

NOOKSACK INDIAN TRIBE  
DEMING, WASHINGTON

CARMEN S. TAGEANT, Councilmember of  
the Nooksack Tribal Council, enrolled  
Nooksack Tribal member,

Plaintiff,

v.

ROBERT KELLY, Chairman of the Nooksack  
Tribal Council; RICK D. GEORGE, Vice-  
Chairman of the Nooksack Tribal Council;  
AGRIPINA SMITH, Treasurer of the  
Nooksack Tribal Council; BOB SOLOMON,  
Councilmember of the Nooksack Tribal  
Council; KATHERINE CANETE,  
Councilmember of the Nooksack Tribal  
Council and Nooksack General Manager; and  
AGRIPINA "LONA" JOHNSON,  
Councilmember of the Nooksack Tribal  
Council, enrolled Nooksack Tribal members,

Defendants.

NO. 2016 - CI-CL-003

DECLARATION OF CARMEN S.  
TAGEANT IN SUPPORT OF MOTION  
FOR PRELIMINARY INJUNCTION

I, Carmen S. Tageant, depose and state on oath as follows:

1. I am an enrolled member of the Nooksack Indian Tribe. I am over 18 years of age, am competent to testify truthfully to the matters stated in this declaration, and have personal knowledge of the facts set forth herein.

2. I am representing myself *pro se* in this case.

3. I am a current member of the Nooksack Tribal Council. I was elected in 2014. My term expires in 2018.

4. The Tribal Council was required by law to conduct a general and primary election by March 19, 2016 for the purpose of electing four new council members. The Tribal

1 Council failed to do so. Four members of the Tribal Council's term of office expired as of  
2 March 24, 2016 (Agripina Johnson, Rick D. George, Agripina Smith, and Katherine Canete).  
3 The Tribal Council cannot govern because there are only four validly elected members of the  
4 eight member body and they can only act if a quorum (five) of members exists. Nooksack  
5 Bylaws Art. II § 4.

6 5. Tribal Council Chairman Bob Kelly, Jr. called a Tribal Council meeting for  
7 March 22, 2016, at 1 p.m. in his office, but he did not attend. Rick George, Lona Johnson,  
8 Katherine Canete, Bob Solomon, Agripina Smith, Nadene Rapada, and I attended this meeting.  
9 George served as Acting Chair.

10 6. The purpose of the March 22<sup>nd</sup> meeting was to approve a recall petition to  
11 remove me from the Nooksack Tribal Council and to schedule a Special Election for the recall.  
12 During the meeting I asked to see the actual petition containing petition signatures. I was told  
13 that the petition signatures were confidential and that I could not see the petition.

14 7. During the discussion of the recall petition, I provided proof to the Tribal  
15 Council members that several tribal members wanted to rescind their signature on the recall  
16 petition for because they had been given false representations to induce them to sign. See  
17 Exhibit A. I learned that Tribal members were given a t-shirt saying "Nooksack Strong" to  
18 induce them to sign the recall petition against me. They ignored this evidence even though  
19 NTC § 60.03.010 says that this evidence should have been sufficient to invalidate the entire  
20 recall petition.

21 8. Rick George, acting Chairman, called for a vote on the recall petition. Four  
22 members voted for the recall petition and two voted against the recall petition. Under  
23 Nooksack Bylaws Art. II Section 4, this vote was illegal because Tribal Council action requires  
24 a vote of five.  
25  
26

1           9.       The Synopsis of the recall petition was filed on February 19, 2016 and the  
2 Council held the recall Election on April 22, 2016 which is past the 60-day requirement as  
3 outlined in the Nooksack Constitution Section V 4(a)

4           10.      As I walked out of the March 22 Tribal Council meeting, the Nooksack Chief of  
5 Police handed me a white envelope containing a three-page document. The first page stated,  
6 "Notice of Valid Petition." The second page stated, "Synopsis of Petition." The third page was  
7 a rebuttal form. *See* Exhibit B. This is all the information that I have ever been given about the  
8 Recall Petition. Despite several requests to Tribal Council members and executive staff I have  
9 never been provided with a copy of the actual recall petition containing signatures of those who  
10 wish to recall me.

11          11.      The Synopsis of Petition accuses me of treason for voting against the  
12 Constitution that was amended by the vote of the Nooksack tribal members. This is not  
13 treason. I voted against the **form** of the Constitution presented for vote at the February 2, 2016,  
14 Tribal Council meeting. This **form** did not contain the same language in the Constitution that  
15 was presented for approval to Nooksack Tribe members. That is why I voted against it at that  
16 council meeting.

17          12.      I was never provided a statement alleging specific facts or dates on the petition  
18 in violation of Nooksack Const. Art. IV Section 4(b)(1) and (3). I was never provided a  
19 certification by the person obtaining the signatures on the petition verifying that the signatures  
20 were obtained personally by that person, as required by Nooksack Const. V Section 4(b)(3). I  
21 was never provided with any information verifying that the person circulating the recall petition  
22 paid the \$500 recall petition fee. I was never given the identity of the person who initiated the  
23 recall petition.

24          13.      Even though I serve on the Tribal Council, I was denied the opportunity to serve  
25 on the Petition Review Board as required by NTC §§ 60.02.020 and 60.03.020. I submitted a  
26

1 response but it was not printed in full on the official recall election ballot. This violates NTC §  
2 60.04.010.

3 14. Attached hereto as Exhibit C is a true and correct copy of a letter I  
4 wrote to the Tribal Councilmembers laying out the reasons why the recall petition is null and  
5 void under the Nooksack Constitution and Bylaws and Code. This too was ignored.

6 15. Attached hereto as Exhibit D is a true and correct copy of an email letter that I  
7 sent to the Tribal Chairman requesting that he stop the recall effort because the recall petition  
8 was illegal. I received no response.

9 16. Attached hereto as Exhibit E is a true and correct copy of one of the letters and  
10 flyers sent by Robert Kelly, Jr., Tribal Council Chairman, urging Tribal Members to vote "yes"  
11 to recall me. I received at least seven flyers like Exhibit E.

12 17. Attached hereto as Exhibit F is a true and correct copy of the absentee ballot that  
13 states that the absentee ballot must be received by mail at a post office box in Deming,  
14 Washington by 5 p.m. on Friday, April 22, 2016. This violates our Tribal Election Code, Title  
15 62.

