

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

**THIRD 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 May 29, 2016, I emailed the Nooksack Court Clerks Betty Leathers and Deanna Francis, copying Tribal defense counsel:

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. . . . 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.

Having heard nothing in reply to my May 29th email, on June 2, 2016, I emailed Ms.

Leathers and Ms. Francis again:

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.

Neither Ms. Leathers or Ms. Francis ever responded to either of my inquiries.

3. As of today, we have not received any indication that the Nooksack Court Clerks have accepted our Complaint, First Amended Complaint or Motion for Injunction papers for filing; or set a hearing on that Motion before June 9, 2016.

4. Also, on June 2, 2016, we transmitted a set of proposed Summons and Amended Summons in companion to our first Amended Complaint, to the Tribal Court for issuance. The Amended Summons name the original Defendants, and the Summons name those Defendants added to the First Amended Complaint, particularly my habeas corpus claim vis-à-vis my impending banishment or being "barred from Nooksack lands and Tribal Court."

5. Meanwhile this week, we received a rejected U.S. mailing of Petitioners' Motion For Show Cause Order Re: Contempt, which we mailed to "Hon. Susan Alexander, Nooksack Tribal Court," at the P.O. Box address for the Tribal Court, on May 17, 2016. In rather childish fashion, the mailing to the Judge was rejected—rather than forwarded to any current Chief Judge or Judge Pro Tem—with a hand-scribbled and underlined note: "Return to Sender!" Attached hereto as Exhibit A is a true and correct copy of thereof.

6. On May 31, 2016, both my law firm, Galanda Broadman, PLLC, and my and my colleagues' lawyers, Corr Downs, PLLC, sought reconsideration of the Tribe's May 16,

2016, denial letters to both firms, respectively. Attached hereto as Exhibits B through E are each firm's denial letters, and each firm's pending reconsideration requests. Jacob Downs of Corr Downs explained the urgency of his firm's reconsideration request

Mr. Galanda is subject to an administrative banishment proceeding, in which a telephonic hearing is set for June 9, 2016, at 2:00 p.m. . . . I presume that my law firm must possess a Nooksack business license to also allow me to represent him administratively, but please let me know if my presumption is mistaken.

On June 2, 2016, Mr. Downs followed up by emailing the anonymous email address, meeting@nooksack-nsn.gov, I have been advised to contact in regard to my banishment hearing. Mr. Downs wrote: "Given the impending June 9, 2016 administrative hearing, we look forward to hearing back from you regarding business licensure very soon." A true and correct copy of that email is attached hereto as Exhibit F.

7. Despite the urgency, the Tribe has not responded to Corr Down's reconsideration request or inquiry, or issued either law firm a Tribal business license.

8. Throughout the week, I have also corresponded to that anonymous email address with basic questions about my forthcoming banishment hearing:

May 31, 2016:

I am in receipt of a letter from the Nooksack Tribe titled "Notice of Hearing." It is an unsigned and undated, one-page letter. So that I know how and when to properly respond to the Notice and its appended allegations, please advise:

1. What is the date of the letter?
2. From whom at the Tribe was the letter sent?
3. Is the Notice letter more than a single page? If so, can you please reply with any additional pages?
4. Was Resolution #16-28, which is mentioned at No. 1 of the Notice letter but not appended, inadvertently omitted from the enclosures? Can you kindly reply with it?
5. Does the Notice pertain to Nooksack Title 54?

June 2, 2016:

I await your reply to my inquiries below [above]. I especially require the date of the Notice of Hearing letter so that I know by when I must respond to the allegations appended to the Notice.

A true and correct copy of those emails is attached hereto as Exhibit G. The Tribe has not responded to me either.

9. As of today, I have been deprived of my fundamental due process rights to, *inter alia*, know the charges against me and the anticipated penalty, and be represented by civil counsel of my choosing now and on June 9, 2016.

