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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

**[PROPOSED] ORDER GRANTING  
 DEFENDANTS' MOTION TO  
 DISMISS THE COMPLAINT**

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

**[PROPOSED] ORDER**

The Court having read and considered Defendants The Santa Ynez Band of Chumash Indians, an Indian Tribe, Vincent Armenta, Tribal Chairman for the Santa Ynez Band of Chumash Mission Indians of the Santa Ynez Reservation; Gary Pace Kenneth Kahn, Richard Gomez, and David Dominguez as Business Committee Members for the Santa Ynez Band of Mission Indians’ (“Defendants”) Motion to Dismiss the Complaint, and good cause appearing therefore, makes the following Order:

It is hereby **ORDERED** that Defendants’ Motion to Dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(1) is **GRANTED**. The complaint is dismissed in its entirety because Defendants are immune from suit and the Court therefore lacks jurisdiction over this action.

In the alternative it is hereby **ORDERED** that Defendants’ Motion to Dismiss the Complaint pursuant to Fed. R. Civ. P. 12(b)(7) is **GRANTED**. The Complaint is dismissed in its entirety for failure to join the United States, a necessary and indispensable party.

**IT IS SO ORDERED.**

Dated: \_\_\_\_\_

\_\_\_\_\_  
Hon. R. Gary Klausner  
United States District Judge