

NOV 27 2007

AT SEATTLE  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
BY \_\_\_\_\_ DEPUTY

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

**Pro Se**  
James Cornell Parks,  
Plaintiff(s),

**No. 07-1406-RSM  
PLAINTIFFS RESPONSE TO MOTION TO  
DISMISS**

**v.**

Tulalip Resort Casino, an entity of the  
Tulalip Tribes.  
Defendants(s)

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**I. Request that this motion be denied and that the court proceeds.**

The Plaintiff James Cornell Parks did state he believed to be passed over for promotion to Safety Manager, because of his race. The United States Court of Appeals for the Fourth Circuit has held a decision over a Section 1981 claim regarding jurisdiction on a matter similar to this.

The Plaintiff never waived his citizenship of the United States to become employed by the Tulalip Tribes or the Tulalip Resort Casino who claims sovereign immunity regarding Civil Rights. Nor, has the Plaintiff filed suit against the Tulalip Tribes an entity that governs the tribe members and government programs. The Plaintiff is not a member of the Tulalip Tribes and does not have access to the Board of Directors/General Council only members of the tribe have access.

The Plaintiff did contact the EEOC and Human Rights commission, however was unable to obtain any assistance because it involved an Indian reservation. On page 2 lines 10 through 20 of the Defendants motion to dismiss clearly request something that the entity is supposedly exempt from. The Plaintiff would love to have had an independent agency investigate his claim before seeking relief from the court.

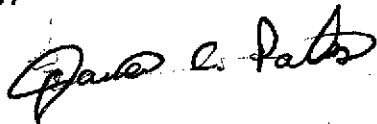
No grievance was filed with Tulalip Resort Casino because the plaintiff was led to believe that he indeed did not meet the requirements of the Safety Manager position. It was months after, when an internal investigation revealed the misconduct of certain employees. The Plaintiff cannot provide something that only the Defendant possesses, which are the findings of the internal investigation include audio, video, statements, and testimony.



It is only via witnesses, subpoena, independent investigating agency, or discovery that the merit of this action can be verified.

**A copy has been certified mailed to the defendant(s).**

**On 11/27/07**

A handwritten signature in black ink, appearing to read "James L. Pats". The signature is written in a cursive style with a large initial "J".

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

**CERTIFIED MAIL™**



7003 1010 0002 0970 7113

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*James C. Paul*  
7129 12th Ave. NE,

Attn: Clerk, United States District Court

United States Courthouse, Lobby Level

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Seattle, WA

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