10. Attached as Exhibit H is a true and correct copy of another unsigned letter, from the "Nooksack Tribal Court" to my colleagues and I, which admits that "[t]he Clerk's Office has sought the advice of legal counsel regarding whether a lawyer who is acting pro se is 'practicing in tribal court,' [sic] prohibited by Resolution #16-28." It was under cover of this letter that "the Clerk" originally rejected our *pro se* Complaint.

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 3rd date of June, 2016.

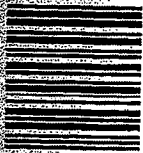


Gabriel S. Galanda, *Pro Se*

U.S. POSTAGE
SEATTLE, WA
98118
MAXIMUM
AMOUNT

\$2.41

R2304M112387-12



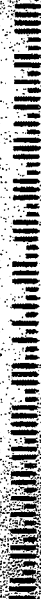
98244



1000

NIXIE 982442033-1N 05/25/16

RETURN TO SENDER
REFUSED
UNABLE TO FORWARD
RETURN TO SENDER



Return to Sender

RECEIVED

HON. SUSAN ALEXANDER
NOOKSACK TRIBAL COURT
PO BOX 157
DEMING WA 98244

EXHIBIT A

GALANDA BROADMAN

An Indian Country Law Firm

May 31, 2016

VIA U.S. MAIL & EMAIL

Katherine Canete, MPA
General Manager
Nooksack Indian Tribe
6106 Deming Road
P.O. Box 157
Deming, WA 98244
KCanete@nooksack-nsn.gov

Re: May 2, 2016 Nooksack Business License Application

Dear Ms. Canete:

We at Galanda Broadman, PLLC, write to request that you reconsider your May 16, 2016, "Denial of Business License." This reconsideration request is not intended to be, nor should be construed as the practice of law or transaction of business at Nooksack. You stated that Galanda Broadman "threatens the political integrity, economic security, peace, safety, morals, or general welfare of [the] Tribe." Respectfully, you are mistaken.

You allege that "since at least 2013, [we] continuously engaged in business on Tribal lands without a business license. Your conduct was in violation of tribal law and is deemed a fraudulent, deceptive and dishonest practice . . ." To be clear, nobody with our firm did any business at Nooksack before March 2013, and none of us have engaged in any "fraudulent, deceptive and dishonest practice" at Nooksack.

We understand that on February 24, 2016, the former Nooksack Tribal Council took some form of legislative action to bar or disbar my partner Gabriel S. Galanda and our law firm. We have yet to see Resolution 16-28 that was passed against him and us that date. But what we do know is:

- Between September 8, 1983, and February 24, 2016, no law firm was required to obtain a Nooksack Business License pursuant to N.T.C. Title 54. Longtime Nooksack Chairman Narz Cunanan confirms no person was ever required to obtain a tribal business license before February 24, 2016.
- In the Fall of 2013, the Nooksack's former Senior Attorney, Raymond Dodge, caused another downtown Seattle law firm, MacDonald Hoague & Bayless, to be disbarred from the practice of law before the Quinault Tribal Court. Mr. Dodge was the Quinault Attorney General at that time.
- On March 8, 2013, Mr. Galanda and Ryan Dreveskracht, also of our office, were admitted to practice law in the Nooksack Tribal Court, per N.T.C. § 10.02 *et seq.* They were each sworn in by Judge Raquel Montoya-Lewis in person. At no time then, or prior to February 24, 2016, did the Tribe or Tribal Court ever publish Title 54 or did the Judge or anybody else ever notify them of the need for a Nooksack business license.