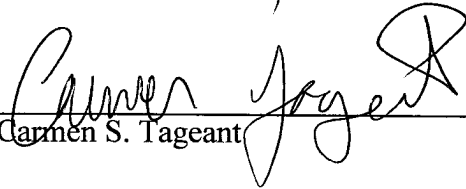
16 18. I learned that many members of the Tribe have been cut out of the Special  
17 Election on the recall petition. At least 35 Nooksack members had not received the absentee  
18 ballot as of April 19, 2016, thus making it impossible to comply with the April 22 "mail"  
19 deadline. Further, not all the Nooksack Tribal members who the current Tribal Council seeks  
20 to disenroll were not mailed the absentee ballot as of April 21, 2016, but did receive the flyers,  
21 such as Filbert Flores, Patricia Flores, Charlene Anderson, Consuelo Davis, Andrea Williams,  
22 Tyrell Williams, August Williams, Dionne Shaw, Ashley Shaw, Roy Nichol, Julie Wyse, Pat  
23 Wyse, Jennifer Wyse, Karen Wyse, Lyle Wyse, Trish Wyse, Lisa Rabang, Shalene Rabang,  
24 Tierra Rapada, Honorato Rapada, Dionne Rabang, Deanna Point, Lester Olson, Deborah  
25 Alexander, Robert Gladstone, Bonnie Gladstone, Brian Kelly, Peter Kelly, Justin Williams,  
26 James Sorrell, Rachel Sorrell-Shampoe, Maria Haddow, Joshua Olsen, Darlene Harris, Beverly

1 Wallace, Angie Wallace, and many other Nooksack Tribal members in Canada did not receive  
2 their election ballot until April 21, 2016 like Exhibit G

3 19. The reason the Tribal Councilmembers want to get rid of me is for strictly  
4 political reasons. I do not support the current Tribal Council's efforts to disenroll over 300  
5 members of our Tribe.

6 I declare under penalty of perjury of the laws of the Nooksack Tribe and the State of  
7 Washington the foregoing is true and correct.

8 SIGNED this 25 day of April, 2016, at Denville, Washington.

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11 Carmen S. Tageant  
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**CERTIFICATE OF SERVICE**

I hereby certify under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington that:

1. I am over the age of 18 and have knowledge of the facts stated herein;
2. On the date below I caused the foregoing **Declaration of Carmen S. Tageant** **In Support of Motion for Preliminary Injunction** to be filed with the referenced court; and
3. I caused the same document to be served on the following parties in the manner

indicated:

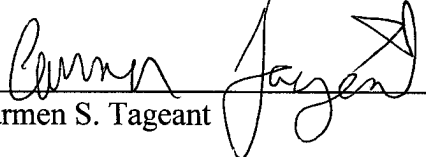
Raymond Dodge, Senior Tribal Attorney  
Rickie Armstrong, Tribal Attorney  
Nooksack Indian Tribe  
Office of Tribal Attorney  
PO Box 63  
5047 Mt. Baker Hwy  
Deming, WA 98244

***Via Email and Regular Mail***

Thomas P. Schlosser  
Morisset Schlosser Jozwiak  
801 2nd Ave  
Seattle, WA 98104-1576  
Email: [t.schlosser@msaj.com](mailto:t.schlosser@msaj.com)

***Via Email and Regular Mail***

DATED this 25 day of April, 2016, at Deming, Washington.

  
Carmen S. Tageant

GSB:7741853.1

# EXHIBIT A

2

We are requesting for our signatures to be recorded immediately. I do not want to recall Carmen S. Tagueant, from position B. Our signatures were obtained by false Representation.

name	D.O.B	Enrollment #	address
Robert Olson	07-12-1990		8473 Cimarron way
Russell Olson	12-03-1988	1221	8473 Cimarron way
Mike Olson	8-6-1991	1338	8473 Cimarron way
Ashley Olson			



# EXHIBIT B

# NOTICE OF VALID PETITION

*[pursuant to 60.03.020(c)]*

TO: CARMEN TAGEANT  
Nooksack Tribal Council member  
2585 Suchanon Drive  
Everson, WA 98247  
360-325-6869

In accordance with tribal law, an Eligible Petitioner completed a Recall Petition deemed valid by the Petition Review Board, which alleges facts of your actions or inactions and subjects you to recall. A ballot synopsis is attached hereto. Additionally, all documentation supporting these allegations, if any, is enclosed.

You may submit a rebuttal to the charge contained in the petition to be circulated with the ballot. Your rebuttal, not to exceed two-hundred and fifty (250) words, must be received by the seventh (7th) calendar day following receipt of this Notice. **Should you fail to provide a rebuttal as described above within the timeline provided, the ballots will be sent without your rebuttal.**

**Any such responses shall be filed with the Chief of Staff at:**

Nooksack Indian Tribe  
ATTN: Chief of Staff  
P.O. Box 63  
5016 Deming Road  
Deming, WA 98244

Attached: Petition synopsis with any attached documentation  
Copy of Title 60: Constitutional Petition Ordinance  
Rebuttal Form

## SYNOPSIS OF PETITION

1. Petitioner Paid Recall Petition Fee.
2. Petition was taken out on February 19, 2016.
3. Completed Petition was returned on March 11, 2016.
4. The total number of signatures required: 217.
5. The total number of signatures collected: 241.
6. Basis for Recall:

Ms. Carmen Tageant is charged with treason through her actions on multiple fronts where she has not supported the will of the Nooksack people. At the February 2, 2016, Council Meeting Carmen voted against the Constitution that was amended by the vote of the Nooksack members. Ms. Tageant has failed to fulfill her oath of office to uphold her duty and responsibility to safeguard our sovereignty, our constitution, and the will of the people. She has demonstrated that she is not willing to do that.

[illegible][illegible]

# EXHIBIT C

March 25, 2016.

Nooksack Tribal Council  
4979 Mt. Baker Highway  
Deming, WA 98244

Dear Council Members,

On March 22, 2016, Nooksack Tribal Council held a special meeting without a governing body to review a recall petition for my elected position as council member B. Therefore, the recall petition is Null and void.

