

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

10	UNITED STATES OF AMERICA, et al.,)	CIVIL NO. 70-9213
11)	Sub-Proceeding No. 17-3
12	Plaintiff,)	
13	vs.)	TULALIP TRIBES’ PARTIAL JOINDER IN
14	STATE OF WASHINGTON, et al.)	UPPER SKAGIT INDIAN TRIBE’S MOTION
15)	FOR JUDGMENT PER FRCP 52(c)
16	Defendant)	NOTED ON MOTION CALENDAR:
)	APRIL 22, 2022

On March 28, 2022, the Upper Skagit Indian Tribe filed a Motion for Judgment on Partial Findings Against Stillaguamish Tribe Pursuant to Federal Rule of Civil Procedure 52(c) (the “USIT 52(c) Motion”). Dkt. #271. The Tulalip Tribes hereby join in the USIT 52(c) Motion except as it pertains to Stillaguamish’s claims that are within the scope of Paragraph IV(B) of the May 1, 1984 Settlement Agreement between the Tulalip Tribes and Stillaguamish Tribe.¹ *United States v. Washington*, 626 F. Supp. 1405, 1482 (W.D. Wash. 1985).

¹ Paragraph IV(B) of the 1984 Agreement states: “The Tulalip Tribes recognize that portion of Area 8A north of a line from Kayak Point due west to Camano Island (hereafter “Northern 8A”), as a non-exclusive usual and accustomed fishing area of the Stillaguamish Tribe and will affirmatively support the Stillaguamish Tribe’s request for a determination that the Stillaguamish Tribe’s usual and accustomed fishing areas extend throughout Northern 8A and that portion of Area 8 southerly of a line drawn from Milltown to Polnell Point and northeasterly of a line drawn from Polnell Point to Rocky Point.” The scope of the 1984 Agreement is further limited to anadromous fish (salmon/steelhead).

1 DATED this 29th day of March, 2022.

2 Respectfully submitted,

3 MORISSET, SCHLOSSER, JOZWIAK & SOMERVILLE

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CERTIFICATE OF SERVICE

I hereby certify that on March 29, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the parties registered in the Court CM/ECF system.

DATED: March 29, 2022.

s/Thane D. Somerville

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