EXHIBIT B

- In 2013, I was admitted to practice law in the Nooksack Tribal Court, per N.T.C. § 10.02 *et seq.* Judge Montoya-Lewis swore me in, in person, in Deming. Sue Gearhart's libelous allegation on March 11, 2016, that I was "'pending' as opposed to 'admitted'" to practice at Nooksack as of November 18, 2015, is untrue. At no time prior to February 24, 2016, did the Tribe or Tribal Court ever publish Title 54 or did anybody with the Tribe or Court notify me of the need for a Nooksack business license either.
- On February 24, 2016, Chairman Bob Kelly said: **"I have a resolution here to bar Gabe Galanda and his firm. For practicing in Tribal Court. Not for bullshit violation of a business code because he's being a jerk . . . The real reason that I want to do this is not because of that stupid business license . . ."** Indeed, there was not then, and has never been any reason, to bar us from Nooksack lands or the Tribal Court for want of a tribal business license.
- Moments later on February 24, 2016, Chairman Kelly and the former Tribal Council passed Resolution 16-27, to amend N.T.C. § 10.02.070 and adopt an "Advocates Code of Conduct" provision, thereby withdrawing lawyer disciplinary from the Tribal Court; and then Resolution 16-28, which apparently "bar[red] Gabe Galanda and his firm" from Nooksack lands and/or disbarred him or us from the Nooksack Tribal Court. Mr. Dodge was present and provided counsel that day. Indeed, it was his idea to bar or disbar us, just as it was his idea to do so to MacDonald Hoague & Bayless at Quinault in 2013.
- Beginning on February 24, 2016, and continuing for several weeks thereafter, we requested the Tribe provide us a copy of the former Tribal Council's Resolution 16-28 and any business licensing laws that existed prior to that day. We were provided Title 54 that day but the Tribe has never provided us Resolution 16-28.
- On February 26, 2016, Galanda Broadman remitted the \$100.00 business license application fee contemplated by N.T.C. § 54.02.010. As of that day, the Tribe did not have any business application form; it had never before used such a form.
- On February 29, 2016, the Tribe's CFO, Joseph Mace, returned our \$100.00 business license application fee, explaining only that the Tribe was "not able to issue the requested license."
- On March 4, 2016, the Tribe's outside counsel provided us Resolution 16-27 and new Title 10, with an amendment to N.T.C. § 10.02.070. Neither Resolution 16-27 nor the amended N.T.C. § 10.02.070 are retroactive—meaning they do not apply to any failure of ours to possess a Nooksack business license from March 8, 2013 until February 24, 2016.
- On March 21, 2016, since-terminated Nooksack Tribal Court Chief Judge Susan Alexander entered an Order that Resolution 16-28 be produced. But Resolution 16-28 has never been produced by anybody with the Tribe.
- On May 2, 2016, both Galanda Broadman, PLLC, and Corr Downs, PLLC—Mr. Galanda and our law firm's own counsel—submitted completed Nooksack Business License Applications, and each remitted \$100.00 application fees.
- On May 9, 2016, the Tribe sent us an unsigned letter, prepared by Tribal Attorney Rickie Armstrong, reminding us "that until such time as the Nooksack Tribal Council takes further action, the Nooksack Tribal Courts are bound by Resolution #16-28 barring you from practicing in the Tribal Court." Mr. Armstrong further wrote: "Under Washington's Rules of Professional Conduct, a lawyer who is pro se is "representing a client." His

stated position, albeit unfounded, and his tact, albeit unethical as recently noted by the Nooksack Court of Appeals, underscores our need for a Nooksack business license.

- On or about May 13, 2016, the Tribe mailed Mr. Galanda an undated, unsigned Notice of Hearing, contending that: "On February 24, 2016, the Nooksack Tribal Council took emergency action barring [him] from Tribal lands and Tribal Court due to your failure to have a valid Nooksack business license" The Notice referenced Resolution 16-28 but did not include or append that Resolution.

- On May 16, 2016, you issued Corr Downs an "Order of Denial; Denial of Business License." On that day, you also denied our business license.

