lummi’s “disputed issues of fact” (Part IV), relying on these materials should be stricken.

### ARGUMENT

Lummi did not fish in the Strait of Juan de Fuca at treaty times, and the location of the Strait of Juan de Fuca is right off the shoreline of Northern Whidbey Island. *See* Dkt. 181-1, pp. 6-7; Dkt.# 166, Exhibits B, C; Declaration of Sarah Smith in Support of Reply, ¶9; Exhibits B-F. The S’Klallam Reply to §III of Lummi’s Response arguing that this Court should decide now to permit a 25(a)(6) Cross Request is that this question is premature because no request for permission to file a cross request has been filed. Dkt.# 174; *See also*, Motion for Summary Judgment, § IV. The S’Klallam therefore disagree that a Paragraph 25(a)(6) claim should “always be permitted.” Suquamish Response, Dkt # 178, p. 14. Because these arguments have already been fully discussed in their motion, the S’Klallam will focus here instead on the outcome of the *Muckleshoot* two-step.<sup>3</sup>

The S’Klallam make four main arguments in response to the Lummi:

- Lummi raise no genuine issue of fact regarding the location of the Strait of Juan de Fuca or Judge Boldt’s understanding thereof.
- The Lummi did not fish in any of the disputed waters, however labeled.
- Lummi’s proposed transit path is a substantial detour.
- Finality considerations weigh heavily against Lummi’s arguments.

---

<sup>3</sup> *Upper Skagit v. Suquamish*, 590 F.2d 1020 (2010); *Muckleshoot I*, 141 F. 3d 1355.

**I. The Location of the Strait of Juan de Fuca is Not Genuinely Disputed.**

The Lummi cannot fish in the Strait of Juan de Fuca. *Lummi III*, 235 F. Supp. 443, 451-452; *Lower Elwha v. Lummi*, 763 F.3d 1180, 1185-86 (9<sup>th</sup> Cir. 2014)(hereinafter “*Lummi V*”) <sup>4</sup>. To excuse<sup>5</sup> their actions, they need this Court to move it. Suquamish agrees: “how far to the west is the Strait located?” Suquamish Response, Dkt. # 178, at 9:7. The Ninth Circuit held that “no court has yet *explicitly* determined the eastern boundary of the Strait of Juan de Fuca.” *Lummi V*, 763 F.3d at 1186. Suquamish argues this means that this court must determine the “geographic scope of the Strait of Juan de Fuca.” Suquamish Response, Dkt. #178, at 2:2-4.

The need for clarity does not mean that the Strait of Juan de Fuca is not in its usual location. Lummi asserts that the S’Klallam have to prove that Judge Boldt thought the Strait of Juan de Fuca ended at Whidbey Island. Dkt. #179, p. 2. The basis for their position that he didn’t is an argument the placement of lettering of one map in the record labeling the Strait of Juan de Fuca (USA-62), means that Judge Boldt must have thought that the entire water body stopped precisely at the end of the letter “a.” Lummi Response, Dkt. # 179, p. 8:18-20. Suquamish submits one NOAA map and says it too supports this theory. Suquamish Response, Dkt. # 178, p. 10:2.

These arguments are wrong for at least three reasons. One, this Court has essentially already taken judicial notice that the Strait of Juan de Fuca ends at Whidbey Island. S’Klallam Motion SJ, Dkt. # 164, p.5, fn. 11; Dkt. # 72, p. 2; Dkt. # 104, p.4 (“these areas indisputably are within the Strait of Juan de Fuca”). The Court should make this finding explicit. Two, moving the

---

<sup>4</sup> All the Lummi decisions can be found in the Appendix, Dkt. #164-1.

<sup>5</sup> The Lummi wouldn’t be the first fishermen to try this clever excuse. *Rustad v. United States*, 258 F.2d 563, 566 (9th Cir. Alaska 1958) (“Of the many fishing boats out on the opening day, none but this captain and crew had any difficulty in determining the limits of Zimovia Strait and where they should not fish.”).

