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**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

**NORTH FORK RANCHERIA OF  
MONO INDIANS OF CALIFORNIA,**

Plaintiff,

v.

**STATE OF CALIFORNIA,**

Defendant.

1:15-cv-00419-AWI-SAB

**ORDER CONFIRMING SELECTION  
OF ZELA G. CLAIBORNE AS  
MEDIATOR PURSUANT TO 25 U.S.C.  
§ 2710(d)(7)(B)(iv) AND REQUIRING  
THE PARTIES TO SUBMIT THEIR  
LAST BEST OFFERS FOR A  
COMPACT TO MS. CLAIBORNE**

On January 19, 2016 this Court tentatively selected Zela G. Claiborne as mediator pursuant to 25 U.S.C. § 2710(d)(7)(B)(iv) pending favorable review of her curriculum vitae. The parties submitted a copy of Ms. Claiborne’s curriculum vitae on January 21, 2016. The Court has reviewed Ms. Claiborne’s curriculum vitae. The tentative selection of Ms. Claiborne as mediator is CONFIRMED.

Within 10 days of this order, each party is directed to submit to Ms. Claiborne “a proposed compact that represents their last best offer for a compact.” 25 U.S.C. § 2710(d)(7)(B)(iv). Ms. Claiborne “shall select from the two proposed compacts the one which best comports with the terms of [IGRA], ... any other applicable Federal law[,] and with the findings and order (Doc. 25) of th[is] court.” *Id.* Once Ms. Claiborne selects a compact as directed, she “shall submit [the selected compact] to the State and the Indian tribe.” *Id.* at § 2710(d)(7)(B)(v). “If [the] State consents to a proposed compact during the 60-day period beginning on the date on which the proposed compact is submitted by the mediator to the State

1 under clause (v), the proposed compact shall be treated as a Tribal-State compact entered into  
2 under [§ 2710(d)](3).” *Id.* at § 2710(d)(7)(B)(vi). “If the State does not consent during the 60-day  
3 period described [above] to [the] proposed compact submitted by [Ms. Claiborne to the State],  
4 [she] shall notify the Secretary” of the Interior. *Id.* at § 2710(d)(7)(B)(vii). The Secretary of the  
5 Interior, in consultation with the Tribe, shall then prescribe procedures for operation of class III  
6 gaming by the Tribe that are consistent with the compact selected by Ms. Claiborne, the  
7 provisions of IGRA, and the laws of the State. *Id.*

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9 IT IS SO ORDERED.

10 Dated: January 25, 2016

  
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11 SENIOR DISTRICT JUDGE  
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