

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

CAYUGA NATION, a federally recognized
Indian Nation; and

LAKESIDE ENTERPRISES, INC.,

Plaintiffs,

-against-

5:25-CV-1312
(ECC/ML)

NEW YORK STATE LIQUOR AUTHORITY;

LILY FAN, in her official capacity as the Chair
and Commissioner of the New York State Liquor Authority;

EDGAR DE LEON, in his official capacity as a
Commissioner of the New York State Liquor Authority; and

JOHN MAYA, in his official capacity as a
Commissioner of the New York State Liquor Authority,

Defendants.

**BRIEF OF AMICUS CURIAE TRADITIONAL CAYUGA NATION
COUNCIL OF CHIEFS AND CLAN MOTHERS
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

IDENTITY AND INTERESTS OF AMICI CURIAE
AND LOCAL CIVIL RULE 7.2(d) STATEMENT

The Traditional Chiefs and Clan Mothers of the Cayuga Nation (the “Proposed *Amicus*”) are the traditional leadership of the Cayuga Nation, recognized by the Haudenosaunee Confederacy, which consists of six member Nations: Mohawk, Oneida, Onondaga, Cayuga, Seneca and Tuscarora. The Haudenosaunee Confederacy maintains a website that lists all recognized Chiefs and Clan Mothers. *Current Clan Mothers and Chiefs*, Haudenosaunee Confederacy, <https://www.haudenosauneeconfederacy.com/government/current-clan-mothers-and-chiefs/>.

The Proposed *Amicus* continue to carry out their responsibilities under the Great Law of Peace which require them to be stewards of the Nation’s history, culture, ceremonies and languages; these responsibilities are the foundation for the unique information and perspective presented in this *amicus* brief that no other party can offer the Court. For over 225 years, Cayuga and Haudenosaunee culture has forbidden the use and consumption of alcohol. The position promoted by the Plaintiffs in this matter—that they have a sovereign right to sell alcohol—is in clear violation of this long-standing and fundamental cultural prohibition.

The brief was not authored in whole or in part by either party’s counsel. No person except the Proposed *Amicus*, its members, and its counsel contributed money to prepare or submit this brief.

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INTRODUCTION

In this brief, *amicus curiae*, the Traditional Chiefs and Clan Mothers of the Cayuga Nation, offer their unique perspective and critically-important information in support of the State’s position in its Motion to Dismiss and subsequent Reply memorandum.

Plaintiffs assert that the operation of State liquor law is preempted in the underlying matter, and that sovereignty encompasses a right to freely partake in the liquor trade free from State oversight or regulation. This assertion, though, has no basis in settled law or longstanding Cayuga Nation governance, custom and tradition.

Plaintiffs also plead § 1981 and § 1983 claims for violations of equal protection, but those claims are insufficient on their face, because Plaintiffs fail to provide the requisite level of detail to establish any disparate treatment based upon impermissible grounds. And, even if those claims were sufficiently pled, Plaintiffs otherwise lack standing under § 1983.

Lastly, Plaintiffs contend that their own internal laws and processes regarding the sale of liquor, and the enforcement of laws related thereto, warrant a blanket approval from the State to traffic liquor. This, though, is highly questionable, given Plaintiffs’ history of legally-sanctioned brutality, and the fact that Plaintiffs failed to provide any evidence that they have adhered to their relevant liquor laws in the instant matter.

ARGUMENT

Historically, as “distinct political communities,” Indian nations possessed “exclusive authority” within their reservation territory borders to the exclusion of state authority. *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515, 557 (1832). “Modern cases . . . tend to avoid reliance on” such “platonic notions of Indian sovereignty,” *McClanahan v. State Tax. Comm. of Ariz.*, 411 U.S. 164, 172 (1973), yet it remains true that “states broadly lack authority to regulate the activity of

tribal members on reservation lands,” *Cayuga Nation v. Tanner*, 6 F.4th 361, 370 n.7 (2d Cir. 2021). Specifically, when a state tries to extend its authority onto a reservation, that authority faces “two independent but related barriers.” *White Mountain Apache Tribe v. Bracker*, 448 U.S. 136, 142 (1980). Congress may simply preempt state authority, or state authority may “unlawfully infringe” on Indian sovereignty. *Id.*

