

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

**CAYUGA NATION, by and through its lawful
governing body, the CAYUGA NATION COUNCIL,**

Plaintiff,

v.

Case No. 5:22-cv-128
(BKS/TWD)

**DUSTIN PARKER, NORA WEBER, JOSE VERDUGO, JR.,
ANDREW HERNANDEZ, PAUL MEYER, BLUE BEAR
WHOLESALE, LLC, IROQUOIS ENERGY GROUP, INC.,
JUSTICE FOR NATIVE FIRST PEOPLE, LLC, C.B.
BROOKS LLC, AND JOHN DOES 1-10,**

Defendants.

**NOTICE OF MOTION TO ALTER OR AMEND JUDGMENT PURSUANT TO
RULE 59(e) OF THE FEDERAL RULES OF CIVIL PROCEDURE**

PLEASE TAKE NOTICE that Plaintiff Cayuga Nation, by and through its attorneys, Barclay Damon LLP, hereby moves this Court, before the Honorable Brenda K. Sannes, United States District Judge for the Northern District of New York, 100 South Clinton Street, Syracuse, New York 13261, at a time and date to be set by this Court, for an Order pursuant to Rule 59(e) of the Federal Rules of Civil Procedure altering and amending the judgment entered in these proceedings, ECF No. 314.

Plaintiff's motion is based upon this Notice of Motion, Plaintiff's supporting Memorandum of Law, the pleadings and proceedings in this matter, and facts of which this Court may take judicial notice.

Pursuant to Local Rule 7.1(a)(2), opposition papers, if any, shall be filed and served within 21 days after service of this motion, unless otherwise ordered by the Court. In accordance with the

applicable Local Rules, Plaintiff intends to serve its reply papers within 7 days after the service of any responsive papers.

Dated: January 8, 2026

Respectfully submitted,

BARCLAY DAMON LLP

s/ Michael E. Nicholson

Michael E. Nicholson

David G. Burch, Jr.

Attorneys for Plaintiff

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