

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

RECEIVED
NOOKSACK COURT CLERK
NOV 5 2013
FILED BY
Betty [Signature]

IN THE TRIBAL COURT OF THE NOOKSACK TRIBE OF INDIANS FOR THE
NOOKSACK INDIAN TRIBE

ADAMS, *et al.*,

Plaintiffs,

v.

KELLY, *et al.*,

Defendants.

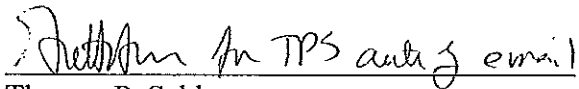
Case No. 2013-CI-CL-004

DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' COMPLAINT

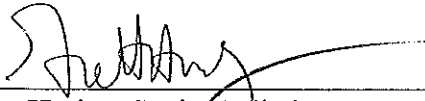
COPY

COME NOW Defendants in the above-entitled action, by and through the Office of Tribal Attorney, without waiving other defenses and objections, and provide this Motion to Dismiss Plaintiffs' Complaint on the basis of sovereign immunity, lack of jurisdiction, failure to state a claim upon which relief can be granted, failure to exhaust administrative remedies, and raising nonjusticiable political questions. Defendants incorporate Defendants' Response in Opposition to Plaintiffs' Motion for Temporary Restraining Order and Defendants' Brief in Support of the Motion to Dismiss.

1
2 Respectfully submitted this 5th day of November, 2013.
3
4

5 

6 Thomas P. Schlosser
7 Rebecca JCH Jackson
8 Morisset, Schlosser, Jozwiak & Somerville
9 Attorneys for Defendants

10 

11 Grett Hurley, Senior Tribal Attorney
12 Rickie Armstrong, Tribal Attorney
13 Attorneys for Defendants
14 Office of Tribal Attorney, Nooksack Indian Tribe

15 T:\WPDOCS\0282\09738\Adams Motion to Dismiss.doc
16 rsj:11/4/13