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CERTIFIED
CLERK OF THE COURT: AG
DATE: 10-02-12 AT 10:29 FILE
INTERTRIBAL COURT OF SOUTHERN CALIFORNIA
49002 GOLSH ROAD
VALLEY CENTER, CA 92382

THE INTERTRIBAL COURT OF SOUTHERN CALIFORNIA
FOR THE RINCON BAND OF LUISEÑO INDIANS

PATRICIA MICALLEF, on behalf of herself
and all others similarly situated,
Claimant,

vs.

HARRAH'S OPERATING COMPANY, INC.,
CAESARS OPERATING CO A.K.A.
CAESARS ENTERTAINMENT OPERATING
COMPANY, INC., and Does 1 through 50,
inclusive,
Respondents.

Case No.: 20111024

Date Action Filed: October 24, 2011

**ORDER GRANTING MOTIONS TO
DISMISS BASED ON DOCTRINE OF
TRIBAL SOVEREIGN IMMUNITY**

Date: September 24, 2012
Time: 1:30 p.m.

**Intertribal Court of Southern California in
and for the Rincon Band of Luiseno Indians**

The motion to Dismiss filed by Respondents and the Motion to Dismiss filed by Real Party in Interest Rincon Band of San Luiseno Indians, *specially appearing*, came on regularly for hearing on September 24, 2012 at 1:30 p.m. at the Intertribal Court of Southern California in and for the Rincon Band of Luiseno Indians, the Honorable Anthony J. Brandenburg, Chief Judge, presiding.

1 Attorney Daniel Qualls appeared on behalf of Plaintiff PATRICIA MICALLEF. Attorney
2 Maria C. Roberts and Attorney Ronald R. Giusso appeared on behalf of Respondents. Scott Crowell
3 specially appear on behalf of the Real Party in Interest Rincon Band of San Luiseno Indians.
4

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6 Upon consideration of the motion to dismiss filed by Respondents, as well as the motion to
7 dismiss filed by Real Party in Interest Rincon Band of San Luiseno Indians, the opposition filed by
8 Plaintiff MICALLEF, and the reply filed by Respondents, as well as extensive oral argument
9 presented by counsel at the hearing, the Court rules and orders as follows:
10

11
12 The motion to dismiss filed by Respondents is granted. The motion to dismiss filed by Real
13 Party in interest is granted as the court in fact per the tribal constitution and tribal codes is not a court
14 of general jurisdiction and the tort claims act as argued is not applicable in cases such as this. Further
15 the plaintiff's employment agreement along with other evidence as presented offer her a procedure
16 and methodology by which she may redress such matters as argued. Additionally as HACL is an
17 agent of the tribe acting on behalf of the tribe, the tribe being the principle, the doctrine of sovereign
18 immunity is thus extended to HCL preventing thereby any action against HCL.
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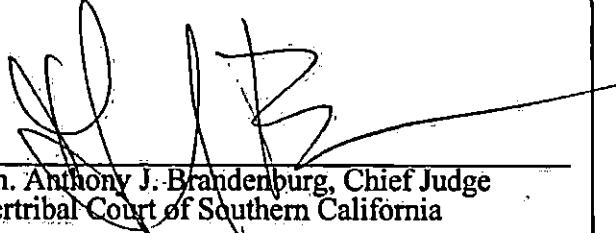
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The Court further finds that the sovereign immunity of Real Party in Interest Rincon Band of San Luiseno Indians and which extends to its agent, HCAL, bar Plaintiff's claims in their entirety.

IT IS SO ORDERED

DATED: September 27, 2012



Hon. Anthony J. Brandenburg, Chief Judge
Intertribal Court of Southern California