

JUN 15 2016

10:50 a.m.

REJECTED

CODE: _____ CLERK: 

IN THE NOOKSACK TRIBAL COURT OF APPEALS

In re: Gabriel S. Galanda, pro se, Anthony S.
Broadman, pro se, and Ryan D. Dreveskracht,

Petitioners,

v.

Nooksack Tribal Court,

Respondent,

and

Nooksack Indian Tribe,

Real Party in Interest.

Trial Court No. 2016-CI-CL-001

**FOURTH DECLARATION OF
GABRIEL S. GALANDA IN
SUPPORT OF APPELLATE WRIT
PETITIONS**

I, Gabriel S. Galanda, declare as follows:

1. By preparing and filing this Declaration, I do not intend to practice law or transact business within the Nooksack Tribe's jurisdiction.

2. On Thursday, June 9, 2016 at 2:00 PM, I was subject to some form of banishment, disbarment, etc., "hearing" before the purported Nooksack Tribal Council, by telephone. Attached as Exhibit A is a true and correct copy of my sworn June 13, 2016, Declaration, which recounts, to the best of my recollection, much of what transpired during the "hearing." I attempted to have that Declaration filed with the Tribal Court on June 13, 2016, in aid of my March 23, 2016, *pro se* Motion For Injunction, but the Court Clerk "REJECTED" the Declaration for filing. See Exhibit A.

3. In a June 3, 2016, Response to this Appeals Court, which was filed—and accepted for filing—by the “Nooksack Tribe,” those purporting to be the Tribe, by and through their latest outside counsel, launch several more ethical assaults against me and my colleagues, particularly at pages 13-15. Those allegations lack any factual support or foundation. *See id.* They are libelous, and those responsible will be dealt with accordingly.

4. Notwithstanding, as to the allegation that I have failed to pay any requisite appellate filing fees, please see the attached emails from me to the Court Clerk, which are attached in true and correct form as Exhibits B and C. I stand prepared to pay any filing fee required of me.

5. As to the allegation that I have e-filed and not properly served the various appellate papers, please see the attached various service declaration documentation for those filings, which are attached in true and correct form as Exhibit D. This Appeals Court will recall a recent attempt of mine to mail papers to the office of the Tribal Court Judge was thwarted through the childish behavior of somebody with the Court or at the Tribe.

6. I have not engaged in *ex parte* communication with the Court. That allegation is not only false and libelous, but also rather hypocritical. *See* Exhibit H to my Third Declaration to this Court (admitting “[t]he Clerk’s Office has sought the advice of legal counsel” for the Tribal defendants on an *ex parte* basis).

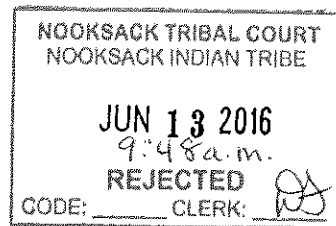
7. Finally, I understand from the June 3, 2016, Response that the former Tribal Council yet again amended Title 10, on or about April 18, 2016, while also passing the new Tribal Council Hearing Procedures. That marks at least the fourth occasion by which the former Council has amended the rules of this Court, since 2013. I have requested copies of that latest Title 10 amendment and its authorizing Resolution, but thus far those new Nooksack laws have not been provided to me. Attached as Exhibit E is a true and correct copy of my most recent email request to the Clerk and Tribe. *See also* Exhibit B.

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.

Signed this 14th date of June, 2016.



Gabriel S. Galanda, *Pro Se*



6
7
8
9
10
11
12
13

IN THE NOOKSACK TRIBAL COURT

GABRIEL S. GALANDA, ANTHONY S.
BROADMAN, and RYAN D.
DREVESKRACHT,

Pro Se Plaintiffs,

v.

CHARITY BERNARD, BETTY LEATHERS,
and JOHN and JANE DOES NOS. 1-5, in their
official capacities,

Defendants.

NO. No. 2016-CI-CL-002

SECOND DECLARATION OF
GABRIEL S. GALANDA IN SUPPORT
OF MOTION FOR INJUNCTION

14
15
16
17
18
19
20
21
22
23
24
25

I, Gabriel S. Galanda, declare as follows:

1. I am over the age of eighteen and make this declaration on personal knowledge. I am a *pro se* Plaintiff in this action. This Declaration does not constitute the practice of law or transaction of business at Nooksack.

2. On Thursday, June 9, 2016 at 2:00 PM, I was subject to some form of banishment, disbarment, etc., "hearing" by telephone. The number I called into at that time indicated it was a free conference call.com phone line. This testimony is based upon my notes from and best recollection of the June 9, 2016, "hearing."

3. Bob Kelly administered the call. Shortly after 2:00 PM, Bob announced himself present, as well as Councilman Bob Solomon and former Councilman Rick George. Bob announced that former Councilwoman Katherine Canete was late and would be joining the

SECOND DECLARATION OF GABRIEL S. GALANDA IN SUPPORT OF MOTION FOR INJUNCTION - 1

EXHIBIT A

1 “hearing” shortly. None of the other three announced themselves. I later learned that current
2 Councilperson and Nooksack 306 ally Nadene Rapada was not made aware of the “hearing.”