1 Strait of Juan de Fuca thirty miles west doesn't fit with other rulings of the same Court which  
 2 shows that Judge Boldt did not detour from the common understanding of the Strait when he ruled  
 3 against the Lummi's claim for a Strait of Juan de Fuca, that, at the time, extended from the San  
 4 Juan Islands to the Makah Reservation. Response to Lummi, Dkt. #176, p. 9 (Finkbonner  
 5 Testimony). Three, the argument that no maps support the S'Klallam position is false. Reply  
 6 Declaration of Sarah Smith, ¶ 7 (list of attached maps); Exhibits B-H.

7 A. Request for Judicial Notice of a Known Geographic Location

8 Because the Lummi and Suquamish seriously contend that Judge Boldt had his own unique  
 9 definition of the Strait of Juan de Fuca, the S'Klallam request that this Court use its authority under  
 10 Fed. R. Evid. 201(c) and take Judicial Notice of its actual location.<sup>6</sup> This is important because it  
 11 allows the Court a reference point to compare to other rulings of this Court.

12 The location of the Strait of Juan de Fuca meets the standard for judicial notice under either  
 13 one of the require criteria. It is "generally known within the trial court's territorial jurisdiction;"  
 14 and it also can be "accurately and readily determined from sources whose accuracy cannot  
 15 reasonably be questioned." Fed. R. Evid. 201 (b)(1) and (b)(2). Courts have held that geographic  
 16 locations are proper for judicial notice. *United States v. Mendell*, 447 F.2d 639, 641 (7th Cir. Ill.  
 17 1971); *United States v. Piggie*, 622 F.2d 486, 488 (10th Cir. Kan. 1980); *Accord*; *United States v.*  
 18 *Hernandez-Fundora*, 58 F.3d 802, 811 (2d Cir. N.Y. 1995). Governmental maps, such as the  
 19 NOAA maps used by Sarah Smith, Exhibits B-G, are recognized sources and also clearly disprove  
 20 the claim that there are no maps supporting the S'Klallam position. *Government of Canal Zone v.*  
 21 *Burjan*, 596 F.2d 690, 694 (5th Cir. C.Z. 1979) (judicial notice of the boundaries of the Canal

---

22 <sup>6</sup> Reply Decl. Sarah Smith, Exhibits B-G.

Zone). It is well-established through these maps that the eastern boundary of the Strait of Juan de Fuca is Whidbey Island. Reply Decl. Sarah Smith, ¶ 9; Ex. F.

B. The Strait of Juan de Fuca is in the Usual Location

Whether or not this Court takes judicial notice of the known location of the Strait of Juan de Fuca, there is ample evidence that this Court and the Ninth Circuit adopted the usual location. This means that Lummi's location based on the letter "a" is not supported by any corroborating evidence. The boundary of the Strait of Juan de Fuca in 1847, 1855, 1969, 1974, and 2015 is still, and was during all relevant time periods, known to be the western shore of Whidbey Island. Response to Motion, Dkt. # 176, pp. 9-10 (testimony of Tribal fishers Mr. Kinley and Mr. Finkbonner describing the Strait as extending from the San Juan Islands to the Makah Reservation); Reply Decl. Sarah Smith, ¶ 9 (the common understanding is the that the boundary is at Whidbey Island); Exhibits B-G; Decl. Sarah Smith in Support of SJ Motion, Dkt. # 166, Exhibits B, C. Voluminous additional authority confirms this assertion: other Washington Case law (as outside authority), *U.S. v. Washington* decisions, and the Treaties which are the very subject matter of the case. *See, United States v. Soriano*, 366 F.2d 699, 700 (9th Cir. Wash. 1966) (Asserting that "the vessel struck a submerged and uncharted rock west of Smith Island,<sup>7</sup> **in the Straits of Juan de Fuca.**")(emphasis added); *American Mail Line, Ltd. v. United States*, 377 F. Supp. 657, 658 (W.D. Wash. 1974) ("Puget Sound is a landlocked and protected body of water, with numerous channels and branches, extending approximately ninety miles from Olympia on the south to the **Strait of Juan de Fuca** on the north, the latter providing access to the sea.") (emphasis added); Treaty of Point No Point, 12 Stat. 933 (1855) (Article 1, describes the ceded territory of the Point

---

<sup>7</sup> Smith Island is at the apex of Area 6A. Dkt. # 166, p.9.

