

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

CONFEDERATED TRIBES OF THE  
CHEHALIS RESERVATION et al.,

Plaintiffs,

v.

STEVEN MNUCHIN, in his official capacity  
as Secretary of the Treasury,

Defendant.

Case No. 1:20-cv-1002-APM

**JOINT STATUS REPORT**

Pursuant to the Court's April 20, 2020 minute order, the Parties have met and conferred about a potential schedule for briefing Plaintiffs' Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 3).

This case concerns Title V of the CARES Act, Pub. L. 116-136, codified as Subchapter VI of the Social Security Act, at 42 U.S.C. § 801, which establishes a Coronavirus Relief Fund and appropriates \$8 billion for "Tribal governments." 42 U.S.C. § 801(a)(2)(B). Specifically, Plaintiffs challenge Defendant's purported decision under the CARES Act to recognize Alaska native corporations ("ANCs") as "Tribal governments" eligible to share in payments from the Fund, *id.* § 801(c)(7).

However, the Department of the Treasury represents that it has not yet reached a final decision on that question. Mindful of the impending statutory deadline to make payments from the Coronavirus Relief Fund, Defendant is working with dispatch to arrive at a final decision, and will do so before any response is filed to Plaintiffs' Motion. Defendant represents that no payment has yet been made to Tribal governments from the Fund and that payments to Tribal governments will be made no sooner than this Friday, April 24, 2020.

Wherefore, the Parties jointly propose the following deadlines for briefing:

- Defendant's Opposition to Motion for Temporary Restraining Order and Preliminary Injunction: **April 22, 2020 by 5:00 p.m.**;
- Plaintiffs' Reply brief, if any: **April 23, 2020 by 12:00 p.m.**; and
- Hearing on Motion: **afternoon of April 23, 2020**, at a time convenient for the Court.

Dated: April 20, 2020

Respectfully submitted,

JOSEPH H. HUNT  
Assistant Attorney General

ERIC WOMACK  
Assistant Branch Director

/s/ Jason C. Lynch  
Jason C. Lynch (D.C. Bar No. 1016319)  
Trial Attorney  
United States Department of Justice  
Civil Division, Federal Programs Branch  
1100 L Street NW, Rm. 11214  
Washington, DC 20005  
Tel: (202) 514-1359  
Email: Jason.Lynch@usdoj.gov

*Attorneys for Defendants*

/s/ Riyaz A. Kanji  
Riyaz A. Kanji, D.C. Bar # 455165  
303 Detroit Street, Suite 400  
Ann Arbor, MI 48104  
Telephone: 734-769-5400  
Email: rkanji@kanjikatzen.com

/s/ Cory J. Albright  
Cory J. Albright, D.C. Bar Application  
Pending  
WSBA # 31493  
811 1st Avenue, Suite 630  
Seattle, WA 98104  
Telephone: 206-344-8100  
Email: calbright@kanjikatzen.com

*Co-Counsel for the Confederated Tribes of  
the Chehalis Reservation and the Tulalip  
Tribes*

*Counsel for the Houlton Band of Maliseet  
Indians, Akiak Native Community,  
Asa'carsarmiut Tribe and Aleut Community  
of St. Paul Island*

CONFEDERATED TRIBES OF THE  
CHEHALIS RESERVATION

/s/ Harold Chesnin

Harold Chesnin, WSBA # 398  
Lead Counsel for the Tribe  
420 Howanut Road  
Oakville, WA 98568  
Telephone: 360-529-7465  
Email: hchesnin@chehalis-tribe.org

*Counsel for the Confederated Tribes of the  
Chehalis Reservation*

TULALIP TRIBES

/s/ Lisa Koop Gunn

Lisa Koop Gunn, WSBA # 37115  
Tulalip Tribes, Office of the Reservation  
Attorney  
6406 Marine Drive  
Tulalip, WA 98271  
Telephone: 360-716-4550  
Email: lkoop@tulaliptribes-nsn.gov

*Counsel for the Tulalip Tribes*