3 4. It seemed from Bob that Tribal Attorney Rickie Armstrong and Charity Bernard,
4 a paralegal in the Office of Tribal Attorney, were also present. Bob identified them only as
5 “staff” but he would not announce them by name, and they would not announce themselves.

6 • Two days before, on June 7, 2016, Ms. Bernard—despite comprising part
7 of the legal defense team in the “Nooksack 306” disenrollment litigation since 2013—
8 emailed me from meeting@nooksack-nsn.gov with the call-in information for the
9 “hearing,” ostensibly on behalf of the newly formed Nooksack Hearings Office. In
10 papers issued in the name of this Court, the Tribe has admitted that those with the Office
11 of Tribal Attorney, specifically Mr. Armstrong and Ray Dodge, are the architects of my
12 banishment, disbarment, etc. The Tribal legal defense team’s creation of and
13 involvement in this “Tribal Council Hearing” process exposes it for the farce that it is.

14 5. At the outset of the “hearing,” I introduced myself traditionally by way of my
15 tribal affiliation. I also let it be known I am the traditional Speaker—Noxwtsí7qen in the
16 Nooksack Lhéchalose language — for 331 Nooksacks, including Bob’s two biological sons.

17 6. I then explained that because the Nooksack Constitution and Bylaws require the
18 attendance of five current Councilpersons in order to constitute a quorum, the “hearing” was
19 unlawful. I further explained that it was impossible for five Councilpersons to establish a
20 quorum anyway, because four of the eight Council seats expired on or about March 19, 2016,
21 including those of former Councilpersons George and Canete. As such, I made clear that the
22 purported “Council” of four lacked any power or authority over me whatsoever.

23 7. I proceeded to ask a series of procedural questions, for sake of the administrative
24 record, as I explained. Bob refused to answer any meaningful question.

1 8. I first asked Bob, “Who’s the Hearing Officer?” He told me: “We’re not here to
2 answer any questions, Mr. Galanda.”

3 9. I then asked Bob: “Is the proceeding being audio recorded?” Bob answered, “yes”
4 and at my request, he promised me a copy of the audio recording. But those responses would
5 prove to be the responses he would make during the “hearing.”

6 10. I then explained that I received an unsigned and undated Notice of Hearing in
7 mid-May and asked Bob: “For sake of the record, can you please identify who wrote or issued it
8 and on what date?” I was conveying that notice was fundamental to due process. Bob again
9 refused to answer: “We’re not here to answer any questions, Mr. Galanda.”

10 11. I then explained that the Notice of Hearing mentions a “Resolution #16-28,” by
11 which “the Nooksack Tribal Council took emergency action barring [me] from Tribal lands and
12 Tribal Court...” on February 24, 2016. I said: “I of course have never seen Resolution #16-28.
13 Can you at least read that Resolution #16-28, or perhaps the resolved clauses of the Resolution,
14 into the record so I know exactly what I’m being accused of or what penalty I face?” I invoked
15 my due process-notice right. Bob—who has seen fit to email Resolution #16-28 to the *Seattle*
16 *Times* and *Bellingham Herald*—again refused to answer: “We’re not here to answer any
17 questions, Mr. Galanda.” Now 3½ months after its passage, I have yet to see Resolution #16-28.

18 12. I then asked: “Am I being banished, barred, disbarred, what?” “Again, without
19 Resolution #16-28, it is unclear exactly what punishment I am facing.” I had once again invoked
20 my due process-notice right. Bob once again refused to answer: “We’re not here to answer any
21 questions, Mr. Galanda.”

22 13. I went on: “The Notice of Hearing also mentions my alleged ‘failure to have a
23 valid Nooksack business license . . .’ Am I being banished, barred, disbarred, or whatever
24
25

1 pursuant to Title 54, too?” I had once again invoked my due process-notice right. Bob yet again
2 refused to answer: “We’re not here to answer any questions, Mr. Galanda.”

3 14. I continued: “Last week, I submitted a Representation Form, because the recently
4 promulgated Tribal Council Hearing Procedures assure me a right of representation.” The
5 Representation Form is referenced in and appended to those new Procedures, which the
6 purported “Council” apparently promulgated by Resolution on April 18, 2016 for purpose of my
7 banishment, disbarment, etc.

8 15. My lawyer, Jacob Downs, of Corr Downs, PLLC, and I submitted a jointly signed
9 Representation Form to meeting@nooksack-nsn.gov on and before June 2, 2016 in accordance
10 with the Procedures, but neither of us received any acknowledgment thereof from Ms. Bernard or
11 anybody else at the Tribe. I continued: “I never heard back . . . Was it [my Representation
12 Form] denied?” Bob muttered something like, “What representation form?” His own question
13 was telling—it revealed that my opposing counsel, Messrs. Armstrong and Dodge devised the
14 entire banishment, disbarment, etc., process, in order to eliminate me as their opponent. Bob
15 again refused to answer: “We’re not here to answer any questions, Mr. Galanda.” I had again
16 invoked my right of due process—my opportunity to be heard.

