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WILLIAM L. WHITTAKER
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA.

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

TABLE MOUNTAIN RANCHERIA ASS'N., et al.,

Plaintiffs,

v.

JAMES WATT, et al.,

Defendants.

CIVIL NO. C-80-4595-MHP

JUDGMENT (F.R.Civ.P. 58)

Plaintiffs and defendants having entered into a stipulation for entry of judgment, the court having approved said stipulation pursuant to F.R.Civ.P. 23(e) and good cause appearing therefor, it is hereby

ORDERED, ADJUDGED AND DECREED that final judgment be entered pursuant to the terms of said stipulation.

Dated: 15 JUN 1983

U. S. District Judge

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CLERK, U. S. DIST. COURT
SAN FRANCISCO

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STIPULATION FOR ENTRY OF JUDGMENT

The parties to the above-entitled class action, recognizing that the uncertainties in the law and the burdens of further litigation make settlement of this action mutually beneficial, and subject to the approval of the Court pursuant to F.R.C.P. Rule 23(e), hereby stipulate and request that the court enter judgment as follows:

1. Plaintiffs Clarence Jones, Lester Burrough, E.B. Barnes, Lewis Barnes and William Walker represent the class of persons certified as consisting of all persons named in the distribution plan of the Table Mountain Rancheria as

distributees of the assets of said Rancheria, or the Indian heir(s), assign(s), executor(s), administrator(s), or successor(s) in interest thereof who, by reason of having participated in the distribution of the assets of said Rancheria at any time have been considered by the government of the United States or any other governmental entity to have lost their status as Indians under the laws of the United States.

2. Plaintiffs Aaron Jones, Carolyn Walker and Twila Burrough are certified as representing the class of persons consisting of all persons listed as or otherwise considered to be dependent members of the families of distributees of the Table Mountain Rancheria.

3. The status of the named individual plaintiffs and class members as Indians under the laws of the United States is confirmed.

4. The Secretary of the Interior shall list the Table Mountain Band of Indians as an Indian Tribal entity pursuant to 25 CFR Part 83.6(b).

5. The exterior boundaries of the Table Mountain Rancheria, encompassing all parcels shown on the Map of Fresno County Tract No. 1833, recorded at pages 58 and 59 of Volume 20 of Plats, Fresno County Records, except for Assessor's Parcel No. 300-210-06, which was not part of the original Rancheria, are reestablished, as is the status of said lands as Indian country within the meaning of 18 U.S.C. §1151. Reestablishment of the exterior boundaries and Indian country status of the Rancheria shall not affect the ownership rights and interests of non-Indian persons owning any parcel within said boundaries,

and shall not vest the duly-constituted Tribal governing bo with jurisdiction over any parcel owned entirely by non-Indi persons while such parcel remains in non-Indian ownershi except upon the written consent of said non-Indians or if sa parcel is being used by Indians with the consent of the no Indian owner(s) thereof.

6. Any plaintiff or plaintiff class member, or t Indian successor(s) of any such plaintiff, who received f title to an interest in any former trust allotment by reason the distribution of the assets of the Table Mountain Rancher shall be entitled to elect to restore any such interest federal trust status, to be held by the United States for t benefit of such Indian person(s) as the grantor may specify.

7. Within one year of the date of entry of judgme herein, plaintiff Band shall convey to the United States a community-owned lands within the Table Mountain Rancheria which the United States issued fee title in connection with as the result of distribution of the assets of said Rancheri Pursuant to the authority conferred by §203 of Title II of t Act of January 12, 1983, Public Law No. 97-459, 96 Stat. 251 and/or the equitable power of this court, title to said lan shall be accepted and held by the United States in trust f the Table Mountain Band of Indians or the Indians of the Tab Mountain Rancheria, as may be specified in the instrument(s) conveyance.

8. Any named plaintiff or plaintiff class member the Table Mountain Rancheria owning land within the Rancheri or the Indian heir(s), devisee(s) or successor(s) in intere

never has deemed plaintiffs to have lost their status as Indians under the laws of the United States, and has continued to provide water and sanitation facilities and assistance on the Table Mountain Rancheria. Thus, the provisions of Paragraph 10 hereof do not apply to said defendant.

12. The Secretary of the Interior and plaintiffs agree that the distribution plan for the Table Mountain Rancheria shall be of no further force and effect, and shall not be further implemented. Notice thereof shall be published in the Federal Register; however, this provision shall not affect any vested rights created thereunder, the validity of any conveyances authorized and effected thereunder or the rights of any subsequent bona fide purchaser for value.

13. Plaintiffs' claims for money damages (the seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth and nineteenth claims) shall be dismissed with prejudice, plaintiffs having specifically considered the potential value of said claims, the probability of the success thereof, and the value of the relief to be obtained under this settlement agreement.

14. For the purpose of resolving any disputes which arise among the parties in the course of implementing the judgment to be entered pursuant to this stipulation, the court shall retain jurisdiction over this matter for a period of one year from entry of judgment, or for such longer time as may be shown to be necessary on a motion duly noticed by any party within one year from entry of judgment.

shown to be necessary on a motion duly noticed by any party within one year from entry of judgment.

15. Entry of judgment pursuant to this stipulation shall constitute a final settlement of all claims which named plaintiffs and plaintiff class members have or may have against the United States, its officers and employees arising out of the implementation of the California Rancheria Act at the Big Sandy Rancheria.

Dated: March 25, 1983

GEORGE FORMAN
DAVID RAPPORT
MICHAEL PFEFFER
CALIFORNIA INDIAN LEGAL SERVICES

Attorneys for Plaintiffs

By: _____

Dated: March 25, 1983

JOSEPH RUSSONIELLO, U.S. Attorney
FRANCIS B. BOONE, Ass't. U.S.Att'y.

By: _____

Attorneys for Defendants