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10
11 UNITED STATES DISTRICT COURT
12 DISTRICT OF ARIZONA

13 _____)
14 THE NAVAJO NATION,)
15 Plaintiff,) Civ. No. 03-507-PCT-GMS
16 v.) FEDERAL DEFENDANTS' MOTION TO
17) DISMISS FIRST AMENDED
18) COMPLAINT
19 UNITED STATES DEPARTMENT OF)
THE INTERIOR; S.M.R. JEWELL,)
20 Secretary of the Interior; BUREAU OF)
21 RECLAMATION; and BUREAU OF)
INDIAN AFFAIRS,)
22 Defendants.)
23 _____)
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25 Defendants United States Department of the Interior; S.M.R. Jewell, Secretary of
26 the Interior; Bureau of Reclamation; and Bureau of Indian Affairs, hereby respectfully
27 move this Court for an order dismissing the First Amended Complaint filed by Plaintiff
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1 Navajo Nation on July 10, 2013 (Document No. 226), for lack of subject matter
2 jurisdiction, Fed. R. Civ. P. 12(b)(1), for failure to state claims upon which relief can be
3 granted, Fed. R. Civ. P. 12(b)(6), and for failure to join indispensable parties, Fed. R.
4 Civ. P. 12(b)(7). The historical and legal background, arguments, and reasons, in support
5 of this motion are set forth in a memorandum in support, and supporting exhibits, filed
6 herewith.

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12 . Respectfully submitted,

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26 Date: September 9, 2013
27
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CERTIFICATE OF SERVICE

I hereby certify that on September 9, 2013 I electronically transmitted the attached: 1) Federal Defendants' Motion To Dismiss First Amended Complaint; 2) Memorandum In Support; and 3) Supporting Exhibits, to the Clerk's Office using the CM/ECF System for filing, and served both a Notice of Electronic Filing and the attached documents on all defendants through transmittal of an electronic Notice of Electronic Filing to the following CM/ECF System registrants:

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