**Constitution & bylaws of the Nooksack Indian Tribe**

The Bureau of Indian Affairs has rejected the Constitutional amendments twice as submitted to their office because changes were made after the vote of the people. This is the same reason I voted against the amendments.

**Article V – Removal from Office, Section 4-Recall**

- (a) A valid recall petition was not provided to the Tribal council Secretary.
- (b1) A statement of alleging specific facts and dates are not on the petition.
- (b2) Treason is a statement of general grounds for recall, and is not sufficient to establish a valid petition.
- (b3) There was no proof of signature verification.
- (d) There was no proof of \$500.00 receipt for recall petition.

**Constitutional Petitions Ordinance Title 60**

Title 60 Constitutional Petitions Ordinance is a Bill of Attainder, which was created on February 17, 2016, 2 days prior to the recall petition being taken out. A Bill of Attainder is an illegal ordinance created specifically for an individual. This demonstrates a pattern of harassment.

In addition, I would like you to focus your attention on section 60.01.050 Jurisdiction, 60.02.010 Form of Petition and Fee, 60.02.020 Review, 60.02.030 Criteria, 60.03.010 Verification, and 60.03.020 Notice of Validity of Petition

60.01.050 Jurisdiction – Removing Nooksack Tribal Court denies me due process.

60.02.010 Form of Petition and Fee.

- There was no proof of the \$500 receipt, and no name of eligible petitioner was provided.
- This ordinance indicates that the petition is circulated, therefor allowing both those who signed and those who did not sign to see the signatures, and I was denied the opportunity to see the signatures and was told it was confidential. A public document cannot be confidential. A petition which is circulated in 60.02.010 is a public document and therefore not confidential.
- I requested a copy of the recall petition and was denied on: March 11, 2016 @ 9:24 am, March 14, 2016 @ 10:09, March 15, 2016 @ 10:46 am, and March 18, 2016 @ 10:31 am.
- I was served an abbreviated copy of the recall petition by the Chief of Police on March 22, 2016 immediately following the discussion of the recall with council members.

60.02.020 Review – The entire tribal council did not meet to as the petition review board, therefore this recall petition is not sufficient according to this ordinance. The tribal council cannot break the law in acting as sole determiner as to whether or not the allegations rise to the level of necessitating a recall election, because there are no specific charges with facts or dates while at the same time there is an indication of fraudulent statements by petition.

60.02.030 Criteria – The Nooksack Constitution Article V, Sec. 4, (b) (2) Statements of general grounds for recall, such as “malfeasance, misfeasance or nonfeasance” or similar terms shall not be sufficient to establish a valid petition. Furthermore, there must be statements of facts and dates on each page of recall petition. Not only does this petition fail to meet the criteria of naming specific dates and times, it also uses an inflammatory language such as “traitor” in place of the words “malfeasance, misfeasance or nonfeasance.”

- According to United State law, a traitor only exists during times of war. Disagreeing with other council members or the Chairman, having differing opinions as a councilperson and having a dissenting voice does not make one a traitor. My disagreement is representing the Nooksack people as a whole, that doesn't meet the standard for reason of recall, because I'm performing my duties as I see the people asking me to.

60.02.040 Contents of Forum (B) The abbreviated recall petition presented as the synopsis of petition does not provide “the full text of the matter being petitioned.”

60.03.010 Verification

- “A finding by the Tribal Council, supported by substantial evidence, that three or more signatures on the petition were forged or obtained by false representations shall be sufficient to invalidate the entire petition.” Was ignored by the council members

60.03.020 Notice of Validity of Petition (b) (c)

- Currently there is no legal Nooksack Tribal Council due to failure to hold a Nooksack Tribal Election on March 19, 2016, as required by the Constitution.

I have full filled my oath of office to uphold my duty and responsibility to safeguard our sovereignty, our constitution, and the will of the people in spite of tremendous pressure to do otherwise. On February 2, 2016 I voted against the constitution that was forwarded to the BIA precisely because it was NOT THE VERSION THE NOOKSACK PEOPLE VOTED FOR. The BIA also rejected the Constitution for the same reason twice.

I am one of the only independent voices on the Council dedicated to protecting the entire Tribe.

Sincerely,



Carmen Tageant  
Nooksack Council Member

Cc: Nooksack Tribal Court,

# EXHIBIT D



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To: Bob Kelly >

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Cc: Nadene P. Rapada > Bob Solomon >

From: Carmen Tageant >

**Re: Council meeting**

March 21, 2016 at 1:01 PM

How are we having a council meeting, when we don't have a full council? We need 5 for a quorum.

The 4 incumbents are no longer council members as of March 19, 2016, per our Nooksack Constitution.

Carmen Tageant  
Nooksack Council Member

On Mar 21, 2016, at 12:18 PM, Bob Kelly  
<[BKelly@nooksack-nsn.gov](mailto:BKelly@nooksack-nsn.gov)> wrote:

Council members,

I am calling council meeting for tomorrow March 22, 2016, in the chairman's office at 1 PM.

Sent from my iPad



< Sent



To: Bob Kelly.>

Hide

Cc: CouncilMembers > Ray Dodge > Charity Bernard >

From: Carmen Tageant >

**Re: Council meeting**

March 22, 2016 at 5:00 PM

I am challenging the authenticity of this recall petition served to me today. I intend to respond within the 7 days noticed as required by law.

Carmen Tageant  
Nooksack Council Member


On Mar 21, 2016, at 12:18 PM, Bob Kelly  
<[BKelly@nooksack-nsn.gov](mailto:BKelly@nooksack-nsn.gov)> wrote:

Council members,

I am calling council meeting for tomorrow March 22, 2016, in the chairman's office at 1 PM.

Sent from my iPad



 SentTO: Charity Bernard 

Hide

From: Carmen Tageant **Rebuttal**

March 25, 2016 at 3:40 PM

I have full filled my oath of office to uphold my duty and responsibility to safeguard our sovereignty, our constitution, and the will of the people in spite of tremendous pressure to do otherwise. On February 2, 2016 I voted against the constitution that was forwarded to the BIA precisely because it was NOT THE VERSION THE NOOKSACK PEOPLE VOTED FOR. The BIA also rejected the Constitution for the same reason twice.

