

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

CHARLES WALEN, an individual, et al.,

Plaintiffs,

v.

DOUG BURGUM, in his official capacity as
Governor of the State of North Dakota, et al.,

Defendants,

and

MANDAN, HIDATSA AND ARIKARA NATION, et
al.,

Intervenor-
Defendants.

Civil No. 1:22-cv-00031

INTERVENOR-DEFENDANTS' MOTION FOR SUMMARY JUDGMENT

Pursuant to Fed. R. Civ. P. 56 and L. Civ. R. 7(A)(1) and (2), Intervenor-Defendants hereby move for summary judgment on and dismissal with prejudice of all Plaintiffs' claims. This motion is supported by the memorandum of facts and law, and all exhibits thereto, filed contemporaneously with this Court.

February 28, 2023

/s/ Michael S. Carter

Michael S. Carter
OK Bar No. 31961
Matthew Campbell
NM Bar No. 138207, CO Bar No. 40808
mcampbell@narf.org
NATIVE AMERICAN RIGHTS FUND
1506 Broadway
Boulder, CO 80301

Respectfully submitted,

/s/ Mark P. Gaber

DC Bar No. 988077
mgaber@campaignlegal.org
Molly E. Danahy
DC Bar No. 1643411
mdanahy@campaignlegal.org
Nicole Hansen
NY Bar 5992326
nhansen@campaignlegal.org

Telephone: (303) 447-8760

Samantha Blencke Kelty
AZ Bar No. 024110, TX Bar No. 24085074
kelty@narf.org
NATIVE AMERICAN RIGHTS FUND
1514 P Street NW, Ste. D
Washington, DC 20005
Telephone: (202) 785-4166

CAMPAIGN LEGAL CENTER
1101 14th St. NW, Ste. 400
Washington, DC 20005
Telephone: (202) 736-2200
Fax: (202) 736-2222

Bryan Sells (admitted *pro hac vice*)
GA Bar No. 635562
bryan@bryansellsaw.com
THE LAW OFFICE OF BRYAN L. SELLS,
LLC
PO Box 5493
Atlanta, GA 31107-0493
Telephone: (404) 480-4212

CERTIFICATE OF SERVICE

I certify that the foregoing was served on all counsel of record via the Court's CM/ECF system.

/s/ Mark P. Gaber

Mark P. Gaber

Counsel for Plaintiffs