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8 Attorneys *By Special Appearance* for Defendants  
 THE SANTA YNEZ BAND  
 9 OF CHUMASH MISSION INDIANS  
 OF THE SANTA YNEZ RESERVATION,  
 10 VINCENT ARMENTA, GARY PACE,  
 KENNETH KAHN, RICHARD GOMEZ,  
 11 and DAVID DOMINGUEZ

12 **UNITED STATES DISTRICT COURT**  
 13 **CENTRAL DISTRICT OF CALIFORNIA**  
 14

15 SAVE THE VALLEY, LLC, a California  
 16 Limited Liability Company,

17 Plaintiff,

18 vs.

19 THE SANTA YNEZ BAND OF  
 20 CHUMASH INDIANS, an Indian Tribe,  
 VINCENT ARMENTA, Tribal Chairman  
 21 for the Santa Ynez Band of Mission  
 Indians; GARY PACE, KENNETH  
 22 KAHN, RICHARD GOMEZ, and DAVID  
 DOMINGUEZ as Business Committee  
 23 Members for the Santa Ynez Band of  
 Mission Indians,

24 Defendants.  
 25

Case No.: 2:15-cv-02463-RGK-MAN

**DEFENDANTS' NOTICE OF  
 MOTION AND MOTION TO  
 DISMISS THE COMPLAINT**

Hearing Date: June 22, 2015  
 Time: 9:00 a.m.  
 Courtroom: 850  
 Judge: Hon. R. Gary  
 Klausner

1 Defendants The Santa Ynez Band of Chumash Mission Indians of the Santa Ynez  
2 Reservation, Vincent Armenta, Gary Pace, Kenneth Kahn, Richard Gomez, and David  
3 Dominguez (“Defendants”) hereby make a special appearance in this matter so as to not  
4 waive their sovereign immunity in order to file this motion, pursuant to Federal Rules of  
5 Civil Procedure (“Rule”) 12(b)(1) and 12(b)(7), to dismiss the complaint (“Complaint”  
6 or “Compl.”), filed on April 3, 2015, by Plaintiff Save the Valley LLC (“Save the  
7 Valley” or “Plaintiff”).

8 This motion is based on the attached memorandum of law, the May 20, 2015  
9 declaration of Matthew D. Benedetto and accompanying exhibits, any argument offered  
10 at a hearing on this motion, and the complete files and records of this case.

11 This motion is made following the conference of counsel pursuant to L.R. 7-3,  
12 which took place on May 13, 2015.

13  
14 Dated: May 22, 2015

Respectfully submitted,  
WILMER CUTLER PICKERING  
HALE AND DORR LLP

17 By:  /s/ Andrea Weiss Jeffries  
18 Andrea Weiss Jeffries  
19 Matthew D. Benedetto  
20 David Peer

21 *Attorneys for Defendants*  
22 THE SANTA YNEZ BAND OF  
23 CHUMASH MISSION INDIANS OF  
24 THE SANTA YNEZ RESERVATION,  
25 VINCENT ARMENTA, GARY PACE,  
26 KENNETH KAHN, RICHARD GOMEZ,  
27 and DAVID DOMINGUEZ  
28 *Appearing specially so as to  
not waive sovereign immunity*