Courts determining whether a state law can validly be applied to Indians or in Indian country ask the familiar question of federal preemption, but with an extra step. *See Mashantucket Pequot Tribe v. Town of Ledyard*, 722 F.3d 457, 467 (2d Cir. 2013). If a statute is operative, courts defer to Congress; yet even where that is not the case, state law may still be preempted “if exercising state law would ‘unlawfully infringe’” on Indian sovereignty. *HCI Distrib. v. Peterson*, 110 F.4th 1062, 1066 (8th Cir. 2024) (quoting *Flandreau Santee Sioux Tribe v. Houdyshell*, 50 F.4th 662, 667 (8th Cir. 2022)); *see also Otoe-Missouria Tribe of Indians v. N.Y. State Dept. of Fin.*, 769 F.3d 105, 112 (2d Cir. 2014) (explaining that state authority is “constrained by tribes’ fundamental right to self-government, and Congress’s robust power to manage tribal affairs”).

The exercise of state law unlawfully infringes on Indian sovereignty when it fails *Bracker* balancing. *Bracker* balancing is a “particularized inquiry into the nature of the state, federal, and tribal interests at stake, an inquiry designed to determine whether, in the specific context, the exercise of state authority would violate federal law.” *Bracker*, 448 U.S. at 145. And, crucially, “[t]he role of tribal sovereignty in pre-emption analysis varies in accordance with the particular ‘notions of sovereignty that have developed from historical notions of tribal independence.’” *Rehner*, 463 U.S. at 719 (quoting *Bracker*, 448 U.S. at 145).

I. Alcohol Sales Are Not Part of Traditional Cayuga Sovereignty.

The sale of alcohol has not been an element of Cayuga sovereignty since time immemorial. Rather, alcohol was an early instrument by which colonists diminished native populations. To wit, colonists deliberately capitalized on the effects of alcohol, which contributed to the diminishment of Indian lands, as indigent citizens of the Haudenosaunee Confederacy sold land to fund their addiction. Arthur C. Parker, *The Code of Handsome Lake, the Seneca Prophet* 10 (1913).

It was in this environment that the last prophet of the Haudenosaunee, Handsome Lake, emerged. *Id.* at 6. Born in 1735, Handsome Lake himself fell victim to alcoholism and, as a result, became afflicted by a wasting disease. *Id.* at 6, 9. He eventually collapsed unconscious and, in his illness, received a revelation. *Id.* at 9. The message sent to him is known as the Gai’wiio, or “Good Word,” and is central to the Haudenosaunee religion. *See id.* at 5–8. To this day, the Gai’wiio is read ceremonially in the longhouses of the Haudenosaunee. *See id.* at 6; Anthony F.C. Wallace, *The Death and Rebirth of the Seneca* 4 (Vintage Books 1972) (1969); Lou Williams, Jr., *Handsome Lake and Kaliwihyo*, Oneida Nation, <https://oneida-nsn.gov/our-ways/historic-timeline/handsome-lake-and-kaliwihyo/>.

The first and primary teaching in the Gai’wiio is a condemnation of the use of alcohol. Handsome Lake proclaimed that “One’gă,”¹ was “a great and monstrous evil” that “ha[d] reared a high mound of bones.” Parker, *supra*, at 27. He instructed that “all must now say, ‘I will use it nevermore. As long as I live, as long as the number of my days is I will never use it again. I now stop.’” *Id.* His teachings quickly spread among the Haudenosaunee. *See id.* at 10, 13. And he did not stop there. His teachings were so impactful that they attracted President Jefferson’s

¹ “One’gă” is translated as whiskey or rum.

attention, leading to enactment of the first federal restriction on Indian liquor consumption: the Act of March 30, 1802. *See Rice v. Rehner*, 463 U.S. 713, 722 & n.8 (1983); Letter from President Jefferson to the Senate & House of Representatives (Jan. 27, 1802).

While the Act may be interpreted as an insult to Indian sovereignty, Handsome Lake, a proponent of Indian sovereignty, did not see it so. Instead, he saw restrictions on alcohol as promoting the sovereignty of his people by removing their reliance on a substance introduced by colonizers which had only served to weaken them. *See* Address from Handsome Lake to President Jefferson (Mar. 10, 1802). The Proposed *Amicus*, who to this day carry on the message of Handsome Lake, agree. While Plaintiffs have sought to sell alcohol since 2021, those actions are solely at the direction of a Council that neither conforms with traditional Cayuga law nor represents the interests of many of the Cayuga citizens living on the reservation. *Cf.* Second Am. Compl. Ex. Q at 10–11, ECF No. 16 (“[T]he Nation is a sovereign Indian Nation, and its citizens are presently inconvenienced by having to purchase liquor outside the Reservation or from those who are non-citizens.”).

