

THE HONORABLE DAVID G. ESTUDILLO

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MAVERICK GAMING LLC,

Plaintiff,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

No. 22-cv-05325 DGE

**NOTICE OF APPEAL**

Notice is hereby given that Plaintiff Maverick Gaming LLC appeals to the United States Court of Appeals for the Ninth Circuit from the Order Granting Limited Intervenor Shoalwater Bay Tribe's Motion to Dismiss entered February 21, 2023 (ECF No. 98), and the Judgment entered February 21, 2023 (ECF No. 99), which dismissed Maverick's claims without prejudice; and from any and all of the Court's rulings adverse to Maverick incorporated in, antecedent to, or ancillary to the Order and the Judgment.

1  
2 DATED February 22, 2023.

3 **BRENNAN LEGAL, PLLC**

4  
5 By: *s/ Thomas M. Brennan*

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14 By: *s/ Matthew D. McGill*

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25 *Attorneys for Plaintiff Maverick Gaming LLC*  
26

**CERTIFICATE OF SERVICE**

I hereby certify that on this date I caused the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system which sends notification of the filing to all counsel of record.

DATED February 22, 2023.

/s/ Thomas M. Brennan  
Thomas M. Brennan

**UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF** Western District of Washington

**Form 1. Notice of Appeal from a Judgment or Order of a  
United States District Court**

U.S. District Court case number: 3:22-cv-05325-DGE

Notice is hereby given that the appellant(s) listed below hereby appeal(s) to the United States Court of Appeals for the Ninth Circuit.

Date case was first filed in U.S. District Court: 01/11/2022

Date of judgment or order you are appealing: 02/21/2023

Docket entry number of judgment or order you are appealing: ECF Nos. 98, 99

Fee paid for appeal? (*appeal fees are paid at the U.S. District Court*)

☒ Yes   ☐ No   ☐ IFP was granted by U.S. District Court

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**List all Appellants** (*List each party filing the appeal. Do not use "et al." or other abbreviations.*)

Maverick Gaming LLC

Is this a cross-appeal?   ☐ Yes   ☒ No

If yes, what is the first appeal case number?

Was there a previous appeal in this case?   ☐ Yes   ☒ No

If yes, what is the prior appeal case number?

Your mailing address (if pro se):

City:  State:  Zip Code:

Prisoner Inmate or A Number (if applicable):

**Signature** /s/ Thomas M. Brennan

**Date** Feb 22, 2023

*Complete and file with the attached representation statement in the U.S. District Court*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

**Form 6. Representation Statement**

*Instructions for this form: <http://www.ca9.uscourts.gov/forms/form06instructions.pdf>*

**Appellant(s)** (List *each* party filing the appeal, do not use “et al.” or other abbreviations.)

Name(s) of party/parties:

Maverick Gaming LLC

Name(s) of counsel (if any):

Theodore B. Olson  
Matthew D. McGill  
Lochlan F. Shelfer

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Email(s): [tolson@gibsondunn.com](mailto:tolson@gibsondunn.com)

Is counsel registered for Electronic Filing in the 9th Circuit? ☒ Yes ☐ No

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**Appellee(s)** (List only the names of parties and counsel who will oppose you on appeal. List separately represented parties separately.)

Name(s) of party/parties:

Jay Inslee; Robert Ferguson; Bud Sizemore; Julia Patterson; Alicia Levy; Kristine Reeves; Sarah Lawson; Steve Conway; Jeff Holy; Shelley Kloba; Brandon Vick; Tina Griffin

Name(s) of counsel (if any):

Kristin Beneski; Tera M. Heintz; William McGinty; Brian Hunt Rowe

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*To list additional parties and/or counsel, use next page.*

*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

Continued list of parties and counsel: *(attach additional pages as necessary)*

**Appellants**

Name(s) of party/parties:

Name(s) of counsel (if any):

Address:

Telephone number(s):

Email(s):

Is counsel registered for Electronic Filing in the 9th Circuit? ☐ Yes ☐ No

**Appellees**

Name(s) of party/parties:

The United States of America; United States Department of the Interior; Deb Haaland; Bryan Newland

Name(s) of counsel (if any):

Daron T. Carreiro; Hillary K. Hoffman; Rebecca M. Ross

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Telephone number(s): (202) 616-3148

Email(s): rebecca.ross@usdoj.gov

Name(s) of party/parties:

Shoalwater Bay Tribe

Name(s) of counsel (if any):

Scott D. Crowell

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*Feedback or questions about this form? Email us at [forms@ca9.uscourts.gov](mailto:forms@ca9.uscourts.gov)*

## General Information

<b>Case Name</b>	Maverick Gaming LLC v. United States of America et al
<b>Court</b>	U.S. District Court for the Western District of Washington
<b>Date Filed</b>	Mon May 09 00:00:00 EDT 2022
<b>Judge(s)</b>	David G Estudillo
<b>Federal Nature of Suit</b>	Statutes: Other Statutory Actions [890]
<b>Docket Number</b>	3:22-cv-05325
<b>Status</b>	Closed
<b>Parties</b>	Tulalip Tribes; United States Department of the Interior; United States of America; Sarah Lawson; Hoh Indian Tribe; Skokomish Indian Tribe; Maverick Gaming LLC; Confederated Tribes of the Chehalis Reservation; Spokane Tribe; Squaxin Tribe; Alicia Levy; Bud Sizemore; Makah Indian Tribe; Samish Indian Nation; Jeff Holy; Kalispel Tribe of Indians; Bryan Newland; Steve Conway; Kristine Reeves; Brandon Vick; Tina Griffin; Quinault Tribe; Shelley Kloba; Jay Inslee; Shoalwater Bay Tribe; Nisqually Indian Tribe; Puyallup Tribe of Indians; Julia Patterson; Port Gamble S'Klallam Tribe; Nooksack Indian Tribe; Swinomish Indian Tribal Community; Deb Haaland; Confederated Tribes and Bands of the Yakama Nation; Suquamish Tribe; Robert Ferguson