The Petition Synopsis arbitrarily charges me with "treason" for not voting with the rest of the Council and combines that with the vague notion of "multiple fronts." It is not possible for me to respond without reference to specific actions.

This is not treason, which is no basis for recall, and to use such accusations without specific dates and facts is a purposeful violation of the Nooksack Constitution and laws. At least three signatures were obtained under false pretenses, which would invalidate the petition under NTC 60.03.010 but the Council refuses to do so for political reasons.

The Council cancelled the 2016 elections. Yet they have scheduled a special recall election. If they remove me, the Tribal Chair gets to appoint someone who will do what he says. This avoids the consequences of a general election. The Council is manipulating our election laws to achieve a take-over by members who are not acting in the best interests of the Nooksack people.

I am one of the only independent voices on the Council dedicated to protecting the entire Tribe.



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To: Bob Kelly >

Hide

Cc: Ray Dodge > Charity Bernard > Bob Solomon >

Nadene P. Rapada >

From: Carmen Tageant >

**Re: Council Meeting**

April 12, 2016 at 6:48 PM

Hello Mr. Chairman,

I am unable to attend this special meeting tomorrow,  
I have prior commitments to attend to.

How is there a special council meeting being called  
without an official governing body? What is the  
official quorum without a Nooksack election?

Can you respond to the invalid recall petition that was  
submitted. Tribal member rescinded their signature  
and I have not seen the facts or dates or any  
supporting documentation.

Hope to hear from you soon, thank you.

Carmen Tageant  
Nooksack Council Member

On Apr 12, 2016, at 6:07 PM, Nadene P. Rapada  
<[nprapada@nooksack-nsn.gov](mailto:nprapada@nooksack-nsn.gov)> wrote:



< Sent

To: Bob Kelly >

Hide

Cc: Bob Solomon >

Nadene.Rapada@nooksack-nsn.gov > Nadene Rapada >

Charity Bernard > Rickie W. Armstrong > Ray Dodge >

From: Carmen Tageant >

**Re: Follow up on recall petition validity**

April 20, 2016 at 9:59 AM

Good morning,

I am following up on the request to reconcile the recall petition. There were many violations to the recall ordinances as I stated in the previous letter. Which would make the recall invalid.

Nooksack Constitution and Bylaws Article-V Section 2, Section 4 (b,1,2,3,4) and 4(d)

The recall election ballots have not been mailed to all eligible tribal members, and there have been at least 20 Nooksack members who have not received a ballot as of today April 19, 2016, but they have received numerous flyers from Nooksack advocating to "vote Yes" including me. I have received 7 flyers to my house.

I have a valid concern of an additional violation to the recall ordinance.

I have a valid concern of an additional violation to the recall ordinance.

2. Article V – Removal from Office section 4A Recall states:

**Every person elected to a tribal office under an election held by the Nooksack Indian Tribe may be subject to a recall election upon petition signed by those tribal members eligible to vote equal to at least thirty (30%) percent of the number of the tribal members who voted in the last election for tribal council members. Upon receipt of a valid petition as provided herein by the tribal council secretary, the tribal council shall hold a special recall election not less than thirty (30) day nor more than sixty (60) days from the date the petition is filed.**

On March 22, 2016 the special Council meeting to enact the recall petition for me, Carmen Tageant was approved by an unofficial council. I have not seen the recall petition to verify any information, however the synopsis of the recall petition states it was filed on February 19, 2016 and the Council is having the recall Election on April 22, 2016 which is past the 60-

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the recall petition states it was filed on February 19, 2016 and the Council is having the recall Election on April 22, 2016 which is past the 60-day requirement as outlined in the Nooksack Constitution.

I am requesting for 3rd time to reconcile the recall petition and void the recall election for numerous ground of violations to the Nooksack Constitution and Recall Ordinance. And the fact Nooksack members were deliberately left out of the voting process. The tribal council should be unbiased on the entire election advertisement and follow the Nooksack Constitution.

-who is counting the ballots to ensure any fairness?

-how does a tribal member get a ballot if the tribe did not mail them a ballot but mailed them a Vote Yes flyer?

- will I be able to witness the ballot counting? Or see the recall petition and verification of signatures or payment?

I look forward to any response,

Carmen Tageant  
Nooksack Council Member



I look forward to any response,

Carmen Tageant  
Nooksack Council Member

On Mar 30, 2016, at 2:07 PM, Carmen Tageant <[Carmen.tageant@nooksack-nsn.gov](mailto:Carmen.tageant@nooksack-nsn.gov)> wrote:

Mr. Chairman,

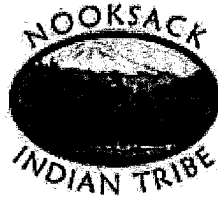
I responded to the synopsis recall petition intent, on Friday, March 25, 2016, within seven days of the March 22, 2016 receipt of Recall Petition. The sole basis for the petition is that I voted against the Nooksack Constitution ("Constitution") that was amended by Nooksack members. The Petition is arbitrary, capricious and goes against the same Constitution. Therefore, it should be dismissed immediately.

Specifically, the recall petition alleges wrongdoing—voting against the Constitution—that is not prohibited by any law, Nooksack or otherwise. The Constitution effective August 2, 2013 absolutely does not prohibit Tribal Council members from using their discretion and voting however we wish. The Constitution is silent on this and using it as authority for recall is silly and extra-constitutional.

The Constitution further protects my ability to vote any way I wish even outside of my specific protections as a tribal council member. That is, all members of the Tribe—even council members—are guaranteed the rights under the Civil Rights Act of 1968. Of course the Indian Civil Rights Act says clearly that "No Indian tribe in exercising powers of self-government shall make or enforce any law prohibiting the free exercise of religion, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and to petition for a redress of grievances."

In short, there is zero basis for this recall as stated in my response and I look forward to hearing from you regarding the null and void recall. Thank you,  
Carmen  
Tageant Nooksack Council Member

# **EXHIBIT E**



Greetings,

Your Nooksack Tribal Council honors our ancestors who worked for a vital, sovereign Tribe as we work to build a stronger Nooksack. Over the last few years your Council has worked to protect our elders and provide for our children by:

- Turning the Tribe around financially -- went from a deficient to a balanced budget;
- Protecting our natural resources;
- Investing in our future through a wide range of quality services for youth, elders, veterans and families;
- Strengthening our Tribal sovereignty; and
- Beginning to build our own Health Clinic to better serve you.

