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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA

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NATIVE AMERICAN GUARDIAN'S  
ASSOCIATION

Plaintiff,

v.

WASHINGTON COMMANDERS,  
JOSH HARRIS, MATTHEW LAUX, and  
THE NATIONAL CONGRESS OF  
AMERICAN INDIANS

Defendants.

DECLARATION OF  
THOMAS L. MURPHY  
IN SUPPORT OF THE NATIONAL  
CONGRESS OF AMERICAN  
INDIANS' MOTION TO DISMISS

Case No. 3:23-cv-00186

Hon. Peter D. Welte

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Pursuant to 28 U.S.C. § 1746, I declare as follows:

1. My name is Thomas L. Murphy. I am an attorney employed with the Native American Rights Fund in Boulder, Colorado. This declaration is submitted in conjunction with Defendant National Congress of American Indians' Motion to Dismiss.
2. **Exhibit 1** to this declaration is a single-page printout of the result of a search of the North Dakota Secretary of State's online Business Records Search for "Native American Guardians Association" that I performed on November 14, 2023. This result shows that "Native American Guardians Association is registered as a "trade name" in North Dakota.

3. Exhibit 1 was retrieved from the North Dakota Secretary of State website, [www.sos.nd.gov](http://www.sos.nd.gov). Records from the North Dakota Secretary of State are available through a Business Records Search function found at <https://firststop.sos.nd.gov/search/business>. The FAQs on the website state, “All active entities or business registrations, and those that have been dissolved, withdrawn, merged out of existence, or revoked within the past twelve months are included in that database. Access to the database is free of charge. Entity or registration status can be obtained from the database.”
4. **Exhibit 2** to this declaration is a three-page printout of the result of an online search of the Commonwealth of Virginia’s State Corporation Commission, Clerk’s Information System for “Native American Guardians Association” that I performed on November 14, 2023. This result shows that “Native American Guardians Association is incorporated in Virginia as a “Nonstock Corporation” in Virginia on April 6, 2017.
5. Exhibit 2 was retrieved from the Virginia State Corporation’s Clerk’s Information System, found online at [cis.scc.virginia.gov](http://cis.scc.virginia.gov). Records from the Virginian State Corporation Commission can be searched at <https://cis.scc.virginia.gov/EntitySearch/Index>.
6. **Exhibit 3** to this declaration is a true and correct copy of the Complaint for Declaratory and Injunctive Relief filed in *Marez v. Polis, et al.*, No. 1:21-cv-02941-RMR-NYW, in the United States District Court for the District of

Colorado and retrieved via the PACER system on November 14, 2023. The Native American Guardian's Association was a plaintiff in the *Marez* lawsuit.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on this 30th day of November, 2023.

BY: \_\_\_\_\_



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