No Point Tribes, as passing “thence northerly through Admiralty Inlet **to the Straits of Fuca**; thence westwardly through said straits to the place of beginning.”) (emphasis added); *United States v. Washington*, 626 F. Supp. 1405, 1530 (describing Tulalip U & A as “the waters of the San Juan Archipelago, Haro Strait and Rosario Strait and the portion of **the Strait of Juan de Fuca** northeasterly of a line drawn from Trial Island (in Canada) to Protection Island.”); *Id.* at 1531 (referring to the “**eastern portion of the Strait of Juan de Fuca**”); *Id.* at 1532 (describing “that portion of the United States' waters of the **Strait of Juan de Fuca that is easterly** of a line extending northwesterly from the northernmost tip of Protection Island to Trial Island.”)(emphasis added); Reply Decl. Sarah Smith, ¶ 9 (Strait of Juan de Fuca ends at the coast of Whidbey Island); Exhibits B-G (NOAA navigational Charts of the Strait of Juan de Fuca). The Klallam U & A even describes the “waters of the Strait of Juan de Fuca” in a manner that extends those waters from the Hoko River in the west to Hood Canal in the east. *U.S. v. Washington*, 459 F. Supp. 1020, 1049, (1978); 626 F. Supp. 1405, 1442 (1985).<sup>8</sup> To put another way, in order to rule for Lummi here this Court would have to find that Judge Boldt understood the Strait extends to Whidbey for everyone else, but not for Lummi.

## **II. There is No Evidence Lummi Fished in the Disputed Waters**

Lummi lists four pieces of evidence in § I (C) in their response. The S'Klallam have discussed these four pieces of evidence in their Motion for Summary Judgment, Dkt. # 164, §4(b)(1), pp. 17-22, and their Response to the Lummi Motion, Dkt. #176. No further response is needed. To divert from this lack of supporting evidence, the Lummi asks this Court just to adopt

---

<sup>8</sup> This Court’s definition of the Strait of Juan de Fuca in the *Order on Stay of Enforcement* is also consistent with these citations. *United States v. Washington*, 20 F. Supp. 3d 986, 1032 (2013).



one of the two assertions in *Lummi V. Lummi* Response, Dkt. #179, at p. 9. The fact is that the 9th Circuit held it remained to be determined if “any” of the disputed area was within Lummi U & A. Fn. 1, *Lummi V.*, 763 F. Supp. 1180, 1188. Lummi’s assertions that the disputed area has “already qualified” for an interference is therefore flatly incorrect.<sup>9</sup> Suquamish essentially agrees and argues that the language referring Admiralty Inlet as a likely passage means the S’Klallam must *disprove* that 310 square miles of water north and west of Admiralty Inlet was not also a likely passage. Suquamish Response, Dkt. # 178, at 7:2-7; 12:11-14 (asserting the S’Klallam have to show an intent to exclude the disputed waters). A requirement to show an intent to exclude is not the standard, but even if it were, the Suquamish must concede that the 9<sup>th</sup> Circuit already ruled that the Strait of Juan de Fuca was not *in fact* the route taken. Based on the evidence presented, no other unnamed waters were included either.

Suquamish also argues that the Strait of Juan de Fuca is essentially a thoroughfare i.e. free access area. Suquamish Response, Dkt. # 178, p. 9:9-11. This argument does not help Lummi at all because thoroughfares are not U & A for a transiting Tribe. FF 14, Final *Decision No. 1*, 384 F. Supp. 312 (1974); Rasmussen Decl. Opp. Motion, Dkt. # 177, p. 1, 6: 9-11. If the Strait of Juan de Fuca was this kind of thoroughfare, which is not at all conceded, it cannot be both located thirty miles to the west *and* connect all the areas of Lummi’s U & A. Moving it as far west as the Suquamish contend, undermines both this argument and the next one.