17 16. I later advised the four “Councilpersons” that by representing myself, I did not
18 waive any statutory right to representation or constitutional right to civil counsel of my choosing.
19 Although in a unsigned April 1, 2016, letter from the Tribal Court—whereby the Court admitted
20 to receiving *ex parte* “legal counsel” from Messrs. Armstrong and Dodge—I was advised that “a
21 lawyer who is acting *pro se* is ‘practicing’” law, the four “Councilpersons” offered no such
22 objection to my self-representation during the “hearing.”

23 • Not coincidentally, on the morning of the “hearing” Galanda Broadman,
24 PLLC, and Corr Downs each received correspondence from former Councilperson

1 Canete, advising us that the purported “Council,” would hear our respective Requests for
2 Reconsideration of her denial of Tribal business licensure applications. The “closed
3 hearings” are set for June 30, 2016, *i.e.*, three weeks after my “hearing.” Attached as
4 Exhibits A and B are true and correct copies of dated and signed Notice of Hearings to
5 each firm. My firm has now been seeking a Tribal business license since February 26,
6 2016, and Corr Downs has been doing the same since March 14, 2016.

7 17. Before concluding my remarks at 2:25 PM, I categorically denied all of the
8 allegations levied against me by the purported “Council,” as, *inter alia*, false, libelous, and mere
9 pretext given the simple fact that the “Council” and their non-Indian lawyers could not defeat me
10 in a court of law—and thus they could not disenroll the Nooksack 306—for the last 3 ½ years.
11 The “Council” could not defeat me or disenroll the 306 despite having amended the Nooksack
12 Constitution (they failed to do so a second time); changed the Nooksack Tribal Code—which I
13 termed “the rules of engagement”—via Resolution over a dozen times; and promulgated various
14 other Resolutions, policies and procedures against me and my clients.

15 18. I advised them that I was under no delusion to think I would not be banished,
16 barred, disbarred, or whatever, by them—that they would not “eliminate me”—after the
17 “hearing.” For reasons set forth in my March 23, 2016, *pro se* Motion For Injunction, which the
18 Clerk of this Court has thus far “REJECTED,” an injunction remains in order.

19 The foregoing statement is made under penalty of perjury under the laws of the Nooksack
20 Tribe and the State of Washington and is true and correct.

21 Signed this 13th day of June, 2016.

22
23 

24

Gabriel S. Galanda, *Pro se*



Nooksack Indian Tribe

RECEIVED

JUN 09 2016

June 7, 2016

Galanda Broadman
Attn: Anthony Broadman
P.O. Box 15146
Seattle, WA 98115

Galanda Broadman PLLC
Certified Return Receipt No.
7015 0640 0003 8499 4622

Re: Notice of Hearing

Dear Mr. Broadman,

We have received your Request for Reconsideration of your business license application. This is notice that I have set your administrative hearing for June 30, 2016 at 3:00pm. The hearing will be held telephonically.

The conference phone number is:
The meeting ID number is:

The hearing is a closed hearing and you will be given thirty (30) minutes to present any testimony and to discuss any evidence in support of your request. Following conclusion of this hearing, I will issue a final determination on your request within seven (7) calendar days.

If you have any additional materials you intend to rely upon that have not already been submitted, please ensure that you forward those to my attention at least 5 days in advance of the hearing.

Regards,

Katherine Canete, MPA
General Manager

EXHIBIT A



Nooksack Indian Tribe

June 7, 2016

Corr Downs PLLC
Attn: Jacob M. Downs
100 W. Harrison St., Ste. N440
Seattle, WA 98119

Certified Return Receipt No.
7015 0640 0003 8499 4639

Re: Notice of Hearing

Dear Mr. Downs,

We have received your Request for Reconsideration of your business license application. This is notice that I have set your administrative hearing for June 30, 2016 at 3:30pm. The hearing will be held telephonically.

The conference phone number is:
The meeting ID number is:

The hearing is a closed hearing and you will be given thirty (30) minutes to present any testimony and to discuss any evidence in support of your request. Following conclusion of this hearing, I will issue a final determination on your request within seven (7) calendar days.

If you have any additional materials you intend to rely upon that have not already been submitted, please ensure that you forward those to my attention at least 5 days in advance of the hearing.

Regards,

Katherine Canete, MPA
General Manager

EXHIBIT B



Gabe Galanda <gabe@galandabroadman.com>

New Title 10/Appellate Fee Schedule1 message

Gabe Galanda <gabe@galandabroadman.com>

Mon, Jun 6, 2016 at 2:42 PM

To: "BLeathers@nooksack-nsn.gov" <BLeathers@nooksack-nsn.gov>, Deanna Francis <DFrancis@nooksack-nsn.gov>, "Rickie W. Armstrong" <rmstrong@nooksack-nsn.gov>, raydodge2@yahoo.com, Katie Nicoara <katien@nics.ws>

Cc: AB <anthony@galandabroadman.com>, Ryan Dreveskracht <ryan@galandabroadman.com>, Molly Jones <molly@galandabroadman.com>

Bcc: Michelle Roberts <michelle.roberts3012@gmail.com>

All:

It appears that Title 10 was mended yet again, via Resolution #16-47, on April 18, 2016. That marks at least the fifth time it has been amended since 2013. If one of you would, please reply with the new Title 10 and Resolution #16-47. Before February 2016, Title 10 and its authorizing Resolutions would be provided by the Clerk upon our request. We require those new laws, especially if we are expected to conform to some new standard of attorney conduct, per 10.03.050.