We are on the right path.

One of the ways you, as a Nooksack Tribal member, strengthened our sovereignty was by amending our Constitution in 2013. This amendment [Section H] was reviewed by the BIA and on February 2nd, 2016, your Tribal Council voted to adopt your amended Constitution. Unfortunately, Carmen Tageant, an elected Tribal Council Member, voted against adopting the Constitution and Bylaws of the Nooksack Indian Tribe. In addition, Tageant voted NO on your Christmas and School checks. This is an important benefit for all of our Nooksack people and we need a council who understands that. As a result of these actions, Tribal members have gathered more than enough valid signatures to put a recall election before you. In the next few days you'll receive a ballot in the mail.

We ask that you vote yes and return your ballot right away.

This is not something your Tribal Council takes lightly but when a councilmember votes against our Constitution and our people, **we have to stand together to fight for Nooksack.**

While we respect all people, our job is to keep Nooksack strong for the future. You may read or hear various claims over the next few weeks. Please know that we honor the hard work of our ancestors by protecting and strengthening what they fought for, and by working together. Any Tribal Council member who opposes our Constitution cannot continue to serve the Nooksack people.

We urge you to vote YES to recall Carmen Tageant.

Sincerely yours,

Robert Kelly Jr., Chairman  
Nooksack Tribal Council





**WE ARE NOOKSACK.**

**Vote YES for Nooksack.**

Send in your Nooksack ballot before Monday, April 18.

Vote for the future of Nooksack; our future depends on it.

# Vote YES for Nooksack.

Mail in your ballot before Monday, April 18.

Your ballot  
must be received  
by April 22  
to be counted.

## The future of Nooksack is at stake.

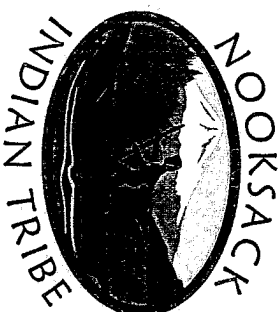
Nooksack is a humble people. As a Tribal member you deserve a balanced budget, paid medical bills, a housing department that is self-sufficient and a working government with checks and balances that votes for the benefit and betterment of ALL members who meet enrollment criteria as outlined in the Constitution.

Today the administration is well run and your Tribal Council has put a strong, responsible government in place to serve you.

Tribal members have brought forward a recall election. We ask for your YES vote. If we lose, our Nooksack people could lose control of our government. Again. **Your YES vote today for Nooksack will make a difference.**

Vote YES. Send back your ballot before Monday, April 18.

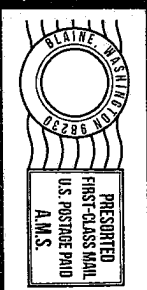
Nooksack Indian Tribe  
P.O. Box 157, Deming, WA 98244



\*\*\*\*\*AUTO\*\*5-DIGIT 98247

P1 C3 B1 000399

CARMEN SELINA TAGEANT  
2585 SUCHANON DR  
EVERSON WA 98247-8704



Honor our Nooksack ancestors.  
**Protect our future.**

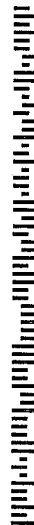
**Vote YES  
for Nooksack.**

Send in your ballot before Tuesday, April 19.

Nooksack Indian Tribe  
P.O. Box 157  
Deming, WA, 98244

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EVERSON WA 98247-8704



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U.S. POSTAGE PAID  
A.M.S.



Nooksack  
Indian Tribe  
P.O. Box 157,  
Deming, WA,  
98244

PERMIT NO. 106



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2585 SUCHANON DR  
EVERSON WA 98247-8704

## **Vote YES to protect Nooksack for future generations.**

When we vote YES we're protecting our natural resources and our culture and are strengthening our sovereignty. We need you to fight for the future of Nooksack. It's our responsibility to protect what's ours.

**You deserve a  
strong government  
and a healthy Tribe.**

**LAST CHANCE  
TO VOTE!**

**Mail your  
ballot today!**

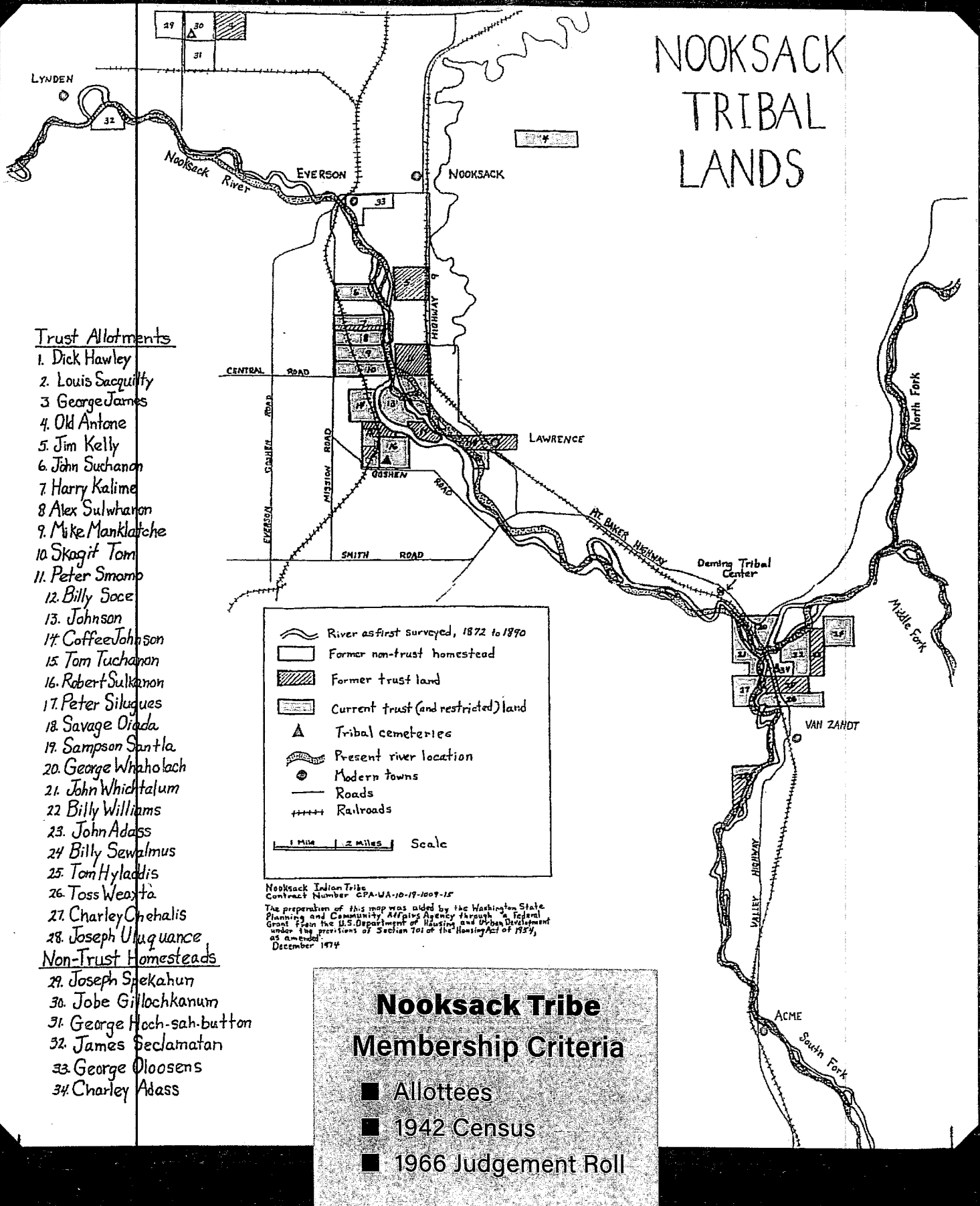
**Fight for it. Vote YES.  
Keep Nooksack Strong.**

