

THE HONORABLE ROSANNA MALOUF PETERSON

Hearing Date: May 29, 2020 at 1:30 PM

Telephonic Oral Argument

Manish Borde
BORDE LAW PLLC
600 Stewart Street, Suite 400
Seattle, WA 98101
Telephone: (206) 905-6129
Email: mborde@bordelaw.com

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF WASHINGTON
AT SPOKANE

PAUL GRONDAL, a Washington
resident and THE MILL BAY
MEMBERS ASSOCIATION, INC., a
Washington Non-Profit Corporation,
Plaintiffs,

v.

UNITED STATES OF AMERICA;
UNITED STATES OF AMERICA;
UNITED STATES DEPARTMENT
OF THE INTERIOR; THE BUREAU
OF INDIAN AFFAIRS, and FRANCIS
ABRAHAM, CATHERINE
GARRISON, MAUREEN
MARCELLAY, MIKE PALMER,

Case No. CV-09-0018-RMP

STATEMENT OF DISPUTED
MATERIAL FACTS AS TO GARY
REYES

STATEMENT OF DISPUTED MATERIAL FACTS AS TO GARY
REYES - 1
(CV-09-0018-RMP)

BORDE LAW PLLC
600 Stewart Street, Suite 400
Seattle, Washington 98101
(206) 905-6129

1 JAMES ABRAHAM, NAOMI DICK,
2 ANNIE WAPATO, ENID
3 MARCHAND, GARY REYES, PAUL
4 WAPATO, JR., LYNN BENSON,
5 DARLENE HYLAND, RANDY
6 MARCELLAY, FRANCIS REYES,
7 LYDIA W. ARMEECHER, MARY JO
8 GARRISON, MARLENE
9 MARCELLAY, LUCINDA O'DELL,
10 MOSE SAM, SHERMAN T.
11 WAPATO, SANDRA COVINGTON,
12 GABRIEL MARCELLAY, LINDA
13 MILLS, LINDA SAINT, JEFF M.
14 CONDON, DENA JACKSON, MIKE
15 MARCELLAY, VIVIAN PIERRE,
16 SOMA VANWOERKON, WAPATO
17 HERITAGE, LLC, LEONARD
18 WAPATO, JR, DERRICK D. ZUNIE,
19 II, DEBORAH L. BACKWELL, JUDY
20 ZUNIE, JAQUELINE WHITE
21 PLUME, DENISE N. ZUNIE and
22 CONFEDERATED TRIBES OF THE
23 COLVILLE RESERVATION,
24 Allottees of MA-8 (known as Moses
25 Allotment 8),

Defendants.

Gary Reyes submits this Statement of Disputed Material Facts pursuant to
Local Civil Rule 56(c)(1)(B).

STATEMENT OF DISPUTED MATERIAL FACTS AS TO GARY
REYES - 2
(CV-09-0018-RMP)

BORDE LAW PLLC
600 Stewart Street, Suite 400
Seattle, Washington 98101
(206) 905-6129

1 1. Plaintiff cites to ECF No. 296 at Exhibits 7-8 and ECF No. 440 at ¶ 12
2 for the proposition that it is undisputed that Gary Reyes has a beneficial interest
3 in MA-8.

4 2. To the extent MA-8 is ruled to be trust land, thus granting the Federal
5 Defendants standing to contest/litigate Plaintiffs' right to use/occupy MA-8 and
6 not mooted Plaintiffs' motion, ECF No. 347-1 at p. 31-34 raises, at a minimum,
7 an issue of fact as to whether Mr. Reyes has a beneficial interest in MA-8.

8
9 Dated this 8th day of May, 2020.

10
11 /s/ Manish Borde

12 Manish Borde, WSBA #39503
13 BORDE LAW PLLC
14 600 Stewart Street, Suite 400
15 Seattle, WA 98101
16 Telephone: (206) 905-6129
17 E-mail: mborde@bordelaw.com
18 *Counsel for Gary Reyes*

CERTIFICATE OF SERVICE

I hereby certify that on the date set forth below, I caused the foregoing document to be electronically filed with the Clerk of the above entitled Court using the CM/ECF system, which will send notification of such filing to all registered recipients of that system as of the date hereof.

Notice of this filing is being sent via United States Postal Service First Class Mail to the parties below at the addresses indicated below.

PRO SE PARTIES

Francis Abraham
11103 E. Empire Avenue
Spokane Valley, WA 99206

Annie Wapato
1800 Jones Rd
Wapato, WA 98951-9

Paul G. Wapato, Jr.
10216 N Sundance Dr.
Spokane, WA 992085

Francis Reyes
PO Box 296
Newman Lake, WA 99025

Kathleen Dick
P.O. Box 288
Nespelem, WA 99155-0288

Jeffrey M Condon
PO Box 3561
Omak, WA 9884 1-3561

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Deborah A. Backwell
24375 SE Keegan RD
Eagle Creek, OR 97022

Vivian Pierre
PO Box 294
Elmer City, WA 99124-0294

Catherine Garrison
3434 S 114th St., Apt. 124
Tukwila, WA 98168-4061

Sonia W (Wapato) Vanwoerkom
810 19th St
Lewiston, Id 83501-3172

Mary Jo Garrison
PO Box 1922
Seattle, WA 98111

Arthur Dick
PO Box 288
Nespelem, WA 99155-0288

Enid T. Wippel
PO Box 101
Nespelem, WA 99155

Hannah Rae Dick
PO Box 198
Nespelem, WA 99155-0198

Leonard Wapato
P.O. Box 442
White Swan, WA 98952-0442

Francis J Reyes
PO Box 215
Elmer City, WA 99124-0215

Lynn K. Benson
PO Box 746
Omak, WA 98841-0746

Dwane Dick
PO Box 463
Nespelem, WA 99155-0463

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

James Abraham
2727 Virginia Avenue
Everett, WA 98201-3743

Gabe Marcellay
PO Box 76
Wellpinit, WA 99040-0076

Randy Marcellay
P.O. Box 3287
Omak, WA 98841-3

Travis E Dick and Hannah Dick

Paul G Wapato Jr
Catherine L (Gufsa) Garrison
3434 S 144th St Apt 124
Tukwila, WA 98168 -4061

Guardian of Travis E Dick
PO Box 198
Nespelem, WA 99155

Maureen M. Marcellay
501 SE 123rd Ave., Apt U150
Vancouver, WA 9868a3-4008

Jacqueline L Wapato
PO Box 611
Lapwai, Id 83540-0611

Leonard M Wapato
PO Box 442
White Swan, WA 98952-0442

Darlene Marcellay-Hyland
16713 SE Fisher Drive
Vancouver, WA 98683

Mike Marcellay
PO Box 594
Brewster, WA 98812-0594

Enid T (Pierre) Marchand
PO Box 101
Nespelem, WA 99155-0101

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Pamela Jean DeRusha
US Attorney’s Office – SPO
920 W. Riverside, Suite 300
PO Box 1494
Spokane, WA 99210 - 1494

Lydia A. Arneecheer
P.O. Box 45
Wapato, WA 98951-0475

Stephen Wapato
246 N. Franklin
Wenatchee, WA 98801

Gabriel Marcellay
P.O. Box 76
Wellpinit, WA 99040

Marlene Marcellay
1300 SE 116th Ct.
Vancouver, WA 98683-5290

DATED this 8th day of May, 2020

/s/ Manish Borde
Manish Borde, WSBA #39503
BORDE LAW PLLC
600 Stewart Street, Suite 400
Seattle, WA 98101
Telephone: (206) 905-6129
E-mail: mborde@bordelaw.com
Counsel for Gary Reyes