Also, it has been suggested that we have not paid appellate filing fees. We've never seen an appellate fee schedule at Nooksack, and have not ever paid an appellate fee since 2013, despite much appellate activity. The Clerk may recall that when a Trial Court fee schedule was imposed in February 2014, we wrote her:

The reason we didn't have our clients proffer the new \$75 fee when they filed the appellate motion the other day is because we believed that the Trial Court's new Filing Fees Order applied only to Trial Court motions and other matters, as it says nothing about appellate motions or matters. Please let us know whether or no[t] a motion fee applies to appellate matters such as the Motion at bar.

We never heard back from the Clerk or anybody with the Court. We are now hearing for the first time that we have recently failed to pay appellate filing fees. If there is an appellate fee schedule, please provide it so we can comport with it.

Thank you,

Gabriel S. Galanda, Pro Se

EXHIBIT B



From: **Gabe Galanda** <gabe@galandabroadman.com>
Date: Fri, Feb 21, 2014 at 11:40 AM
Subject: Re: Updated Court Filing Fees schedule
To: Betty Leathers <BLEathers@nooksack-nsn.gov>
Cc: AB <anthony@galandabroadman.com>, Ryan Dreveskracht <ryan@galandabroadman.com>, Molly Jones <molly@galandabroadman.com>

Ms. Leathers:

I understand you phoned our office and spoke to our paralegal Molly Jones about filing fees associated with our Motion for Permission to File an Interlocutory Appeal in Adams v. Kelly (Adams II). The reason we didn't have our clients proffer the new \$75 fee when they filed the appellate motion the other day is because we believed that the Trial Court's new Filing Fees Order applied only to Trial Court motions and other matters, as it says nothing about appellate motions or matters. Please let us know whether or now a motion fee applies to appellate matters such as the Motion at bar. And pending resolution of that issue, has the Motion been forwarded to the Court of Appeals? It is of course a time-sensitive Motion by its nature.

Thank you,

Gabriel S. Galanda
Attorney at Law
Galanda Broadman, PLLC
m: [206.300.7801](tel:206.300.7801)
gabe@galandabroadman.com

CONFIDENTIAL ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

This e-mail message and its attachments are confidential, attorney work product and subject to the attorney-client communication privilege. It is intended solely for the use of the individual named above. If you are not the intended recipient or the person responsible to deliver it to the intended recipient, you are hereby advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please immediately notify the sender by reply e-mail and delete and/or destroy the original and all copies of the e-mail message.

On Tue, Feb 18, 2014 at 12:55 PM, Betty Leathers <BLEathers@nooksack-nsn.gov> wrote:

Attached please find a standing administrative order of the Nooksack Tribal Court that revises Filing Fees. The Filing Fees have not been updated in many, many years and the Court was asked to issue a new filing fees schedule more in line with other courts' filing fees. After conducting research on local and regional court filing fees and consulting with the General Manager, the Court has now established new Filing Fees. Please distribute this widely. We will post this in the next newsletter and will be distributing this to all Nooksack bar members.

As the order notes, Filing Fee Waiver forms are available at the Courthouse and will be granted on a case by case basis by the Chief Judge.

EXHIBIT C

Thank you,

Nooksack Tribal Court

--

Ryan D. Dreveskracht

Attorney at Law

Galanda Broadman, PLLC

8606 35th Avenue NE, Ste. L1

P.O. Box 15146

Seattle, WA 98115

m: 206.909.3842

f: 206.299.7690

ryan@galandabroadman.com

www.galandabroadman.com

GALANDA BROADMAN

An Indian Country Law Firm

CONFIDENTIAL ATTORNEY WORK PRODUCT/ATTORNEY-CLIENT PRIVILEGED COMMUNICATION

This e-mail message and its attachments are confidential, attorney work product and subject to the attorney-client communication privilege. It is intended solely for the use of the individual named above. If you are not the intended recipient, or the person responsible to deliver it to the intended recipient, you are hereby advised that any dissemination, distribution or copying of this communication is prohibited. If you have received this e-mail in error, please immediately notify the sender by reply e-mail and delete and/or destroy the original and all copies of the e-mail message.

FEB 18 2014

FILED BY
Deanna Francis

IN THE NOOKSACK TRIBAL COURT
FOR THE NOOKSACK INDIAN TRIBE
DEMING, WASHINGTON

STANDING ADMINISTRATIVE ORDER OF
THE COURT RE:

FILING FEES

THIS COURT, having found that the Nooksack Tribal Court Filing Fees Schedule has not been updated for over 15 years and the General Manager having approved of the below changes to the filing fees, hereby orders the following changes and updates to the Filing Fees Schedule:

FILINGS	FEES
Civil Complaints	\$150.00
Motions	\$75.00
Modification of Child Custody Orders	\$75.00
Annulments	\$75.00
Dissolutions (Divorces)	\$75.00
Marriage Licenses	\$50.00
Restraining Orders (Not Domestic Violence)	\$75.00
Guardianship	\$75.00
Vulnerable Adult Protection Order	NO FILING FEE
Child Support Petitions	NO FILING FEE
Domestic Violence Restraining Orders	NO FILING FEE
Notary Fees (Free to Tribal Members)	\$25.00
Copying Fees	\$2/per page

Forms for Waivers for Filing Fees may be obtained at the Nooksack Tribal Court and may be granted on a case-by-case basis.