Today we assure you that we do not threaten the political integrity, economic security, peace, safety, morals, or general welfare of the Tribe. Dating back to March 8, 2013, we have been legal counsel of record for at least 331 Nooksack citizens—for nearly 20% of the Tribe. Mr. Galanda remains the traditionally those Nooksacks' authorized Speaker. In these ways, we embody the political integrity, economic security, peace, safety, morals, and general welfare of the Nooksack People. We do not threaten those values.

We, therefore, ask that you reconsider your May 16, 2016, "Denial of Business License" and issue us the requested business license before June 9, 2016, when Mr. Galanda is scheduled for an administrative banishment hearing. If you do not issue us the business license, please again refund the \$100.00 fee that we submitted on May 2, 2016.

Very truly yours,



Anthony S. Broadman

Cc: Rickie Armstrong, Esq. (via email)
Raymond Dodge, Esq. (via email)
Jacob Downs, Esq. (via email)



Nooksack Indian Tribe

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
No. 7006 0100 0006 5508 3757

May 16, 2016

Galanda Broadman PLLC
P.O. Box 15146
Seattle, WA 98115

RECEIVED

MAY 19 2016

Re: Denial of Business License Application

Galanda Broadman PLLC

Dear Applicant,

This letter is to inform you that your recent application for a business license with the Nooksack Indian Tribe is denied. On May 2, 2016, the Tribe received the attached application for a business license. Following review of the application, I have determined that your application should be denied for the following reason:

- Application Incomplete.
- License Fee not paid (or proof not attached).
- Material misrepresentation of fact contained in application.
- Applicant currently non-compliant with tribal law.
- Applicant previously engaged in fraudulent, deceptive or dishonest practice.
- Proposed business threatens the political integrity, economic security, peace, safety, morals, or general welfare of Tribe.

Specifically, since at least 2013, you continuously engaged in business on Tribal lands without a business license. Your conduct was in violation of tribal law and is deemed a fraudulent, deceptive and dishonest practice, which undermined the political integrity, economic security, and general welfare of the Tribe. The Tribe has no assurances that your proposed future operations would comply with tribal law given your past practices.

You have thirty (30) days from receipt of this Denial to file a Request for Reconsideration of my decision. Should you seek reconsideration, your Request for Reconsideration shall be in writing, dated and signed, include a concise statement of relief requested and any new or previously unconsidered information that that supports your relief. Your Request for Reconsideration shall be directed to the Tribal General Manager and may be hand delivered to

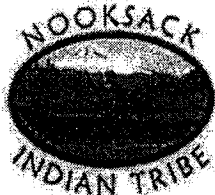
EXHIBIT C

the front desk at 5016 Deming Road, Deming, WA 98244 or mailed to P.O. Box 157,
Deming, WA 98244.

Regards,

A handwritten signature in black ink, appearing to read 'Katherine Canete', with a long horizontal flourish extending to the right.

Katherine Canete, MPA
General Manager



Nooksack Indian Tribe
BUSINESS LICENSE APPLICATION

3017 Deming Road
PO Box 157
Deming, WA 98244
Ph: (360) 592-5176 Fx: (360) 592-2125

RECEIVED
MAY 02 2016

RS BY 5/16/16

Please check one of the following:

- Temporary Business License (\$10.00 fee not to exceed four days)
 Seasonal Business License (\$25.00 fee not to exceed three months)
 Annual Business License (\$100.00 fee not to exceed one calendar year)

Name of Business: Galanda Broadman PLLC

Trade Name (if any): _____

Location(s) at which business will be conducted: Nooksack Tribal Court and Nooksack Court of Appeals

Description of the type of business: Legal Counsel

Name of Owner(s): Gabriel S. Galanda, Anthony S. Broadman, Ryan D. Dreveskracht and R. Joseph Sexton

Residential Address of Owner(s): 8606 35th Ave NE, LL, Seattle, WA 98115

Mailing Address of Owner(s): PO Box 15146, Seattle, WA 98115

Phone number(s) of Owner(s): 206-557-7509

E-Mail Address of Owner(s): gabe@galandabroadman.com, anthony@galandabroadman.com
ryan@galandabroadman.com, joe@galandabroadman.com

Has applicant ever been denied or had a business license revoked? yes no. If so, where and why: _____

Sworn statement that applicant is in compliance and will comply with all Tribal laws applicable to applicant's business: I, Gabriel S. Galanda hereby swear, under penalty of perjury under the laws of the Nooksack Tribe of Indians, that I am in compliance with and will remain in compliance with all Tribal laws applicable to the above-described business.

