

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

Yankton Sioux Tribe v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 03-1603 (JR)
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Pechanga Band of Luiseno Mission Indians v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2206 (JR)
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Colorado River Indian Tribes v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2212 (JR)
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Tohono O'odham Nation v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2236 (JR)
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)	
Nez Perce Tribe, <i>et al.</i> , v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2239 (JR)
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Passamaquoddy Tribe of Maine v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2240 (JR)
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Salt River Pima-Maricopa Indian Community v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2241 (JR)
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Ak-Chin Indian Community v. Kempthorne, <i>et al.</i> ,)	Civil Action No. 06-2245 (JR)
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DEFENDANTS' MOTION TO DISMISS

Defendants, by and through their undersigned counsel, hereby move this Court for an Order dismissing Plaintiffs' Complaint(s) pursuant to Fed. R. Civ. P. 12(b)(1) and 12(h)(3) for lack of subject matter jurisdiction, Fed. R. Civ. P. 12(b)(6) for failure to state a claim upon which relief can be granted, and Fed. R. Civ. P. 12(c) because Defendants are entitled to judgment as a matter of law. In support of this Motion, Defendants submit the accompanying Memorandum of Points and Authorities.

Respectfully submitted this 16th day of June 2008,

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/s/ Maureen E. Rudolph

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