#NooksackStrong  
Follow us on Facebook at  
[www.facebook.com/NooksackIndianTribe/](http://www.facebook.com/NooksackIndianTribe/)

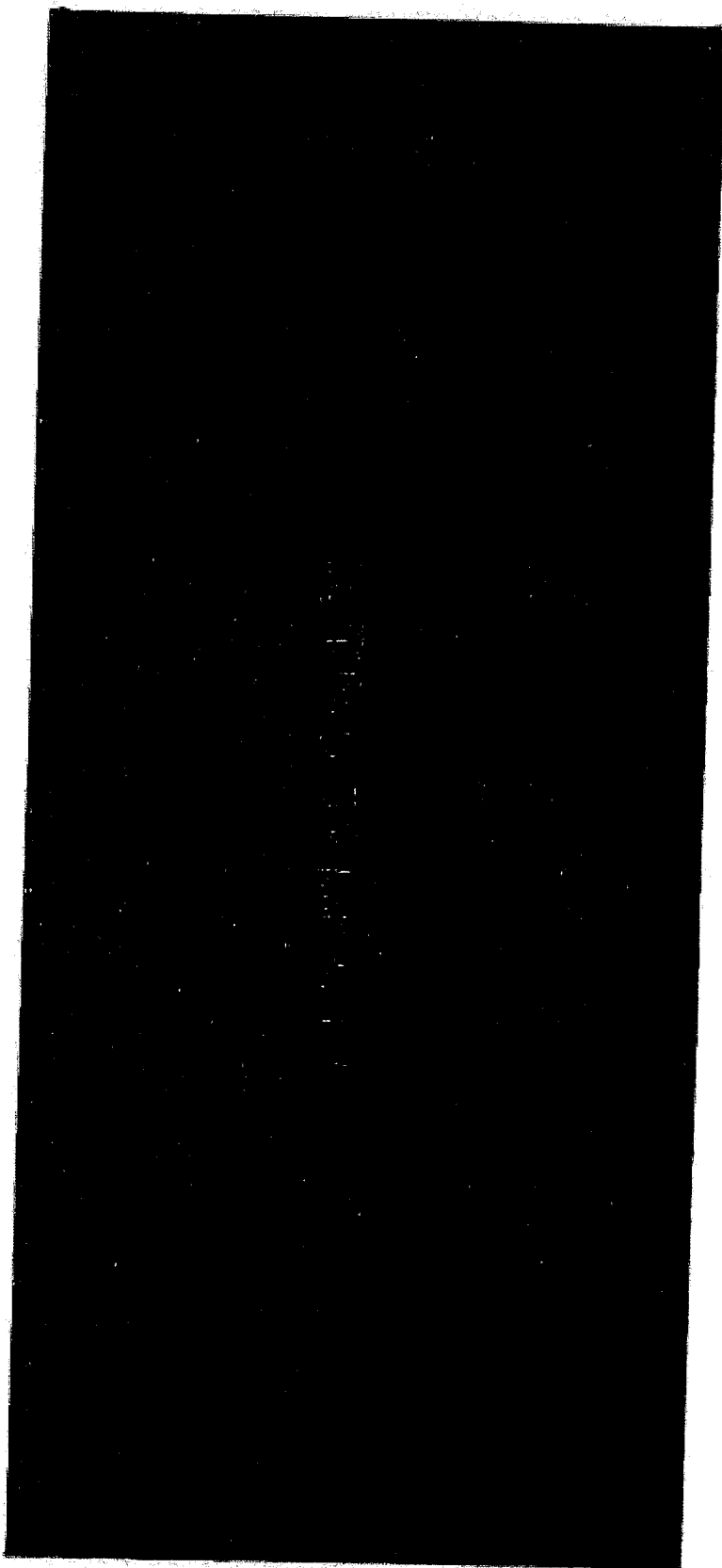


# Nooksack Tribal Lands

This is who we are and where we come from. Membership criteria:



# EXHIBIT F



## INSTRUCTIONS

Enclosed is an OFFICIAL BALLOT for the Recall Election to be held on Friday, April 22, 2016. Only unspoiled Official Ballots received by the deadline, 5:00PM on April 22, 2016, will be counted.

Please read all instructions before executing your ballot.