DATED this 18 day of Feb., 2014

Raquel Montoya-Lewis

Raquel Montoya-Lewis
Chief Judge, Nooksack Tribal Court

NOOKSACK TRIBAL COURT NOOKSACK INDIAN TRIBE	
MAR 30 2016	
TIME: 11:14 AM / PM	FILED BY: _____ CLERK: [Signature]

IN THE NOOKSACK TRIBAL COURT

GABRIEL S. GALANDA, ANTHONY S.
BROADMAN, and RYAN D.
DREVESKRACHT,

NO. 2016-CI-CL-002

Pro Se Plaintiffs,

v.

CHARITY BERNARD, BETTY LEATHERS,
and JOHN and JANE DOES No. 1-5, in their
official capacities,

Defendants.

DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.

2. Today, I caused the following:

- Complaint,
- Summons to Charity Barnard,
- Summons to Betty Leathers,
- Summons to John and Jane Does No. 1-5
- Note for Motion, and
- Motion for Injunctive and Declaratory Relief

1 to be served via U.S. certified mail, return receipt requested, upon:

2 Charity Bernard
3 Nooksack Tribe
4 5016 Deming Road
5 PO Box 157
6 Deming, WA 98244

7 Betty Leathers
8 Nooksack Tribal Court
9 4971 Deming Road
10 Deming, WA

11 Chairman Robert Kelly
12 Nooksack Tribal Council
13 Nooksack Indian Tribe
14 P.O. Box 157
15 Deming, WA 98244

16 and served via U.S. certified mail, return receipt requested, and email upon:

17 Ray Dodge
18 Rickie Armstrong
19 Office of Tribal Attorney
20 Nooksack Indian Tribe
21 5047 Mt. Baker Hwy
22 P.O. Box 63
23 Deming, WA 98244

24 The foregoing statement is made under penalty of perjury under the laws of the Nooksack
25 Tribe and the State of Washington and is true and correct.

DATED this 24th day of March, 2016.

26 
27 MOLLY A. JONES

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.

Charity Bernard
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 63
Deming, WA 98244

Ray Dodge
Rickie Armstrong
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 63
Deming, WA 98244

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.

MOLLY A. JONES

CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of April, 2016, I served the foregoing Petition for Writ of Mandamus by causing it to be mailed, postage prepaid, one copy to the following individuals:

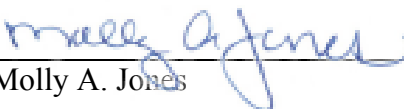
Hon. Susan M. Alexander
Nooksack Tribal Court
P.O. Box 157
Deming WA 98244

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com



Molly A. Jones

CERTIFICATE OF SERVICE

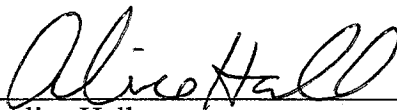
I hereby certify that on this 14th day of April, 2016, I served the foregoing Declaration of Gabriel S. Galanda in Support of Petition for Writ of Mandamus by causing it to be mailed, postage prepaid, one copy to the following individuals:

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com



Alice Hall

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of April, 2016, I served the foregoing
Second Declaration of Gabriel S. Galanda in Support of Petition for Writ of Mandamus by
causing it to be mailed, postage prepaid, one copy to the following individuals:

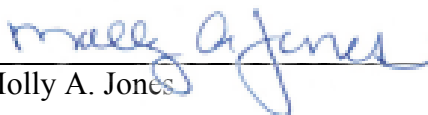
Katie Nicoara
NICS
20818 4th Ave W, Suite 120
Lynnwood WA 98036

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com


Molly A. Jones

CERTIFICATE OF SERVICE

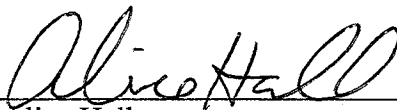
I hereby certify that on this 14th day of April, 2016, I served the foregoing Declaration of Gabriel S. Galanda in Support of Petition for Writ of Mandamus by causing it to be mailed, postage prepaid, one copy to the following individuals:

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com



Alice Hall

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of May, 2016, I served the foregoing by causing it to be mailed, postage prepaid, one copy to the following individuals:

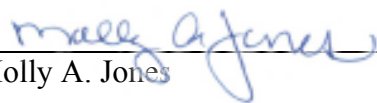
Hon. Susan M. Alexander
Nooksack Tribal Court
P.O. Box 157
Deming WA 98244

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com



Molly A. Jones

DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.