---

<sup>9</sup> Suquamish joins in asking that this Court make additional inferences based on the record. Suquamish Response, Dkt. #178, p. 3:11-13. Reasonable inferences, if they are taken, are taken by the expert, not the Court. Dkt. # 20790, Ex. 37-1, Sub. 14-1, p. 52 (Judge Boldt noting that it is the expert who makes the reasonable inferences).

### 1           **III.     Detours and Allegations of Transit Routes Do Not Create U & A**

2           Lummi argue that the premise proposed by the S'Klallam would create two separate U &  
3 A's and that this would require them to take a substantial detour. Lummi Response, Dkt. #179, p.  
4 4:10-15; p. 7:7-10. No one is saying whether or not they detoured, the S'Klallam are merely saying  
5 that there is no evidence (even in their new materials) that they went on the west side of Whidbey  
6 Island. *United States v. Washington*, 20 F. Supp. 3d 828, 839; Decl. McCoy, Dkt. # 169, p. 4 (Map  
7 depicting the eastern and western sides of Whidbey Island). The area opened by Lummi is not  
8 direct and not *along the west coast of Whidbey Island* as argued here but rather over twenty miles  
9 away from the coastline of Whidbey, and this route is in all approximately 44 miles out of their  
10 way. Lummi Motion, Dkt. #179, p.7:15-16. Declaration of Sarah Smith, Dkt. # 136, ¶ 4 (comparing  
11 the miles of various routes); Dkt.# 166, pp. 7, 9 (maps of regulation lines and distances offshore  
12 from Whidbey Island). The eastern route is more direct and "along said shore" which would be  
13 much more consistent with the argument they are making here. Rasmussen Decl. SJ, Dkt. # 166,  
14 p. 130 (Complaint). Instead, Lummi readily admit they take at least one detour by not following  
15 the coast of Whidbey. Lummi Response, Dkt. # 179, p. 7:15-17 (arguing the direct marine route  
16 would be along the west coast of Whidbey Island). Detour arguments, and connectivity, with no  
17 supporting evidence, do not establish U & A. Rasmussen Decl. Opp. SJ., Dkt. # 177, p. 1-2, p. 13  
(Dr. Riley testified that the area "in between" is not U & A).

### 18           **IV.     Lummi's New Evidence Doesn't Change the Result**

19           The Lummi submitted new evidence in their Response claiming it represents "substantial,  
20 credible evidence" of ancestral fishing. Lummi Response, Dkt. # 179, p. 23:18-21. If the Court  
21 does not strike the bulk of the *Ethnohistory* that does not shed light on the geography, it should see  
22

1 it for what it is.<sup>10</sup> Far from being “substantial,” it offers no evidence at all of Lummi fishing off  
 2 of Whidbey Island or in the Strait of Juan de Fuca. It relies only on a concept of intermarriage and  
 3 interaction between the Tribes, which does not create U & A. Dkt. # 181-1; Lummi Response, Dkt.  
 4 # 179, p. 20:13-24. Contrary to the opinion of Sharon Kinley, treaty successorship is required to  
 5 obtain the fishing area of another Tribe, not kinship. *Greene v. United States*, 996 F.2d 973, 976  
 6 (9th Cir. Wash. 1993)(To gain treaty status a Tribe must demonstrate that they descended from a  
 7 treaty signatory and “have maintained an organized tribal structure.”); Dkt. #180, ¶¶ 5-8.<sup>11</sup> The  
 8 *Ethnohistory*, in all, contains approximately 17 mentions of Lummi within several hundred pages,  
 9 none which refer to fishing. Dkt. # 181-1. The report identifies that Whidbey Island was outside  
 10 the significant use areas for Lummi, Samish, Saanich and Semiahmoo. Dkt. # 181-1, fn.3, p. 248.  
 11 In stark contrast, it indicates that the S’Klallam were frequently seen on the coast of Whidbey  
 12 Island and their use was concluded as “certain” in this report. Dkt # 181-1, pp. 67-71. The report  
 13 contains repeated historical references which further cement the indisputable fact that the Strait of  
 14 Juan de Fuca is widely known to be off Whidbey Island:

15 ‘Curtis states that there were Klallam settlements on the upper west coast  
 16 of Whidbey Island and on the southern shores of San Juan and Orcas  
 17 Islands. These have never been mentioned to me. The locations are  
 18 directly across the Straits from the Klallam territory and may at some time  
 19 have been fishing stations’ (Gunther 1927: 177).

20 Dkt. # 181-1, p. 69. Moving the Strait of Juan de Fuca from where it has been since  
 21 at least 1847 would be at odds with several decisions, and legal underpinnings of this

22 <sup>10</sup> The Declaration of Philip Buri and its attachments, A, B, and C, are not discussed here  
 23 because Lummi does not discuss them in their response. Dkt. # 180.

<sup>11</sup> *United States v. Washington*, 593 F.3d 790, 793 (9th Cir. Wash. 2010)(conflict between the  
 competing decisions resolved in favor of the *Greene* Decision.)

1 Court.<sup>12</sup> The Ninth Circuit has agreed this by itself is an important consideration under  
 2 Fed. R. Civ. P. 60(b). *United States v. Washington*, 593 F.3d 790, 798 (9th Cir. Wash.  
 3 2010). It is important here.

#### 4 CONCLUSION

5 The S'Klallam have presented facts, evidence, Declarations, and decisions supporting their  
 6 position from both inside and outside of *U.S. v. Washington* that demonstrate that Lummi's fishing  
 7 regulations are not in conformity with Final Decision No. 1. Even the Treaty language disproves  
 8 the Lummi's geographical assertions. The Lummi, in response, have only attempted to cast  
 9 metaphysical doubt. *Matsushita Elec. Indus. Co. v. Zenith Radio Corp.*, 475 U.S. 574, 586, 106 S.  
 10 Ct. 1348 (1986). Summary Judgment in favor of the S'Klallams is proper because there is no  
 11 credible evidence to support the assertions made.

12 DATED this 30<sup>th</sup> Day of June, 2015,

13 s/ Lauren P. Rasmussen

14 Lauren P. Rasmussen, WSBA # 33256  
 15 Law Offices of Lauren P. Rasmussen, PLLC  
 16 1904 Third Avenue, Suite 1030  
 17 Seattle, WA 98101  
 18 (206) 623-0900  
 19 lauren@rasmussen-law.com

20 Attorney for the Jamestown S'Klallam Tribe and the  
 21 Port Gamble S'Klallam Tribes

22 <sup>12</sup>*U.S. v. Washington*, 626 F. Supp. 1405, 1530 (Tulalip); *U.S. v. Washington*, 459 F. Supp. 1020,  
 23 1049, (1978) (Klallam); 626 F. Supp. 1405, 1442 (1985) (S'Klallam); Subproceedings 05-3,05-4.

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Reply to Response to Motion and the Declaration of Sarah Smith in Reply to Response to Motion for Summary Judgment using the CM/ECF system, which will send notification of the filing to all parties in this matter who are registered with the Court's CM/ECF filing system.

Dated this 30th Day of June, 2015,

s/ Lauren P. Rasmussen

Lauren P. Rasmussen, WSBA # 33256  
Law Offices of Lauren P. Rasmussen, PLLC  
1904 Third Avenue, Suite 1030  
Seattle, WA 98101  
(206) 623-0900  
lauren@rasmussen-law.com

Attorney for the Jamestown S'Klallam Tribe and the  
Port Gamble S'Klallam Tribes