II. Plaintiffs’ Preemption Arguments Fail.

Plaintiffs depend on, yet misconstrue, *Bracker* balancing and the sovereignty which it protects. *See* Pl.’s Mem. Opp’n at 13–14, ECF No. 20. *Bracker* balancing does not favor Plaintiffs here, because there is no overarching Cayuga interest in engaging in the liquor trade. The Supreme Court has already, in *Rehner*, applied *Bracker* balancing to claims substantively indistinguishable from Plaintiffs’ claims, and found them unavailing. 463 U.S. at 713. *Bracker* balancing is designed to protect Indian sovereignty from state overreach, 448 U.S. at 143–45, but, under *Rehner*, Indian sovereignty supports no “inherent power” to trade in liquor, 463 U.S. at 725, so nothing exists to protect.

The plaintiff in *Rehner* sought a declaratory judgment that she was not required to obtain a state liquor license to sell alcohol within Indian country, but the Supreme Court rejected her claim. In so ruling, the Court held that:

The role of tribal sovereignty in pre-emption analysis varies in accordance with the particular notions of sovereignty that have developed from historical traditions of tribal independence. . . .

If [] we do not find such a tradition, or if we determine that the balance of state, federal and tribal interests so requires, our pre-emption analysis may accord less weight to the “backdrop” of tribal sovereignty.

We first determine the nature of the “backdrop” of tribal sovereignty that will inform our pre-emption analysis. . . .

[T]radition simply has not recognized a sovereign immunity or inherent authority in favor of liquor regulation by Indians.

Id. at 720-22 (internal citations and quotations omitted, emphasis added).

In the liquor context, therefore, *Bracker* balancing is predetermined. Congress has “long ago” divested tribes of “any inherent self-government over liquor regulation,” *id.* at 726, so no valid “tribal interests [are] at stake” when a state imposes its liquor laws on an Indian nation or an Indian, *Bracker*, 448 U.S. at 145, let alone “substantial” ones, Pl.’s Mem. Opp’n at 13, ECF No. 20. This is especially so for the Cayuga Nation, as many of its citizens, including the Proposed *Amicus* and many of the citizens who reside on the reservation territory, adhere to the code of Handsome Lake, which prohibits the sale and consumption of alcohol. Parker, *supra*, at 27.

Moreover, federal interests support, rather than undermine, the assertion of state authority, except where the Indian Gaming Regulatory Act (“IGRA”) is implicated, which is not the case here. *See Rehner*, 463 U.S. at 726; *Flandreau Santee Sioux Tribe v. Gerlach*, 155 F. Supp. 3d 972, 977 (D.S.D. 2015) (“Pursuant to [IGRA], the Tribe and the State have in place a Tribal-State gaming company, which controls the Tribe’s gaming operations. The Compact

contemplates neither explicitly nor impliedly the State’s authority to apply its alcohol regulatory laws to the Tribe’s ‘gaming facility’ . . .”). To avail on *Bracker* balancing, Plaintiffs must propose valid tribal or federal interests that stand athwart state authority; Plaintiffs cannot do so here.

The absence of any valid tribal interest to engage in the liquor trade also illustrates why Plaintiffs’ proposed distinction between “ministerial” and “discretionary” laws misses the mark. *See, e.g.*, Second Am. Compl. ¶ 22, ECF No. 16. Although the state interests behind ministerial and discretionary laws may vary, that difference does not distinguish this case for purposes of *Bracker* balancing. Plaintiffs here, just like the plaintiff in *Rehner*, can point to no valid tribal interest in the liquor trade. The text of 18 U.S.C. § 1161 is similarly unavailing, as it clearly mandates “conformity . . . with the laws of the State in which such act or transaction occurs.”

