

EXHIBIT NO. 3

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Picayune Rancheria of Chukchansi Indians

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
(FRESNO DIVISION)

STATE OF CALIFORNIA,)	
)	
Plaintiff,)	Case No. 14-CV-01593 LJO-SAB
)	
Vs.)	
)	DECLARATION OF LUKE DAVIS
)	CHAIRMAN OF THE PICAYUNE
)	RANCHERIA OF CHUKCHANSI INDIANS
PICAYUNE RANCHERIA OF)	(DISTRIBUTE(S))
CHUKCHANSI INDIANS OF CALIFORNIA,)	
A FEDERALLY RECONIZED TRIBE OF)	
INDIANS,)	
)	
Defendant(s).)	
)	
)	
)	
)	

I, LUKE DAVIS, hereby declare under oath the following:

1. I am over the age of eighteen, am of competent and of sound mind, have personal knowledge of the facts set for below and, if called as a witness, I can and will testify truthfully to each of the following.

2. Presently I am the Chairman of the Picayune Rancheria of Chukchansi Indians (Distributee(s)) and I am a duly enrolled member of the Tribe who meets all qualifications for membership pursuant to Article III, Section (a)(1).

3. I have during the course of my lifetime resided on trust lands of my grandmother, Maryan Ramirez, who was solely responsible for initiating the process of recognition for the Picayune Rancheria of Chukchansi Indians, as per the *Hardwick, et al. v. United States, et al.*, N.D. Cal. No. C-79-1710-SW.

4. My home is located above the Chukchansi Gold Resort & Casino and in recent weeks I have witnessed nearly 30 to 50 vehicles parked at the facility on a daily basis and I was told by the 2010 Tribal Council that they are opening the gaming facility on or about September 11, 2015.

5. Further, I personally witnessed the 2010 Tribal Council conducting a job fair at the Chukchansi Gold Resort & Resort on July 28, 2015 and it was announced that same day by the 2010 Tribal Council that Ms. Christian Goods of Oseceola Blackwood Ivory Group LLP would be management group operating the facility.

6. The members of the Distributee(s) are very anxious and have discussed locating the Tribal government at the Casino to ensure that the 2010 Tribal Council does not attempt to re-open the facility without the concurrence of all factions of the Tribe, as the governing dispute has not been rectified, nor settled by any means.

7. The legal understanding of my government is that the 2010 Tribal Council is recognized solely for ISDEA contracting (P.L. 93-638) purposes and not recognized as the legally sanctioned governing body of the Picayune Rancheria of Chukchansi Indians.

8. Recently, the 2010 Tribal Council has had a division between Mr. Reggie Lewis, Nancy Ayala, Jennifer Stanley and the other four (4) Tribal Council members, who apparently locked Mr. Lewis and his colleagues out of their offices in Fresno, California.

9. The 2010 Tribal Council met recently with the alleged members of the Tribe on September 28, 2015, at which time I requested copies of the amended laws pertaining to elections and enrollment. I was told by council member Dora Jones those documents had been shredded when I went to their offices. The General Council (membership) present began to argue in the meeting about having no copies of the laws supposedly passed by the so-called 2010 Tribal Council.

10. As of this date I and the other alleged members have not had access the election and enrollment laws of the Tribe as amended by the so-called Tribal Council that is only legally supposed to be over-seeing P.L. 93-638 contracts.

11. At that same meeting another argument broke out about what membership list is the Council using to conduct this upcoming election. That is due to the fact that the Council has been saying for months that they have no lists to go by and that the membership lists are at the government buildings at the compound that another faction is occupying.

12. Certain members of the 2010 Council believes that everyone that is Chukchansi should be on the list including non-members that have been disenrolled, provided due process is followed in accordance with tribal law. Then the argument shifted to who has access to the prodigy, the software that is used for membership records, which is extremely confidential and is not to be taking out of enrollment office.

13. It was stated by Donna Howard a terminate secretary of Reggie Lewis that the enrollment list was taken from Chance Alberta's home, by Morris Reid, Dora Jones and the Elder

Service Coordinator Claudia Gonzales, because Chance Alberta had access to the software at his home and the list came from Chance Alberta's house.

14. Further Donna Howard, who by the way is not a member of the Tribe stated that she was instructed by Dora Jones and Morris Reid to shred all the amended ordinances.

15. The 2010 Council is creating a membership list with only addresses they know, allowing non-members to vote and active members who qualify not allowed to get a ballot.

16. Another concern at the Tribal meeting by those present was from Council Member Jennifer Stanley who said other Council Members held a campaign night for certain Candidates for their supporters only and the public was not allowed to attend, paid for by the Tribe.

17. In addition, the individuals who attended the meeting were told that certain candidates were told if they dropped out of the election that they would be promised a job on the Tribal Gaming Commission and that is what has lead to the recent resignation of certain members of the commission, as well as Cammie Chon, the Executive Director of gaming

18. These antics by certain corrupt individuals has been the cause of the Tribe not being able to move forward and will continue, if these individuals who are not qualified for membership and have been sanctioned are allowed to take part in tribal affairs and their sanctions should not be ignored by the federal government.

19. In 2012, both Dora Jones and Morris Reid were sanctioned for the alleged destruction of a government building with damages of over 1 million in damages during a riot they were involved in 2011 when they refused to leave office and a another member was stabbed.

20. Even though these violations of the law were on video tape no one was prosecuted by John Anderson the Madera County Sheriff at that time.

21. The BIA, NIGC and IBIA arbitrary and capricious decision to recognize the so-called 2010 Tribal Council does not acknowledge the legal penalties and sanctions imposed on certain members of the 2010 Tribal Council, and according to the law - the BIA and IBIA do not have the statutory authority to impose their strictures on tribal law – they have no authority to overturn tribal law.

22. Finally, based upon my review of the enrollment audit that was conducted in 2012 and completed in 2013, a majority of the alleged tribal members of my Tribe do not qualify for enrollment and that would include all of the 2010 Tribal Council as they have not established a “special relationship” with the Tribe, which is required by the Constitution.

23. It is my opinion, that if this Court allows the casino and hotel to reopen based upon the approval of NIGC, who has absolutely no statutory authority to recognize factions in an intra-tribal dispute - the public safety and welfare will certainly be in danger.

I declare under oath that the above is true and exact to the best of my knowledge.

DATED this 30th day of September, 2015.



Luke Davis, Chairman
Picayune Rancheria of Chukchansi Indians