### PLEASE READ CAREFULLY

- ☐ Mark your ballot with a pen, using blue or black ink.
- ☐ Place an **X** or a **✓** (clearly mark) in the box next to your choice.
- ☐ One ballot per red envelope.
- ☐ Fold the ballot and put it into the RED ENVELOPE marked "**ABSENTEE BALLOT**". Seal it.
- ☐ There is an affidavit on the back of the 6x9 inch manila envelope. You **MUST** print your name, sign, add your member number, and date the affidavit on the lines provided.
- ☐ One Absentee Ballot per manila envelope.
- ☐ Put the red "**ABSENTEE BALLOT**" envelope into the 6x9 inch manila envelope. You will need to fold the red envelope to fit it in the manila envelope. Seal it.
- ☐ Your ballot **must be received** (and not just postmarked) by 5:00PM on Friday, April 22, 2016, in order to be counted. No Exceptions. It is the voter's responsibility to ensure that his/her ballot is actually received by the close of polls on election day. Send your ballot as soon as possible to ensure timely receipt.

**The deadline for receipt of the Official Ballots for the Recall Election is 5:00PM on Friday, April 22, 2016.** Any ballots received after this time will NOT be counted. **Remember**, all ballots must be received by 5:00PM on Friday, April 22, 2016 at P.O. Box 63, Deming, WA 98244.

If you have questions regarding the Recall Election, you may call the Chief of Staff at (360) 592-5176.



16418-462

OFFICIAL RECALL ELECTION BALLOT

Shall CARMEN TAGEANT be recalled from Tribal Council Position B?

YES ☐

NO ☐

STATEMENT FOR:

Ms. Carmen Tageant is charged with treason through her actions on multiple fronts where she has not supported the will of the Nooksack people. At the February 2, 2016, Council Meeting Carmen voted against the Constitution that was amended by the vote of the Nooksack members. Ms. Tageant has failed to fulfill her oath of office to uphold her duty and responsibility to safeguard our sovereignty, our constitution, and the will of the people. She has demonstrated that she is not willing to do that.

STATEMENT AGAINST:

I have full filled my oath of office to uphold my duty and responsibility to safeguard our sovereignty, our constitution, and the will of the people in spite of tremendous pressure to do otherwise. On July 2, 2016 I voted against the constitution that was forwarded to the BIA precisely because it was NOT IN THE PERSON THE NOOKSACK PEOPLE VOTED FOR. The BIA also rejected the constitution for the same reason twice.

The Petition Synopsis arbitrarily charges me with "treason" for not voting with the rest of the Council and combines that with the vague notion of "multiple fronts." It is not possible for me to respond without reference to specific actions. This is not treason, which is no basis for recall, and to use such accusations without specific dates and facts is a purposeful violation of the Nooksack Constitution and laws.

At least three signatures were obtained under false pretenses, which would invalidate the petition under NTC 60.03.010 but the Council refuses to do so for political reasons.

The Council cancelled the 2016 elections. Yet they have scheduled a special recall election. If they remove me, the Tribal Chair gets to appoint someone who will do what he says. This avoids the consequences of a general election. The Council is manipulating our election laws to achieve a take-over by members who are not acting in the interests of the Nooksack people.

I am one of the only independent voices on the Council dedicated to protecting the entire Tribe.

OFFICIAL RECALL ELECTION BALLOT

NOOKSACK INDIAN TRIBE

April 22, 2016

I, \_\_\_\_\_, hereby certify that I am a qualified voter of the Nooksack Indian Tribe; that I will be 18 years of age or over at the election date and I am entitled to vote in the election to be held on April 22, 2016. I further certify that I marked the enclosed ballot in secret.

Signed: \_\_\_\_\_

Member #: \_\_\_\_\_ Date: \_\_\_\_\_

**PLEASE READ THE ATTACHED INSTRUCTIONS AND FOLLOW  
EACH STEP EXACTLY AS INSTRUCTED.**

on Friday, April 22, 2016

BY 5:00 P.M.

**BALLOTS MUST BE RECEIVED BY MAIL AT  
P.O. Box 63, Deming, WA 98244**

# EXHIBIT G



Search



## Nooksack Indian Tribe Communications Page

Yesterday at 9:17 PM ·

### Recall Election Results

#### RECALL ELECTION RESULTS

Nooksack Indian Tribe Recall Election for CARMEN TAGEANT

Friday, April 22, 2016 Voting Day

Total Executed Ballots:	<u>566</u>
Recall Yes Votes:	<u>353</u>
Recall No Votes:	<u>191</u>
Spoiled Votes:	<u>22</u>

Write a commen...

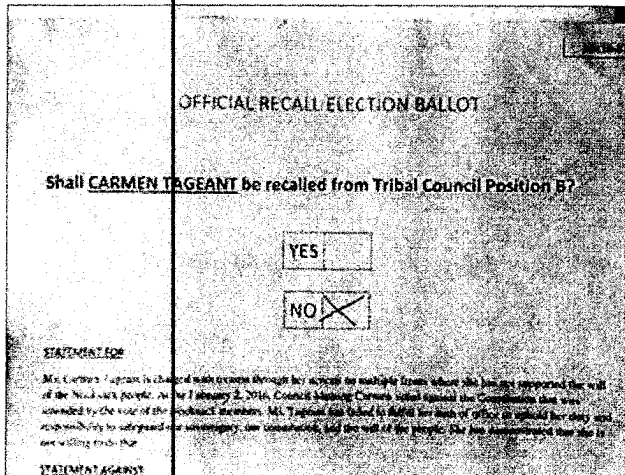
Post



Deborah Alexander with Barbara Jimmy and 89 others

20 mins · Everson · 🌐

Dear Nooksack People...Speak up...How many more of you did not receive a ballot for this bogus Recall Election? Let your voices be heard...



👍 Like    💬 Comment    ➦ Share    ✉ Message

👤 Elite Adams



Normalee Lopez I already did all that, thanx

Like · Reply · 5 mins · Edited



Veronica Gladstone I didn't receive a ballot.

Like · Reply · 4 mins



Elizabeth McIntyre My siblings just got theirs in the mail today and we checked the mail everyday. 🙄

Like · Reply · 4 mins



Robert George I did that to

Like · Reply · 4 mins



Carmen Tageant shared Hameesh Jimmy's post.

Yesterday at 6:45am · 🌐



Hameesh Jimmy

April 23 at 10:00pm · Denning · 🌐

So finally found my mail key.

Is the Tribe supposed to spend money on campaigning? Or I guess, it's spending money on recalling..