But even if Plaintiffs could point to a valid tribal interest in the liquor trade, New York has weighty interests in applying discretionary standards like those at issue here. Specifically, states have a strong interest in ensuring the enforcement of state liquor laws. *See Fort Belknap Indian Cmty. v. Mazurek*, 43 F.3d 428, 432 (9th Cir. 1994) (“The state . . . has an interest in enforcing its liquor laws . . .”); *Oklahoma v. Castro-Huerta*, 597 U.S. 629, 631 (2022) (“[T]he State has a strong sovereign interest in ensuring public safety and criminal justice within its territory . . .”); *cf. Rehner*, 463 U.S. at 727 (noting that the BIA intended § 1161 “to eliminate all of the sections in the statutes which discriminate against Indians and at the same time *not interfere with State laws*, and at the same time provide opportunity for the tribes to have prohibition on the reservation if they wish to, *if it is not otherwise covered by State law*” (emphasis added) (quoting *Hearing on H.R. 1055 Before the Subcomm. on Indian Affs. of the H. Comm. on Interior & Insular Affs.*, 83d Cong. (1953))).

Discretionary standards allow the state to consider factors such as whether state liquor laws will be properly enforced at establishments applying for liquor licenses. *See* Second Am. Compl. ¶ 68, ECF No. 16. For instance, in this case, the Cayuga Nation Police Department (“CNPD”) has shown itself to be more concerned with persecuting its political opponents than enforcing generally-applicable health and welfare laws—and the FBI itself has criticized the “poor relations and lack of intergovernmental agreements between the Nation and its neighbors” and the “violent and likely unlawful” actions of the CNPD. *Cayuga Nation v. United States*, 594 F. Supp. 3d 64, 74 (D.D.C. 2022). The state must be able to consider such factors to ensure that its liquor laws are, and will be, enforced.

III. Plaintiffs’ Claims of Discrimination Under § 1983 and § 1981 Fail.

To state a claim under § 1983 based on denial of a license, a plaintiff must allege that “(1) the person, compared with others similarly situated, was selectively treated, and (2) the selective treatment was motivated by an intention to discriminate on the basis of impermissible considerations, such as race or religion.” *Hu v. City of New York*, 927 F.3d 81, 91 (2d Cir. 2019) (quoting *Zahra v. Town of Southold*, 48 F.3d 674, 683 (2d Cir. 1995)); *Gagliardi v. Village of Pawling*, 18 F.3d 188, 193 (2d Cir. 1994); *Velasquez v. City of N.Y. Dep’t of Buildings*, No. 19-cv-9687, 2020 WL 2614826, at *2–3 (S.D.N.Y. May 22, 2020).

To fulfill the first prong, plaintiffs must show that they are “similarly situated in all material respects to the individuals with whom [they] seek[] to compare [with themselves].” *Hu*, 927 F.3d at 96. Statistics or conclusory statements do not suffice: “a plaintiff must specify at least one instance in which he was treated differently from another similarly situated.” *Id.* at 101.

To fulfill the second prong, plaintiffs must “give plausible support to a minimal inference of discriminatory motivation,” *Littlejohn v. City of New York*, 795 F.3d 297, 311 (2d Cir. 2015), and “[t]he plausibility standard is not met where factual allegations, taken as true, are ‘merely consistent with’ a defendant’s liability.” *Holmes v. Air Line Pilots Ass’n, Int’l*, 745 F. Supp. 2d 176, 193 (E.D.N.Y. 2010) (quoting *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009)). “Where there is an ‘obvious alternative explanation’ that is more likely, the plaintiff’s cause of action is not plausible.” *Id.* (quoting *Iqbal*, 556 U.S. at 682).

Here, Plaintiffs depend on legal-conclusory allegations that are insufficient to establish its claim. Plaintiffs allege that “[i]n reviewing the Nation’s license application, Defendants relied on vague and subjective licensing criteria not imposed on similarly situated non-Indian applicants” without pointing to a single actual comparator. Second Am. Compl. ¶ 111, ECF No. 16. Plaintiffs further allege that “Defendants’ decision was arbitrary, pretextual, and motivated by discriminatory assumptions rather than by any legitimate licensing standard.” *Id.* ¶ 115.

These conclusory statements are not substantiated, nor could they be. Rather, Plaintiffs’ pleadings are ‘merely consistent with’ the legal standard for liability enumerated in § 1983 and its corresponding case law. *Iqbal*, 556 U.S. at 678. Plaintiffs complain of various allegedly pretextual criteria, including whether New York-made products would be sold, Second Am. Compl. ¶¶ 85, 115, ECF No. 16, whether the square footage would ever be expanded, *id.* ¶ 115, whether a principal would appear in-person so the Commission could evaluate their fitness, *id.* ¶¶ 111–112 and the Nation’s ability to enforce state liquor laws, *id.* ¶ 113.