By signing this application, the applicant consents to the jurisdiction of the Nooksack Tribe and the Nooksack Tribal Court in matters arising from the conduct of business on Nooksack Tribal lands.

Signature of Applicant: [Signature] Date: April 28, 2016
Name and Address of agent who will accept service of process on behalf of the business, if other than owner(s): _____

Signature of Agent: _____ Date: _____

CORR|DOWNS

Trusted Advisors. Proven Results.

JACOB M. DOWNS
206.962.5041
jdowns@corrdowns.com

May 31, 2016

VIA U.S. MAIL AND EMAIL

Katherine Canete, MPA
General Manager
Nooksack Indian Tribe
6106 Deming Road
P.O. Box 157
Deming, WA 98244
KCanete@nooksack-nsn.gov

Re: May 2, 2016 Nooksack Business License Application

Dear Ms. Canete:

I write to request reconsideration of your May 16, 2016 “Order of Denial; Denial of Business License.” The stated grounds for the denial of our May 2, 2016, Nooksack Business License Application is that my law firm “threatens the political integrity, economic security, peace, safety, morals, or general welfare of [the] Tribe.” You claim:

Consenting to the Tribe’s regulatory and adjudicatory jurisdiction is necessary in order for the effective regulation of [our] proposed business practices. Although your recent application indicated you would now consent to such regulation, you recently notified the Tribe, in no uncertain terms, that you do not consent to the jurisdiction of the Tribe.

You seem to reference my March 15, 2016, letter to legal representatives of the Tribe, in their personal capacities, whereby we demanded that they “initiate a litigation hold, and preserve all information or data that might be or become relevant to” any forthcoming tort lawsuits against them in a non-tribal forum.

Because as of that date we had “contacted Nooksack staff requesting business licensing information,” but had “yet to receive the courtesy of a reply,” we offered appropriate disclaimer. That is that we did not thereby “intend to practice law or transact business at Nooksack or in any way consent to the jurisdiction of the Nooksack Tribe” That disclaimer was actually in respect for Nooksack authority—we did not want to run afoul of it or be subject to our own disciplinary action, by way of our correspondence. Nor should this letter, in and of itself, be

CORR|DOWNS

Trusted Advisors. Proven Results.

construed as the practice law or transaction of business at Nooksack or consent to the jurisdiction of the Nooksack Tribe.

You are, however, correct that by way of our May 2, 2016, Business License Application, we consent to Nooksack Tribal jurisdiction (subject to protections afforded to us by the federal Indian Civil Rights Act and otherwise at law). We hereby affirm that upon the grant of our application, we consent to Nooksack Tribal jurisdiction. Therefore, we ask that you reconsider your May 16, 2016, "Order of Denial; Denial of Business License" and issue us the requested business license. We ask that you do so without delay as we have now been seeking that Nooksack business licensure since March 14, 2016.

As you are surely aware, our clients Gabriel S. Galanda, Anthony S. Broadman, and Ryan Dreveskracht have, without Nooksack-licensed legal counsel, attempted to file various *pro se* complaint and motion papers with the Tribal Court. Also, Mr. Galanda is subject to an administrative banishment proceeding, in which a telephonic hearing is set for June 9, 2016, at 2:00 p.m. Messrs. Galanda, Broadman, and Dreveskracht have each chosen us to represent them in those judicial and administrative proceedings.

