

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

CHAD EVERET BRACKEEN, §
JENNIFER KAY BRACKEEN, FRANK §
NICHOLAS LIBRETTI, HEATHER LYNN §
LIBRETTI, ALTAGRACIA SOCORRO §
HERNANDEZ, JASON CLIFFORD, and §
DANIELLE CLIFFORD, §

and §

STATE OF TEXAS, §
STATE OF LOUISIANA, and §
STATE OF INDIANA, §

Plaintiffs, §

Civil Action No. 4:17-cv-868-O

v. §

RYAN ZINKE, in his official capacity as §
Secretary of the United States Department §
of the Interior; BRYAN RICE, in his official §
capacity as Director of the Bureau of Indian §
Affairs; JOHN TAHSUDA III, in his official §
capacity as Acting Assistant Secretary for §
Indian Affairs; the BUREAU OF INDIAN §
AFFAIRS; and the UNITED STATES §
DEPARTMENT OF THE INTERIOR, §

Defendants. §

**MOTION OF CHEROKEE NATION, ONEIDA NATION, QUINAULT INDIAN
NATION, AND MORONGO BAND OF MISSION INDIANS TO DISMISS**

Intervenor-Defendants the Cherokee Nation, Oneida Nation, Quinault Indian Nation, and Morongo Band of Mission Indians (“the Tribes”), pursuant to Federal Rule of Civil Procedure 12(b)(6), move to dismiss Plaintiffs’ First Amended Complaint (Dkt. 22).

In support of this motion, the Tribes rely on, and incorporate by reference as if fully set forth herein, Defendants’ Motion to Dismiss (Dkt. 27) and Memorandum in Support of Defendants’ Motion to Dismiss (Dkt. 28).

For the reasons stated herein, the Tribes respectfully request that the Court grant their Motion to Dismiss.

Dated: March 26, 2018

Respectfully submitted,

By: /s/ Adam H. Charnes

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NATION, AND MORONGO BAND OF
MISSION INDIANS**

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing has been forwarded to the following via CM/ECF on this 26th day of March, 2018.

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