

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

COMMONWEALTH OF MASSACHUSETTS,

**Plaintiff/Counterclaim-
Defendant,**

and

**THE AQUINNAH/GAY HEAD COMMUNITY
ASSOCIATION, INC. (AGHCA) and TOWN
OF AQUINNAH,**

Intervenors/Plaintiffs,

v.

**THE WAMPANOAG TRIBE OF GAY HEAD
(AQUINNAH), THE WAMPANOAG TRIBAL
COUNCIL OF GAY HEAD, INC., and THE
AQUINNAH WAMPANOAG GAMING
CORPORATION,**

**Defendants/Counterclaim-
Plaintiffs,**

v.

**CHARLIE BAKER, in his official capacity as
GOVERNOR, COMMONWEALTH OF
MASSACHUSETTS, et al.,**

Third-Party Defendants.

**Civil Action No.
13-13286-FDS**

FINAL JUDGMENT

SAYLOR, J.

Pursuant to Rule 58 of the Federal Rules of Civil Procedure, and consistent with the Court's July 1, 2014 Order denying the Commonwealth's motion to remand (Docket No. 31), the Court's February 27, 2015 Order addressing the motions to dismiss (Docket No. 95), the Court's

July 28, 2015 Order entering a preliminary injunction (Docket No. 140), and the Court's November 13, 2015 Order addressing the cross-motions for summary judgment (Docket No. 151), it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. Judgment is hereby entered in favor of plaintiff/counterclaim-defendant the Commonwealth of Massachusetts and intervenor-plaintiffs/counterclaim-defendants the Aquinnah/Gay Head Community Association, Inc. ("AGHCA") and the Town of Aquinnah, and against defendants/counterclaim-plaintiffs the Wampanoag Tribe of Gay Head (Aquinnah), the Wampanoag Tribal Council of Gay Head, Inc., and the Aquinnah Wampanoag Gaming Corporation (collectively, "the Tribe") as to the claims for breach of contract and declaratory judgment brought by the Commonwealth of Massachusetts, the AGHCA, and the Town of Aquinnah.
2. Judgment is hereby entered in favor of the Commonwealth of Massachusetts, the AGHCA, the Town of Aquinnah, and third-party defendants Governor Charlie Baker, Attorney General Maura Healey, and Chairman of the Massachusetts Gaming Commission Stephen Crosby, and against the Tribe, as to the Tribe's counterclaims for a declaratory judgment.
3. Judgment is hereby entered declaring that the Tribe may not construct, license, open, or operate any gaming facility at or on the Settlement Lands (as those lands are defined in the Summary Judgment Order) without complying with the laws and regulations of the Commonwealth of Massachusetts and the Town of Aquinnah, including any pertinent state and local permitting requirements.

4. A permanent injunction is hereby entered enjoining and restraining the Tribe from commencing or continuing construction of and/or opening any gaming facility at or on the Wampanoag Community Center building site (as that term is used in the Preliminary Injunction Order) or on any other Settlement Lands (as those lands are defined in the Summary Judgment Order), without complying with the laws and regulations of the Commonwealth of Massachusetts and the Town of Aquinnah, including any pertinent state and local permitting requirements.

So Ordered.

Dated: January 5, 2016

/s/ F. Dennis Saylor IV
F. Dennis Saylor IV
United States District Judge