

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ELILE ADAMS,

Petitioner,

v.

BILL ELFO, Whatcom County Sheriff; and
WENDY JONES, Whatcom County Chief of
Corrections,

Respondents.

NO. 2:19-cv-1263-JCC-MLP

STIPULATION AND ORDER

The Parties agree and hereby stipulate that in its present posture, the Court cannot afford complete relief to Petitioner in the absence of joinder of an appropriate Nooksack tribal official or officials. Fed. R. Civ. P. 19(a). The Parties thus request that the Court order Petitioner to identify and join, as respondents, any tribal official with authority to (a) oppose the petition to the extent it lacks merit and (b) grant Petitioner the relief she requests to the extent ordered by the Court. Fed. R. Civ. P. 19(a).

1 GALANDA BROADMAN, PLLC

2 s/Gabriel S. Galanda

3 Gabriel S. Galanda, WSBA #30331
4 Attorneys for Petitioners
5 P.O. Box 15146 Seattle, WA 98115
6 (206) 557-7509 Fax: (206) 299-7690
7 Email: gabe@galandabroadman.com

8 WHATCOM COUNTY PROSECUTING
9 ATTORNEY

10 s/George Roche

11 George Roche, WSBA #45698
12 Deputy Prosecuting Attorney
13 Attorney for Respondents
14 311 Grand Ave. Ste. 201
15 Bellingham, WA 98225
16 Email: groche@co.whatcom.wa.us

17 ORDER

18 In light of the above stipulations, IT IS ORDERED:

19 (1) The Fed. R. Civ. P. 12(b)(7) motion to dismiss filed by Respondents is
20 GRANTED. BILL ELFO, Whatcom County Sheriff, and WENDY JONES, Whatcom County
21 Chief of Corrections, are DISMISSED as parties to this proceeding, without prejudice;

22 (2) Petitioner shall name any Nooksack tribal official(s) with proper authority as
23 Respondent(s); and

24 (3) Petitioner is granted fifteen (15) days to file an amended petition naming such
25 Respondent(s).

DATED: October 16, 2019.



MICHELLE L. PETERSON
United States Magistrate Judge