

*Honorable John C. Coughenour*

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

MARGRETTY RABANG, et al.,

Plaintiffs,

v.

ROBERT KELLY, JR., et al.,

Defendants.

**Case No.: 2:17-CV-00088-JCC**

**DEFENDANT CHIEF JUDGE RAYMOND  
DODGE'S NOTICE OF JOINDER OF  
KELLY DEFENDANTS' MOTION FOR  
INDICATIVE RULING REGARDING  
DISMISSAL, AND REQUEST FOR  
ORDER OF DISMISSAL**

**NOTE ON MOTION CALENDAR:**

**March 30, 2018**

Defendant Nooksack Tribal Court Chief Judge Raymond G. Dodge, Jr. ("Judge Dodge") hereby joins in the Kelly Defendants' Motion for Indicative Ruling Regarding Dismissal (Dkt. #144) and further asks that the Court to issue an order to dismiss all claims as to Judge Dodge for the same reason as explained below.

This Court should relinquish jurisdiction and dismiss the RICO claims against Judge Dodge. In response to the Kelly Defendants' Motion to Dismiss earlier in this case, this Court found that, because deference was owed to the DOI decisions, it had jurisdiction "in the interim period where the tribal leadership is considered inadequate by the DOI." Dkt. # 62 at 10-11. The Court noted, however, that its jurisdiction was "not permanent or inflexible" and that "if the DOI

1 and BIA recognize tribal leadership after new elections, this Court will no longer have  
 2 jurisdiction and the issues will be resolved internally.” *Id.* As provided in the Joint Status Report  
 3 filed March 13, 2018 (Dkt. # 141), DOI has now recognized the current Nooksack Tribal  
 4 Council. As a result, this Court no longer has jurisdiction over any aspect of this RICO dispute  
 5 as to all defendants, including the claims as to Judge Dodge. Because the Court currently  
 6 exercises jurisdiction as to the claims against Judge Dodge which are not subject to appeal, the  
 7 Court may proceed to dismiss the claims against Judge Dodge at any time.

8 For the foregoing reasons, Judge Dodge respectfully joins in the Kelley Defendants’  
 9 motion for indicative order and requests that the Court dismiss Plaintiffs’ claims against Kelly  
 10 Judge Dodge.

11 DATED this 15th day of March, 2018.

12 **Kilpatrick, Townsend & Stockton LLP**

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24 *Raymond G. Dodge, Jr.*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 15, 2018, I served via email the forgoing **DEFENDANT**  
**CHIEF JUDGE RAYMOND DODGE'S NOTICE OF JOINDER** to:

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DATED this 15th day of March 2018.

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