2. Today, I caused this Motion for Injunction and Declaration of Gabriel S. Galanda, to be served via U.S. mail, upon:

CHARITY BERNARD
Nooksack Tribe
5016 Deming Road
PO Box 157
Deming, WA 98244

BETTY LEATHERS
Nooksack Tribal Court
4971 Deming Road
Deming, WA

AGRIPINA SMITH, Treasurer
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

BOB SOLOMON, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

ELIZABETH KING GEORGE, Enrollment Officer
Tribal Enrollment Office
5047 Mount Baker Highway
Deming, WA 98244

KATHERINE CANETE, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

1 ROY BAILEY, Enrollment Officer
2 Tribal Enrollment Office
3 5047 Mount Baker Highway
4 Deming, WA 98244

5 RICK D. GEORGE, Vice Chairman
6 Tribal Council Office
7 4979 Mount Baker Highway
8 PO Box 157
9 Deming, WA 98244


10 and served via U.S. certified mail, return receipt requested, and email upon:

11 Ray Dodge
12 Rickie Armstrong
13 Office of Tribal Attorney
14 Nooksack Indian Tribe
15 5047 Mt. Baker Hwy
16 P.O. Box 63
17 Deming, WA 98244

18 Chairman Robert Kelly
19 Nooksack Tribal Council
20 Nooksack Indian Tribe
21 P.O. Box 157
22 Deming, WA 98244

23 The foregoing statement is made under penalty of perjury under the laws of the Nooksack
24 Tribe and the State of Washington and is true and correct.

25 DATED this 23rd day of May, 2016.

26 
27 _____
28 MOLLY A. JONES

CERTIFICATE OF SERVICE


I hereby certify that on this 23rd day of May, 2016, I served the foregoing, by causing it to be mailed, postage prepaid, one copy to the following individuals:

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

A copy was emailed to:

Thomas Schlosser
Morisset, Schlosser, Jozwiak & Somerville
1115 Norton Building
801 Second Avenue
Seattle, WA 98104-1509
t.schlosser@msaj.com



Molly A. Jones

DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.
2. Today, I caused this Second Petition for Writ of Mandamus, to be served via U.S. mail, upon:

RICKIE ARMSTRONG
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 63
Deming, WA 98244

CHARITY BERNARD
Nooksack Tribe
5016 Deming Road
PO Box 157
Deming, WA 98244

BETTY LEATHERS
Nooksack Tribal Court
4971 Deming Road
Deming, WA 98244

ROBERT KELLY, Chairman
Nooksack Tribal Council
Nooksack Indian Tribe
P.O. Box 157
Deming, WA 98244

BOB SOLOMON, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

RICK D. GEORGE, Vice Chairman
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

AGRIPINA SMITH, Treasurer
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

AGRIPINA "LONA" JOHNSON, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

KATHERINE CANETE, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

The foregoing statement is made under penalty of perjury under the laws of the
Nooksack Tribe and the State of Washington and is true and correct.

DATED this 25th day of May, 2016.



MOLLY A. JONES

DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.

2. Today, I caused this First Amended Complaint, to be served via U.S. mail, upon:

RICKIE ARMSTRONG
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 63
Deming, WA 98244

CHARITY BERNARD
Nooksack Tribe
5016 Deming Road
PO Box 157
Deming, WA 98244

BETTY LEATHERS
Nooksack Tribal Court
4971 Deming Road
Deming, WA 98244

ROBERT KELLY, Chairman
Nooksack Tribal Council
Nooksack Indian Tribe
P.O. Box 157
Deming, WA 98244

BOB SOLOMON, Councilmember
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

RICK D. GEORGE, Vice Chairman
Tribal Council Office
4979 Mount Baker Highway
PO Box 157
Deming, WA 98244

1 AGRIPINA SMITH, Treasurer
2 Tribal Council Office
3 4979 Mount Baker Highway
4 PO Box 157
5 Deming, WA 98244

6 AGRIPINA "LONA" JOHNSON, Councilmember
7 Tribal Council Office
8 4979 Mount Baker Highway
9 PO Box 157
10 Deming, WA 98244

11 KATHERINE CANETE, Councilmember
12 Tribal Council Office
13 4979 Mount Baker Highway
14 PO Box 157
15 Deming, WA 98244

16 The foregoing statement is made under penalty of perjury under the laws of the Nooksack
17 Tribe and the State of Washington and is true and correct.

18 DATED this 25th day of May, 2016.

19 
20 _____
21 MOLLY A. JONES

1
2
3
4
5
6 IN THE NOOKSACK TRIBAL COURT

7 GABRIEL S. GALANDA, ANTHONY S.
8 BROADMAN, and RYAN D.
9 DREVESKRACHT,

10 *Pro Se* Plaintiffs,

11 v.

12 CHARITY BERNARD, BETTY LEATHERS,
13 and JOHN and JANE DOES No. 1-5, in their
14 official capacities, BOB KELLY, BOB
15 SOLOMON, RICK GEORGE, AGRIPINA
16 SMITH, LONA JOHNSON, and KATHERINE
17 CANETE, in their official and personal
18 capacities,

19 Defendants.

NO. 2016-CI-CL-002

20
21
22
23
24
25
DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.