I'm pretty sure they spent a pretty penny on this...

It coulda went to something else... Rather than campaigning...



Deanna Point

April 22 at 2:44pm · 🌐

Carmen Tageant just got my right to vote yesterday. Isn't it too late to vote now. Totally rude too get it a Day before its over

👍 Like    💬 Comment    ➦ Share    ✉ Message

👤 You and Andrea P. Williams

1 share



Carmen Tageant That's messed up. It was rigged. Sad that tribal leaders behave this way.

Like · Reply · April 22 at 3:14pm



Deanna Point Hugs. Wanted to let you know asap.

Unlike · Reply · 👍 1 · April 22 at 3:21pm



Write a reply...



Qwelot Harris I mailed mine this morning

Like · Reply · April 23 at 12:42am



Qwelot Harris Friday morning , it said mail before 5:00 p.m.

Like · Reply · April 23 at 12:43am



Rolando N Bernita Clizbe with Anthony Madera and Julie Antoine Jefferson.

April 22 at 2:55pm · 🌐

This whole Recall Election to recall Carmen Tageant from her position on Nooksack Tribal Council is a waste of \$!!!! The Nooksack Tribal Council spent how much money on fliers to recall her?!!! Got duplicates or more at the same address of the same flier but didn't get a ballot! LOL! I'm not trying to be disrespectful but I don't remember the Nooksack Tribal Council spending money or putting so much time when they recalled Art George & he was our Tribal Chairman & there were grounds for his recall because money was being misspent! Carmen gets recalled because she votes No....!!!! She's only 1 vote so her vote means nothing! All the money that is being spent on this recall could be spent on more important things in the tribe! I think people are "butt hurt" because she won that seat! Nooksack Tribal Council won't even let the community know who the Election Superintendent is or the board members & when & where the counting of the ballots are going to be conducted! I think the Nooksack people want an Election before a recall election! #cantersethis #truth #tiredofallthebullshit #didntevengetaballot #counciliswastingourmoney

👍 Like    💬 Comment    ➦ Share    ✉ Message

👤 You, Deborah Alexander, Michelle Roberts and 14 others

6 shares



Deborah Alexander Demand it! Let's get it going! I'm in...

Like · Reply · April 22 at 6:19pm



Rolando N Bernita Clizbe 🙄🙄

Like · Reply · April 22 at 7:08pm



Jose N Vera Marquez I didn't get a ballot but I did get two fliers

Like · Reply · 👍 2 · April 22 at 8:13pm



Deborah Alexander Like many of us... Got many postcards to vote this way and that but don't send them ballots...

Like · Reply · April 23 at 11:22pm



**Carmen Tageant** added 3 new photos — 😊 feeling peaceful.

April 22 at 7:30am · 21 ▼

Power to the People. I want to take this moment to thank all my friends and family for the love and support as A NOOKSACK TRIBAL LEADER. I would not wish any of this harassment on anyone. And remember that I will always stand for All of our kids and families. Because I am a mother, grandmother, sister, cousin, Aunty, niece, and friend. We all need each other w/

Our purpose in life is to Love one another, Take Care of One another, and stop the cycle of historical trauma one generation after the next.

Today the Petition Review Board/Nooksack Council and incumbents will be counting the selected ballots that were mailed in by 5 pm, for the recall election.

I was not invited, of course, but my day will be well cherished at the "I chose Life-youth summit-Suicide Prevention in Lummi. And this evening with my Williams Family to celebrate our hero and legend David: funeral services at 7:00pm.

I love you 😊 ALL MY RELATIONS 💕 walk softly 🌿



**When you skip VOTING**  
**It's not rebellion**  
**It's SURRENDER**





Ron Williams there needs to be a in person vote none of this mail in vote. and to me when your term is up you have no power and should not be on payroll yet if they are. this i dont know if they are. i pray to the creator that this will end so many people getting hurt.

Like · Reply · 4 · 4 hrs



Deborah Alexander Brother they did this recall without showing Carmen Tageant that they had the required amount of signatures and... As for the ballot voting, they did ballots when they voted out 1h... They got to carry the ballots to the BIA unsecured and count them themselves... And yes everyone of them have other jobs in the tribe except Carmen and Nadene because they fired them...and their terms ended in March but the people don't believe us because this ex-council: Lona Johnson, Katherine Carrete, Abby Smith, And Rick George has the people convinced they can extend their terms.. But they cannot according to the Constitution and anyone who doesn't believe it can call the BIA--Marcella Teters at (425) 258-2651 or Stan Speaks-Regional officer in Portland at (503)231-6702..

Like · Reply · 2 hrs · Edited



**Ron Williams**

2 hrs · Chilliwack, BC, Canada

Gm family and friends. Can you all tell me if you got a recall voting ballot

Like Comment

Andrea P. Williams and Justice Birch

✓ Seen by 27



**Beth Williams** I didn't

Like · Reply · 2 hrs



**Ron Williams** I did and sent it with sis Jessica Williams

Like · Reply · 2 hrs



**Tyrell Williams** I didn't

Like · Reply · 2 hrs



**Dionne Shaw** Tasha got one friday and I didn't

Like · Reply · 2 hrs



**Augie Mekw Mekw Williams** Not me

Like · Reply · 2 hrs



**Augie Mekw Mekw Williams** I heard the ones who signed Roberts thing didn't get one

Like · Reply · 2 hrs



**Justin Qothyetel Thunderbird** not me

Like · Reply · 1 hr



**Shannon Campbell** I didn't get one. Well it actually just came in the mail today. I got the info package on Friday.

Like · Reply · 1 · 1 hr



**Andrea P. Williams** Mine came late too

Like · Reply · 1 hr



**Qwefot Harris** I got mine on Thursday

Like · Reply · 35 mins



**Shawna Williams**

4/17, 9:31pm

I didnt get one in the mail. They sent my dad and thomas one but not me.



**Justin Qothyetel Thunderbird**

4/17, 8:15pm

Still no ballot, just the flyer



**Carmen Tageant**

12:09pm

Did you or the girls get the recall ballot in the mail



**Dionne Shaw**

12:10pm

Tasha did I didn't or Ashley



**James Sorrell**

4/17, 12:55pm

I didnt get mine cuzzin. So I call Charity right?