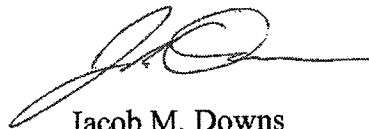
To that end, Mr. Galanda and I are also submitting a completed Representation Form to allow me to represent him during his June 9th administrative banishment hearing. I presume that my law firm must possess a Nooksack business license to also allow me to represent him administratively, but please let me know if my presumption is mistaken.

Finally, to the extent you finally deny our May 2, 2016, Nooksack Business License Application, please advise if you will be refunding the \$100.00 we posted on May 2.

Thank you for your time and consideration.

Very truly yours,

CORR|DOWNS, PLLC



Jacob M. Downs

Enclosure

cc: Clients
Rickie Armstrong, Esq. (via Email)



Nooksack Indian Tribe

CERTIFIED MAIL, RETURN RECEIPT REQUESTED
No. 7006 0100 0006 5508 3740

May 16, 2016

Corr Downs PLLC
100 W. Harrison St., Ste. N440
Seattle, WA 98119

Re: *Order of Denial; Denial of Business License Application*

Dear Applicant,

This letter is to inform you that your recent application for a business license with the Nooksack Indian Tribe is denied. On May 2, 2016, the Tribe received the attached application for a business license. Following review of the application, I have determined that your application should be denied for the following reason:

- Application Incomplete.
- License Fee not paid (or proof not attached).
- Material misrepresentation of fact contained in application.
- Applicant currently non-compliant with tribal law.
- Applicant previously engaged in fraudulent, deceptive or dishonest practice.
- Proposed business threatens the political integrity, economic security, peace, safety, morals, or general welfare of Tribe.

Consenting to the Tribe's regulatory and adjudicatory jurisdiction is necessary in order for the effective regulation of your proposed business practices. Although your recent application indicated that you would now consent to such regulation, you recently notified the Tribe, in no uncertain terms, that you do not consent to the jurisdiction of the Tribe. Proper regulation, without unnecessary jurisdictional restraints, is necessary in order to protect the Tribe, and its members. As such, your recent application is denied.

You have thirty (30) days from receipt of this Order of Denial to file a Request for Reconsideration of my decision. Should you seek reconsideration, your Request for Reconsideration shall be in writing, dated and signed, include a concise statement of relief requested and any new or previously unconsidered information that that supports your relief. Your Request for Reconsideration shall be directed to the Tribal General Manager and may be

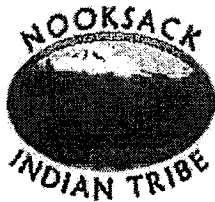
EXHIBIT E

hand delivered to the front desk at 5016 Deming Road, Deming, WA 98244 or mailed to P.O.
Box 157, Deming, WA 98244.

Regards,

A handwritten signature in black ink, appearing to read 'Katherine Canete', with a stylized flourish at the end.

Katherine Canete, MPA
General Manager



Nooksack Indian Tribe
BUSINESS LICENSE APPLICATION

5017 Deming Road
PO Box 157
Deming, WA 98244
Ph: (360) 592-5176 Fx: (360) 592-2125

Please check one of the following:

- Temporary Business License (\$10.00 fee not to exceed four days)
 Seasonal Business License (\$25.00 fee not to exceed three months)
 Annual Business License (\$100.00 fee not to exceed one calendar year)

02 MAY 02 2016

Re BY: sh/h

Name of Business: Corr Downs PLLC

Trade Name (if any): _____

Location(s) at which business will be conducted: Nooksack Tribal Court and Nooksack Court of Appeals

Description of the type of business: Legal Counsel

Name of Owner(s): Jacob Downs

Residential Address of Owner(s): 100 W. Harrison St., Ste N440, Seattle, WA 98119

Mailing Address of Owner(s): 100 W. Harrison St., Ste N440, Seattle, WA 98119

Phone number(s) of Owner(s): 206-962-5040

E-Mail Address of Owner(s): jdowns@corrdowns.com

Has applicant ever been denied or had a business license revoked? yes no. If so, where and why: _____

Sworn statement that applicant is in compliance and will comply with all Tribal laws applicable to applicant's business: I, Jacob Downs hereby swear, under penalty of perjury under the laws of the Nooksack Tribe of Indians, that I am in compliance with and will remain in compliance with all Tribal laws applicable to the above-described business.