But in fact, NYSLA regularly considers all of these factors in deciding whether to grant applications of other, non-Indian applicants. See *White Plains Fine Wine & Spirits LLC v. N.Y. State Liquor Auth.*, 184 A.D.3d 1068, 1070 (3d Dep’t 2020) (noting NYSLA took into

consideration whether the applicant would “carry a large variety of regional products”); *Chenango Wine & Liquor, Inc. v. Johnson City Wine Partners, LLC*, No. 2013-3039, 2014 WL 349645, at *1 (N.Y. Sup. Ct. Jan. 30, 2014) (noting NYSLA approved applicant’s liquor license on the condition “the licensed premises will not expand”); *Karten v. N.Y. State Liquor Auth.*, 89 A.D.2d 728, 728 (3d Dep’t 1982) (upholding denial of liquor license on basis that applicant was “not a fit or proper person to be licensed”); *C. Schmidt & Sons, Inc. v. N.Y. State Liquor Auth.*, 73 A.D.2d 399, 404 (1st Dep’t 1980) (“Evaluation of an applicant’s character and fitness is proper and pertinent to the exercise of an agency’s licensing function.”); *N.Y. Palm Tree, Inc. v. N.Y. State Liquor Auth.*, No. 114734/07, 2007 WL 4374275, at *2 (N.Y. Sup. Ct. 2007) (“[NYSLA] further found that neither of the owners . . . had any experience in managing the type of operation, and that they had not made an appropriate plan to supervise the premises, especially in light of the history of violations and criminal activity at the premises.”); *M.D.B. Bagels, Inc. v. N.Y. State Liquor Auth.*, 157 A.D.2d 781, 781–82 (2d Dep’t 1990) (“[I]t lies solely within the Authority’s expertise to ascertain the identity of the real parties in interest”); *Integrated Beverage Grp. Ltd. v. N.Y. State Liquor Auth.*, 27 A.D.3d 159, 165 (1st Dep’t 2006) (Catterson, J., dissenting) (noting that NYSLA denied an application because it “would create a high degree of risk in the administration and enforcement” of state liquor law). It was therefore neither pretextual nor improper for NYSLA to consider such factors. Plaintiffs’ conclusory assertions to the contrary fail to fulfill the plausibility standard.

Furthermore, with respect to Plaintiffs’ allegation that NYSLA’s “concerns that the Nation would be unable to adequately enforce laws prohibiting underage drinking” suggests that “the Nation’s sovereign status was being treated as a reason to doubt its ability to comply with alcohol control laws,” Second Am. Compl. ¶ 68, ECF No. 16, the Nation would be unable to find

a similarly situated applicant whose license was granted because there are no similarly situated applicants. Unlike the CNPD, no other law enforcement arm in New York has been used so systematically and so notoriously as a means of suppressing the government’s political opponents at the detriment of public health and safety.

Regardless, even with other, non-Indian applicants, NYSLA has raised concerns about enforcement. *See Integrated Beverage Grp.*, 27 A.D.3d at 165 (Catterson, J., dissenting). Thus, Plaintiffs’ complaint fails to overcome the obvious: NYSLA’s concern about the enforcement of state liquor laws was not based on any impermissible criteria.²

Therefore, Plaintiffs fail to state a claim under § 1983. As for Plaintiffs’ § 1981 claims, they “must meet the same pleading standard for their § 1981 claims as for their § 1983 claims under the Equal Protection Clause.” *Hu*, 927 F.3d at 101 (quoting *Brown v. City of Oneonta*, 221 F.3d 329, 339 (2d Cir. 2000)); *Harlow v. Molina Healthcare, Inc.*, 723 F. Supp. 3d 116, 128 (N.D.N.Y. 2024). Because Plaintiffs fail to state a claim under § 1983, Plaintiffs likewise fail to state a claim under § 1981.

