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12 Attorneys *By Special Appearance* for Defendants  
13 THE SANTA YNEZ BAND  
14 OF CHUMASH MISSION INDIANS  
15 OF THE SANTA YNEZ RESERVATION,  
16 VINCENT ARMENTA, GARY PACE,  
17 KENNETH KAHN, RICHARD GOMEZ,  
18 and DAVID DOMINGUEZ

19  
20 **UNITED STATES DISTRICT COURT**  
21 **CENTRAL DISTRICT OF CALIFORNIA**

22 SAVE THE VALLEY, LLC, a California  
23 Limited Liability Company,

24 Plaintiff,

25 vs.

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

Defendants.

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

**DECLARATION OF MATTHEW D.  
BENEDETTO IN SUPPORT OF  
DEFENDANTS' MOTION TO  
DISMISS**

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

1 I, Matthew D. Benedetto, declare as follows:

2 1. I am a lawyer in the law firm of Wilmer Cutler Pickering Hale and Dorr  
3 LLP, counsel for The Santa Ynez Band of Chumash Mission Indians of the Santa Ynez  
4 Reservation, Vincent Armenta, Gary Pace, Kenneth Kahn, Richard Gomez, and David  
5 Dominguez (“Defendants”) in the above-captioned action. I have personal knowledge  
6 of the facts set forth herein, and, if called as a witness, could and would testify  
7 competently to those facts.

8 2. Attached hereto as Exhibit 1 is a true and correct copy of a Memorandum  
9 from Michael J. Berrigan, Associate Solicitor, Division of Indian Affairs, United States  
10 Department of the Interior, regarding a “Determination of Whether *Carcieri v. Salazar*  
11 or *Hawaii v. Office of Hawaiian Affairs* limits the authority of the Secretary to Acquire  
12 Land in Trust for the Santa Ynez Band of Chumash Mission Indians” (“*Carcieri*  
13 Determination”), dated May 23, 2012.

14 3. Attached hereto as Exhibit 2 is a true and correct copy of a deed,  
15 conveying land from the Roman Catholic Bishop of Monterey to the United States of  
16 America, recorded on June 18, 1906.

17 4. Attached hereto as Exhibit 3 is a true and correct copy of Save the Valley,  
18 LLC’s organizational filings with the California Secretary of State.

19 I declare under penalty of perjury under the laws of the United States of America  
20 that the foregoing is true and correct.

21  
22 Dated: May 20, 2015

WILMER, CUTLER, PICKERING, HALE  
AND DORR LLP

23  
24 By: /s/ Matthew D. Benedetto

Matthew D. Benedetto

25 Attorney for Defendants

26 THE SANTA YNEZ BAND OF CHUMASH  
27 MISSION INDIANS OF THE SANTA YNEZ  
28 RESERVATION, VINCENT ARMENTA,

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GARY PACE, KENNETH KAHN, RICHARD  
GOMEZ, and DAVID DOMINGUEZ  
*Appearing specially so as to  
not waive sovereign immunity*