2. Today, I caused the following:

- Amended Summons to Charity Barnard,
- Amended Summons to Betty Leathers,
- Amended Summons to John and Jane Does No. 1-5,
- Summons to Robert Kelly,
- Summons to Bob Solomon,

- Summons to Rick George,
- Summons to Agripina Smith,
- Summons to Lona Johnson, and
- Summons to Katherine Canete,

to be filed via email and U.S. mail, upon the Clerk of the Court for issuance by the Clerk of the Court, and courtesy copies delivered via U.S. mail to the following:

Nooksack Tribal Court Judge
Nooksack Tribal Court
PO Box 157
Deming WA 98244

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.

DATED this 2nd day of June, 2016.



MOLLY A. JONES

DECLARATION OF SERVICE

I, Molly Jones, say:

1. I am over eighteen years of age and am competent to testify, and have personal knowledge of the facts set forth herein.
2. Today, I caused this Response re: Order to Show Cause and Request for Writ of Prohibition, to be filed or served via U.S. mail, upon:

Katie Nicoara
NICS
20818 4th Ave W, Suite 120
Lynnwood WA 98036

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
PO Box 157
Deming WA 98244

Tribal Court Judge
Nooksack Tribal Court
PO Box 157
Deming WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming WA 98244

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.

DATED this 3rd day of June, 2016.



MOLLY A. JONES

CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of June, 2016, I filed or served the foregoing Third Declaration of Gabriel S. Galanda in Support of Appellate Writ Petitions by causing it to be mailed, postage prepaid, one copy to the following individuals:

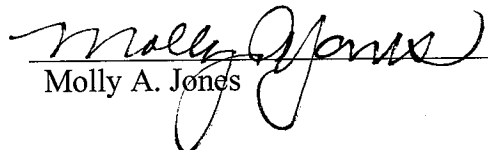
Katie Nicoara
NICS
20818 4th Ave W, Suite 120
Lynnwood WA 98036

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
PO Box 157
Deming WA 98244

Tribal Court Judge
Nooksack Tribal Court
PO Box 157
Deming WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming WA 98244

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.


Molly A. Jones



Gabe Galanda <gabe@galandabroadman.com>

Re: In Re Galanda v. Nooksack Tribal Court: Second Petition for Writ of Mandamus

1 message

Gabe Galanda <gabe@galandabroadman.com>

Tue, Jun 14, 2016 at 12:18 PM

To: Molly Jones <molly@galandabroadman.com>

Cc: "BLeathers@nooksack-nsn.gov" <BLeathers@nooksack-nsn.gov>, Deanna Francis <DFrancis@nooksack-nsn.gov>, "Rickie W. Armstrong" <rarmstrong@nooksack-nsn.gov>, Ray Dodge <rdodge@nooksack-nsn.gov>, raydodge2@yahoo.com, AB <anthony@galandabroadman.com>, Ryan Dreveskracht <ryan@galandabroadman.com>

Bcc: gabe@galandabroadman.com

All:

Can you please reply with a copy of the new Title 10 and it's authorizing Resolution? This is my second request for that latest new law.

Also, I understand that yesterday when Michelle attempted to ask Clerk Francis whether there is currently any judge at Nooksack and if so, who that might be, Clerk Leathers obstructed her from answering. If any one of you would, please reply to indicate whether or not there is any judge currently under contract at Nooksack.

Thank you,

Gabriel S. Galanda, Pro Se

On Jun 14, 2016, at 12:01 PM, Molly Jones <molly@galandabroadman.com> wrote:

Please see attached a of:

Second Declaration of Gabriel S. Galanda in Support of Motion for Injunction

On Thu, Jun 2, 2016 at 8:23 AM, Gabe Galanda <gabe@galandabroadman.com> wrote:

Ms. Leathers, Ms. Francis:

We await your response, having heard nothing from you since the Court's Order on May 27 or my email in May 29.

Your continued obstruction of justice especially prejudices me given an administrative banishment hearing against me that the former Tribal Council has scheduled for one week from today. Our pending Motion for Injunction relates to that hearing and must be heard at once. I remain unavailable Wednesday but otherwise can make time for a hearing in coming days.

Also, we are dismayed that our recent mailing to the Nooksack Tribal Court Judge was rejected, with a rather childish note, as you can see from the attached copy of a rejected envelope. Given your refusal to accept our various papers for filing, our mailings to the Judge should be sent to whomever is the current Judge at Nooksack, if anybody. Please make arrangements with whomever answers the mail at the Court's PO Box to ensure that this does not happen again.

Gabriel S. Galanda, Pro Se
Anthony S. Broadman, Pro Se
Ryan. D. Dreveskracht, Pro Se

On Sun, May 29, 2016 at 2:25 PM, Gabe Galanda <gabe@galandabroadman.com> wrote:

Ms. Leathers, Ms. Francis:

EXHIBIT E

Please reply to us by close of business on Tuesday, May 31, to confirm that our Complaint, First Amended Complaint, Motion for Injunction, and my pro se Declaration (four pleadings in all) have been

filed in the Court record.

In case you did not maintain copies of those pleadings before rejecting them, I have attached them all hereto.