IV. Plaintiffs Lack Standing to Raise Their § 1983 Claim.

Finally, Plaintiffs lack § 1983 standing. Section 1983 extends standing only to “person[s].” 42 U.S.C. § 1983. While under some circumstances an Indian Nation constitutes a “person” under § 1983, it does not constitute a “person” if it relies in any degree on its status as a sovereign. *See Inyo County v. Paiute-Shoshone Indians of the Bishop Cmty.*, 538 U.S. 701, 711 (2003). “An Indian tribe may not sue under § 1983 to vindicate a sovereign right, such as its right to be free of state regulation and control,” or express even “a quasi-sovereign interest.”

² Even if NYSLA’s decision was based on the Nation’s sovereign status, classification based on status as a sovereign Indian nation is not suspect. *See Washington v. Confederated Bands & Tribes of the Yakima Indian Nation*, 439 U.S. 463, 500–01 (1979).

Cayuga Nation v. County of Cayuga, No. 24-CV-6420, slip op. at 11 (N.D.N.Y. Sep. 10, 2025) (quoting *Chemehuevi Indian Tribe v. McMahon*, 934 F.3d 1076, 1082 (9th Cir. 2019)).

Here, Plaintiffs—the sovereign Cayuga Nation and a wholly-owned subsidiary thereof—do just that. Sovereign interests suffuse Plaintiffs’ Second Amended Complaint. *See, e.g.*, Second Am. Compl. ¶ 7, ECF No. 16 (“Unless enjoined, Defendants will continue to . . . caus[e] irreparable harm to the Nation’s sovereign interests . . .”). Indeed, the crux of Plaintiffs’ discrimination claim is that NYSLA “singled out the Nation’s *sovereignty*.” *Id.* ¶ 113 (emphasis added); *see also id.* ¶ 111 (“[NYSLA’s] scrutiny of the Nation was marked by repeated demands for in-person attendance by Nation leadership, despite the . . . sovereign status of the Nation.”); *id.* ¶ 88 (“Commissioner De Leon’s comments confirm his basic lack of understanding of sovereignty . . .”). Plaintiffs’ economic interests are, by their own telling, inextricable from their sovereign interests, so such injury cannot suffice for § 1983 standing. *See id.* ¶ 5.

V. Plaintiffs Fail to Allege that They Have Complied with Their Own Ordinance.

In the second amended complaint, Plaintiffs repeatedly allege that they have established a Cayuga Nation Alcoholic Beverage Control Commission (“the Commission”) by the Alcoholic Beverage Control Ordinance (“the Ordinance”) published in the Federal Register. Second Am. Compl. Ex. A, at 3; Ex. E, at 76; Ex. Q, at 6; Ex. U, at 5, ECF No. 16. Pursuant to the Ordinance, a license from the Commission is required for any form of alcohol distribution on Cayuga Nation reservation land. Second Am. Compl. Ex. A, at 3, ECF No. 16. This record does not contain any proof or allegations that Plaintiffs have complied with their own law or that they have obtained a proper license from the Commission pursuant to the Ordinance, nor do they allege that they applied for such a license internally before applying to NYSLA for a liquor license. Stated differently, Plaintiff Lakeside Enterprises has failed to meet its own standard.

Furthermore, the Ordinance requires that the Commission consist of three to five members, a majority of which “shall, at all times, consist of individuals *who are not members of the Authorized Governing Council of the Nation.*” *Id.* (emphasis added). The Ordinance further requires “[p]roof satisfactory to the Commission that the applicant is not a member of the Commission and that he or she satisfies each of the licensing requirements established by the Commission.” *Id.* The Nation’s website, though, only lists Ramon Salas, who is a member of the Governing Council, as a Liquor Authority Commissioner, and offers no evidence that Plaintiff Lakeside Enterprises applicants Clint Halftown, Donald Jimerson, Gary Wheeler, Missy Barringer and Jonathan Dekanski—all of whom, except Missy Barringer, are on the Governing Council of the Nation—are not members of the Commission. *Cayuga Nation Leadership*, Cayuga Nation, <https://cayuganation-nsn.gov/about/leadership/>.

CONCLUSION

Cayuga Nation sovereignty should not be used as a basis to claim a right to sell alcohol and the State’s Motion to Dismiss should be granted.

DATED: New York, New York
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CERTIFICATE OF SERVICE

I hereby certify that the foregoing document was filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants.

DATED: New York, New York
March 4, 2026

/s/ Michael D. Sliger
Michael D. Sliger