



TOHONO O'ODHAM NATION

OFFICE OF THE CHAIRMAN AND VICE CHAIRMAN

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PRESS RELEASE

FOR IMMEDIATE RELEASE

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FEDERAL COURT PROTECTS STATUS QUO IN LAND INTO TRUST SUIT *Prohibits Glendale from Annexing Land*

SELLS, Ariz. – Yesterday, United States District Judge, David Campbell, issued a decision on Glendale's motion for an injunction and a stay on the Tohono O'odham Nation's (Nation) land into trust suit. In addition to Judge Campbell denying Glendale's request for a stay, he also prohibited the city from annexing the Nation's land before the issue is settled. In an effort to preserve the status quo, Judge Campbell's decision also allows the appeal to proceed prior to acquisition of the land, but requires Glendale and the other opponents to post a half-million dollar bond to address the delay caused by the appeal.

In his decision, Judge Campbell wrote, "In arguing that they are likely to succeed on appeal, Plaintiffs essentially reassert the positions taken in their summary judgment briefs. See Doc. 153 at 19. The Court thoroughly considered these positions, heard oral arguments, and issued a 24-page order on its merits. For the reasons set forth in that order (Doc. 133), the Court concludes that *Defendants, not Plaintiffs, are likely to prevail on appeal.*" [Emphasis added.]

He went on to write, "In short, Plaintiffs seek to materially alter the status quo in their favor. The goal of an injunction pending appeal is not to alter the status quo, but to preserve it. The best way to preserve the present state of affairs is to enjoin both the acquisition into trust and the annexation of Parcel 2, thereby allowing the parties to litigate these issues without concern that the other side's actions may render the litigation moot."

Ned Norris Jr., chairman of the Tohono O'odham Nation, said, "*We are encouraged by Judge Campbell's latest decision which prevents the City of Glendale from annexing our land while litigation is still ongoing. We are confident that the appellate courts will agree with Judge Campbell's ruling and anxiously await that decision.*"

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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