By signing this application, the applicant consents to the jurisdiction of the Nooksack Tribe and the Nooksack Tribal Court in matters arising from the conduct of business on Nooksack Tribal lands.

Signature of Applicant: [Signature] Date: April 28, 2016

Name and Address of agent who will accept service of process on behalf of the business, if other than owner(s): _____

Signature of Agent: _____ Date: _____



Gabe Galanda <gabe@galandabroadman.com>

RE: Corr Downs Business License: Reconsideration

1 message

Jacob Downs <jdowns@corrdowns.com>

Thu, Jun 2, 2016 at 2:59 PM

To: "KCanete@nooksack-nsn.gov" <KCanete@nooksack-nsn.gov>, "meeting@nooksack-nsn.gov" <meeting@nooksack-nsn.gov>

Cc: "rarmstrong@nooksack-nsn.gov" <rarmstrong@nooksack-nsn.gov>

Good afternoon,

In follow up to my email below, attached is the representation form with Mr. Galanda's signature.

Given the impending June 9, 2016 administrative hearing, we look forward to hearing back from you regarding business licensure very soon.

Regards,

Jacob M. Downs**CORR|DOWNS PLLC**

100 W. Harrison St., Suite N440

Seattle, WA 98119

Direct: (206) 962-5041 Cell: (206) 683-6266

jdowns@corrdowns.com | www.corrdowns.com

From: Jacob Downs**Sent:** Tuesday, May 31, 2016 12:58 PM**To:** 'KCanete@nooksack-nsn.gov' <KCanete@nooksack-nsn.gov>; 'meeting@nooksack-nsn.gov' <meeting@nooksack-nsn.gov>**Cc:** 'rarmstrong@nooksack-nsn.gov' <rarmstrong@nooksack-nsn.gov>**Subject:** Corr Downs Business License: Reconsideration

Good afternoon,

EXHIBIT F

Attached please find (1) a letter requesting reconsideration re business license, and (2) a signed representation form for Mr. Galanda. Mr. Galanda's signature on his portion of the form will follow in a separate email.

Regards,

Jacob M. Downs

CORR|DOWNS PLLC

100 W. Harrison St., Suite N440

Seattle, WA 98119

Direct: (206) 962-5041 Cell: (206) 683-6266

jdowns@corrdowns.com | www.corrdowns.com

 **Representation Agreement.pdf**
74K



Gabe Galanda <gabe@galandabroadman.com>

Re: Representation Form

1 message

Gabe Galanda <gabe@galandabroadman.com>
To: Nooksack Meetings <meeting@nooksack-nsn.gov>
Cc: "Rickie W. Armstrong" <rarmstrong@nooksack-nsn.gov>

Thu, Jun 2, 2016 at 12:52 PM

To Whom It May Concern:

Attached please find my fully signed Representation Form.

I await your response to my inquiries.

Thank you,

Gabriel S. Galanda

On Thu, Jun 2, 2016 at 8:03 AM, Gabe Galanda <gabe@galandabroadman.com> wrote:

To Whom It May Concern:

I await your reply to my inquiries below. I especially require the date of the Notice of Hearing letter so that I know by when I must respond to the allegations appended to the Notice.

Also, I submitted a signed Representation Form, along with my lawyer at Corr Downs. Please advise if Mr. Downs will be able to advocate for me during the hearing.

I hope to hear from you today so I can prepare for my hearing accordingly.