For the three pleadings that were stamped "REJECTED" with the Court's new stamp, perhaps you could cross out that stamping on those three papers, and then stamp all four papers "FILED." We would appreciate receiving e-copies of all four documents once they are filed. Once we get those papers, we will work with you to have Summonses issued.

Please also reply to us by close of business on Tuesday to confirm when our Motion for Injunction has been set for a hearing before Thursday, June 9. Please be advised that I will be out of town on Wednesday, June 8, so the hearing will need to take place before that date. The injunction motion hearing of course relates to an administrative banishment hearing that has been scheduled against me for Thursday, June 9, so time is of the essence as to the motion.

If we do not hear from you on either front by close of business on Tuesday, May 31, we may email Judge Randy Doucet in this regard, to ensure that they are filed by the end of this coming week per the Court of Appeals Order.

Like the Court of Appeals, we do not know whether there is any Judge presiding at Nooksack since Chief Judge Alexander was fired in late March, but we have heard that Judge Doucet is presiding in some capacity or another.

Under the rather extreme circumstances in which we all find ourselves, Nooksack Tribal law allows such direct inquiry to the Judge, specifically the former Chief Judge's March 7, 2016, Order in Belmont v. Kelly, at pp. 5-6.

Rickie:

We trust you have noted the ethical admonishment from the Court of Appeals, and will now heed it.

After receiving several unsigned letters that you and/or Ray wrote for the Clerk to reject our filings and pro se appearances, we were further dismayed by Ms. Francis asking for thirty minutes in which to call you ex parte for legal advice both last Monday and Wednesday, May 23 and 25, when we attempted to file our First Amended Complaint and Motion for Injunction papers through a third party.

Your unethical exploits and rather obvious obstruction of the administration of justice at Nooksack must stop.

Ray:

Insofar as the Court of Appeals and others continue to copy you on matters, you may want to file some sort of notice of withdrawal or resignation. It remains rather unclear who represents, and who does not, represent the Tribe these days.

This email is not intended to be the practice of law or transaction of business at Nooksack.

Gabriel S. Galanda, Pro Se
Anthony S. Broadman, Pro Se
Ryan. D. Dreveskracht, Pro Se

----- Forwarded message -----

From: **Katie Nicoara** <katien@nics.ws>

Date: Fri, May 27, 2016 at 5:55 PM

Subject: In Re Galanda v. Nooksack Tribal Court: Second Petition for Writ of Mandamus

To: Betty Leathers <BLEathers@nooksack-nsn.gov>

Cc: "Deanna Francis (DFrancis@nooksack-nsn.gov)" <DFrancis@nooksack-nsn.gov>, "Rickie W.

Armstrong (rarmstrong@nooksack-nsn.gov)" <rarmstrong@nooksack-nsn.gov>, "rdodge@nooksack-nsn.gov" <rdodge@nooksack-nsn.gov>, "Gabe Galanda (gabe@galandabroadman.com)"

<gabe@galandabroadman.com>, Anthony Broadman <anthony@galandabroadman.com>, "Ryan

Dreveskracht (ryan@galandabroadman.com)" <ryan@galandabroadman.com>

Good afternoon,

Please find the attached Court of Appeals' Order Re: Second Petition for Writ of Mandamus in the Galanda v. Nooksack Tribal Court matter. Thank you.

Katie

--

Molly Jones

Paralegal

GALANDA BROADMAN PLLC

An Indian Country Law Firm

PO Box 15146

Seattle, WA 98115

Main: [206.557.7509](tel:206.557.7509)

Fax: [206.299.7690](tel:206.299.7690)

This e-mail, and any attachments thereto, is intended only for use by the addressee(s) named herein and may contain legally privileged and/or confidential information. If the recipient of this e-mail is not a current client, receipt of this e-mail does not create an attorney-client relationship. If you are not the intended recipient of this e-mail, you are hereby notified that any dissemination, distribution or copying of this e-mail, and any attachments thereto, is strictly prohibited (Electronic Communications Privacy Act, 18 U.S.C. §§ 2510-2521). If you have received this e-mail in error, please immediately notify this firm at [\(206.557.7509\)](tel:206.557.7509) or the writer and permanently delete the original and any copy of any e-mail and any printout thereof.

<6-14-16 Galanda v Bernard- Nooksack Declaration of Service.pdf>

<6-13-16 Second Declaration Re Galanda v Bernard Motion for Injunction Conformed.pdf>

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of June, 2016, I served the foregoing Third Declaration of Gabriel S. Galanda in Support of Appellate Writ Petitions by causing it to be mailed, postage prepaid, one copy to the following individuals:

Katie Nicoara
NICS
20818 44th Ave W, Suite 120
Lynnwood WA 98036

Chairman Robert Kelly
Nooksack Tribal Council
Nooksack Indian Tribe
5016 Deming Road
Deming, WA 98244

Rickie Armstrong
Ray Dodge
Tribal Attorney
Office of Tribal Attorney
Nooksack Indian Tribe
5047 Mt. Baker Hwy
P.O. Box 157
Deming, WA 98244

The foregoing statement is made under penalty of perjury under the laws of the Nooksack Tribe and the State of Washington and is true and correct.



Molly A. Jones