Christine V. Williams
J. Harrison Powell, II
Outlook Law LLC
Attorneys for *Amici Curiae*
1016 West 6th Avenue, Suite 306
Anchorage, Alaska 99501
(907) 258-2200
christinewilliams@outlooklaw.com
harrisonpowell@outlooklaw.com

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CONFEDERATED TRIBES OF THE CHEHALIS RESERVATION, et al.,

PLAINTIFFS,

v.

STEVEN MNUCHIN, SECRETARY, UNITED STATES DEPARTMENT OF THE TREASURY,

DEFENDANT.

Case No. 1:20-cv-1002 (APM)

NOTICE AND REQUEST TO CORRECT PROCEDURAL DEFECT, NOTICE OF CONTROLLING AUTHORITY

The Alaska Native Village Corporation Association ("ANVCA") and ANCSA Regional Association ("ARA"), collectively ANC Amici, alert this Court to a procedural defect and respectfully request that the Court correct it and ensure the relevant parties that should have been served receive service. That is, the consolidated plaintiff tribal organizations in Case No. 1:20-cv-01059-APM failed to give notice to the parties as required by the Court and governing rules, and failed to file in the correct case pursuant to the Court's Minute Order entered on April 23, 2020 on that case." *See* 1:20-cv-01059-APM and Rule 40.5(b)(3). The ANC Amici notice that both the Amended Complaint, and the Reply filed yesterday were done so incorrectly and ask the

Court to ensure all the appropriate parties, including the defendant, had appropriate notice and an opportunity to respond. ANC Amici further request that all future pleadings by the consolidated plaintiff tribal organizations be filed on the correct docket as this case is on a fast track for a decision.

ANC Amici also respectfully point out that there is a 2003 D.C. Circuit Court of Appeals case that is controlling legal precedent on the matter of the ISDEAA application of federally recognized Indian Tribes. *AFGE v. United States*, 330 F.3d 513 (D.C. Cir. 2003), *cert. denied AFGE v. United States*, 540 U.S. 1088 (2003). In that case, ANC Regional and Village corporations were "federally recognized Indian tribes" pursuant to the ISDEAA definition. The plaintiffs briefed this case in their reply and stated the D.C. Circuit Court of Appeals was "plainly erroneous." *See* Docket at 30, p. 9, fn. 9.

Dated this 25 day of April, 2020.

/s/ Christine V. Williams
Alaska Bar No. 0204007

/s/ J. Harrison Powell, II
Virginia Bar No. 86308

Attorneys for Amici Parties
Alaska Native Village Corporation Association and ANCSA Regional Association

Sponsoring Attorney
William K. Walker
Walker Reausaw
800 Connecticut Ave., # 300
Washington DC 20006

CERTIFICATE OF SERVICE

The undersigned certifies that on the 25th day of April 2020, a true and correct copy of the Notice was filed with CM/ECF, which will send notification to the parties on record.

By: /s/ Christine V. Williams
OUTLOOK LAW, LLC