Thank you,

Gabriel S. Galanda

On Tue, May 31, 2016 at 9:59 AM, Gabe Galanda <gabe@galandabroadman.com> wrote:

To Whom It May Concern:

I am in receipt of a letter from the Nooksack Tribe titled "Notice of Hearing." It is an unsigned and undated, one-page letter. So that I know how and when to properly respond to the Notice and its appended allegations, please advise:

1. What is the date of the letter?
2. From whom at the Tribe was the letter sent?
3. Is the Notice letter more than a single page? If so, can you please reply with any additional pages?
4. Was Resolution #16-28, which is mentioned at No. 1 of the Notice letter but not appended, inadvertently omitted from the enclosures? Can you kindly reply with it?
5. Does the Notice pertain to Nooksack Title 54?

If I need to direct these inquiries to somebody else at the Tribe, please let me know.

EXHIBIT G

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

Thank you,

Gabriel S. Galanda

On Thu, May 26, 2016 at 5:00 PM, Nooksack Meetings <meeting@nooksack-nsn.gov> wrote:

From: Gabe Galanda [mailto:gabe@galandabroadman.com]
Sent: Thursday, May 26, 2016 12:41 PM
To: Nooksack Meetings
Cc: Rickie W. Armstrong
Subject: Representation Form

To Whom it May Concern:

Kindly email me the Representation Form listed as Appendix A to the new Procedures for Tribal Council Hearings. It was not appended to the version of the Procedures that I was furnished. Thank you.

Gabriel S. Galanda



Representation Agreement.pdf

74K



Nooksack Indian Tribe

Nooksack Tribal Court
5016 Deming Rd.
Deming, WA 98244

April 1, 2016

Gabriel S. Galanda
Anthony S. Broadman
Ryan D. Dreveskracht
PO Box 15146
Seattle, WA 98115

Re: *Galanda, et. al. v. Bernard, et. al.*, Case No. 2016-CI-CL-001 [sic]
Galanda, et. al. v. Bernard, et. al., Case No. 2016-CI-CL-002

Gentlemen:

Enclosed are your original Complaint and Motion for Injunctive and Declaratory Relief. These documents, which were filed on the day before a Court holiday, are rejected for the following reasons:

1. The motion and the complaint should not have had two different cause numbers, because they are the same matter.
2. Because they are the same matter, the time limits established in NTC 10.05.040 apply. Your Motion was therefore improperly noted and will not be set for hearing. Pursuant to NTC 10.05.030(c), the Court Clerk is charged with setting hearings. For a complaint filed against the Nooksack Indian Tribe or its officers, employees or agents, the answer shall be due within 60 days, exclusive of the day of service, and no hearing may be set until 14 days after the deadline for filing the answer. NTC 10.05.040(b)(i), 10.05.040(f). The earliest a motion could be heard, if the Complaint had not been rejected, is 74 days after the date of service of the Complaint on the Tribal employees/agents.
3. You have captioned this matter, and are appearing as, "pro se plaintiffs." However, you also assert in your complaint that each of you are admitted to the practice of law in Washington. The Clerk's Office has sought the advice of legal counsel regarding whether a lawyer who is acting pro se is "practicing in tribal court," prohibited by Resolution #16-28. In the interim, or until such time as the Nooksack Tribal Council takes further action, the Tribal Court is bound by Resolution #16-28 barring you from practicing in Nooksack Tribal Court.

A refund of the filing fees will be processed shortly.

EXHIBIT H

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:

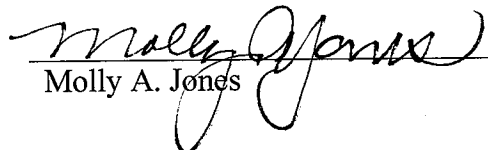
Katie Nicoara
NICS
20818 4th Ave W, Suite 120
Lynnwood WA 98036

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