



TOHONO O'ODHAM NATION

OFFICE OF THE CHAIRMAN AND VICE CHAIRMAN

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ALL OF US TOGETHER

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PRESS RELEASE

FOR IMMEDIATE RELEASE

Thursday, March 3, 2011

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FEDERAL COURT RULES IN FAVOR OF THE TOHONO O'ODHAM NATION

Judge Campbell Says that Land Must be Taken into Trust

SELLS, Ariz. – Today, United States District Judge, David Campbell, ruled in favor of the Department of the Interior (DOI) in its decision to take land into trust for the Tohono O'odham Nation. This comes after hearing arguments from all parties—including the city of Glendale and the Gila River Indian Community (GRIC)—on Feb. 17. In his decision, Judge Campbell wrote, “The Court concludes that Plaintiffs have provided no legal basis to set aside the Department of the Interior’s decision.” The Court’s ruling represents the third decision in the Nation’s favor on this issue; DOI approved the Nation’s application on July 23, 2010 and the Bureau of Indian Affairs stated the request meets all of the requirements in May 2009.

Judge Campbell’s decision addresses multiple arguments raised by Glendale and GRIC, including the Indian Gaming Regulatory Act (IGRA) and the United States Constitution’s 10th Amendment. In respect to IGRA, Judge Campbell rejected opponents’ arguments when he concluded that “DOI has not violated IGRA.”

On the 10th Amendment issue, Judge Campbell wrote, “As counsel for Glendale agreed during oral argument, Plaintiffs ask the Court to break new ground on this issue—to depart from every court decision that has previously addressed it. The Court declines the invitation.”

Ned Norris Jr., chairman of the Tohono O'odham Nation, said, “*This is a significant day in the history of this project. The Tohono O'odham Nation has waited patiently for the courts to work through opponents’ arguments and, as we expected, the courts have ruled in our favor.*” He went on to say, “*We look forward to obtaining the multiple regulatory approvals necessary for moving forward with a first-class facility; we will also continue to work with surrounding communities and stakeholders to bring this important economic development project to the West Valley.*”

Upon completion, the West Valley Resort will draw 1.2 million people to the West Valley each year and have a \$300 million annual economic impact. More than 9,000 jobs will be created during the construction of the facility and the day-to-day operations. For additional information on the Tohono O'odham Nation, the West Valley Resort and the history behind this project, please visit <http://www.westvalleyopportunity.com>.

Editor’s Note: See attached for Judge Campbell’s decision

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