



**California Valley Miwok Tribe, California**  
(Sheep Ranch Rancheria of Me-Wuk Indians of California)  
2140 Shattuck Ave. #602, Berkeley, California 94704

{ [www.californiavalleymiwok.com](http://www.californiavalleymiwok.com) }

February 12, 2020

Chadd Everone, Tribal Adm.

Silvia Burley  
14807 Avenida Central  
La Grange, California 95329

and

To Whom It May Concern:

It has been brought to my attention that you (or perhaps by your current attorney in your name) have renewed your public relations attacks. You make two claims: A) that you and your family are the only legitimate member of the Tribe and B) that my representations on behalf of the Tribe to public officials is illegal. Both are misrepresentations; and we have been down this same debate over many years. In reference to #A, it has long been established by administrative and court determinations that you are not the only member of the Tribe; and indeed, the recent Determination by the Regional Director confirms that you are not the descendant of Jeff Davis and therefore cannot be one of the Eligible Groups to organize the Tribe. In other words, you are not legally a member of the Tribe. So, I will not re-argue that essential point here. I will, however, mention several more recent events about which you may not be aware.

**I**

**My communications have been adjudicated by the Court to be completely legal and within my constitutional rights and you have been sanctioned for suing me in that regard**

Your attorney Manuel Corrales, on your behalf and in the name to the Tribe, sued both me and the California Gambling Control Commission in January 2015 for Breach of Contract, Injunctive Relief, Intentional Interference with Prospective Economic Advantage, and Civil Conspiracy, among other incidental claims. Sounds impressive! But Corrales filed the suit in Federal Court where it was soon dismissed because of the wrong jurisdiction. Any attorney

should have known that the matter should have been filed in State Court; so, either he was inept or just harassing me and the Commission. Upon dismissal in Federal Court, in September 2015, he did file the same Action San Diego Superior Court, which for some reason was not served until 1 year later in August 2016. Also, he should have filed it in Sacramento Superior Court as the proper venue for you and me and the Commission, which suggested to me that you might not have known about or verified the suit. Nonetheless, my attorney thought your case qualified as an illegal "SLAPP" suit (Strategic Litigation Against Public Participation), which it did, and warranted an "anti-SLAPP" cross-complaint, which we did. On January 27, 2017, in case 37-2015-00031738-CU-CO-CTL, the Court dismissed your case and granted mine and subsequently fined you \$30,000 (I still have yet to receive payment from either you or Corrales). See: the Entry of Judgment <sup>[1]</sup>. The central part is excerpted below, and the essence of that is:

"The court finds all of Everone's alleged conduct was either "made before a legislative, executive, or judicial proceeding or any other official proceeding authorized by law" or made "in connection with an issue under consideration or review by a legislative, executive, or judicial proceeding authorized by law". As such, Everone's alleged conduct is protected activity for purposes of CCP § 25.16."

Below is the specific language.

***"Protected Activity***

Pursuant to CCP § 425.16(e)

. . . "act in furtherance of a person's right of petition or free speech under the United States or California Constitution in connection with a public issue" includes: (1) any written or oral statement or writing made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law, (2) any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law, (3) any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest, or (4) any other conduct in furtherance of the exercise of the constitutional right of petition or the constitutional right of free speech in connection with a public issue or an issue of public interest.

The court finds Everone's alleged conduct is protected activity under CCP § 425.16(e)(1) and (2). As pled, the sixth cause of action as against Chadd Everone (Intentional Interference with Prospective Economic Advantage) is premised on allegations that Everone "managed and directed Dixie's litigation in the state and federal cases and manages the 'Tribal Organization' known as the 'Dixie Faction' " [Cplt. ¶ 87]; attempted to remove Sylvia Burley as Chairperson of the Tribe [Cplt. ¶ 88]; concocted a false forgery claim and conspired with Yakima Dixie "to assert it in the litigation and thwart the Tribe's efforts to receive the subject RSTF monies" [Cplt. ¶ 90, ¶ 91]; carried over the forgery claim "into the recent state court action against the

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<sup>1</sup> <http://www.californiavalleymiwok.com/2017-02-22-Miwok-Notice-of-Entry-of-Judgment.pdf>

Commission by Dixie's litigation team controlled by Everone" [Cplt. ¶ 93]; hired Arlo Smith and Pete Melincoe "to get the Commission to stop paying RSTF money to the Tribe under Burley's leadership, and to have the money paid to Dixie instead" [Cplt. ¶ 95]; undertook efforts to nullify Burley as Chairperson [Cplt. ¶ 97]; along with the other Intervenors, made "claims in the prior state court action that they purportedly 'represent the rightful members of the Tribe" [Cplt. ¶ 98]; took action to interfere with the Tribe's right to the RSTF monies including "[w]orking with the California Gambling Control Commission's attorneys, the Attorney General's Office, to defeat Plaintiff's suit against the Commission" [Cplt. ¶ 100 a.]; hired "a San Diego law firm, Sheppard, Mullin Richter & Hampton, to 'intervene' in the Plaintiff's suit" [Cplt. ¶ 100 b.]; arranged "through his San Diego attorneys to falsely state to the State court and the federal court that the Tribe consists of more than 200 members" [Cplt. ¶100c.]; filed "suit in the federal court in Washington, D.C." [Cplt. ¶ 100d.]; misled "the U.S. District Court in Washington, D.C., through his attorneys" [Cplt. ¶ 100 e.]; sent "a Christmas card to the State Superior Court, only to have the court return it as inappropriate, in an obvious attempt to influence the court" [Cplt. ¶ 100 f.]; had "his San Diego attorneys take the lead in a joint defense with the Commission (through the Attorney General's Office) against the Plaintiff in the state court action, and allowing the Commission rely on Everone's team of lawyers to litigate against the Plaintiff" [Cplt. ¶ 100 g.]; "[t]hrough his San Diego lawyers, falsely 'administratively' appealing the BIA's January 2011 letters to the Tribe" [Cplt. ¶ 100 h.]; met "with the Commission and their staff and attorneys during the course of litigation in an attempt to influence them to continue to withhold the subject RSTF monies from the Tribe" [Cplt. 100 i.]; met "with the BIA to get them to stop recognizing the Tribal Council under Burley's leadership and unlawfully attempting to get the Tribe 're-organized,' including, but not limited to, gathering non-enrolled Indians together to falsely say they are 'members' of the Tribe, and then using these fabricated developments as a foundation to falsely argue in the state court action that the Tribe consists of over 200 members, when in fact those numbers were fabricated by Everone and the 'members' were not enrolled members at all" [Cplt. ¶ 100 j.]; filed "false documents with the state and federal court, and with the ASI" [Cplt. ¶ 100 k.]; "[f]alsely attempting to create 'uncertainty' in the Tribal leadership and 'certainty' in the Tribal Council and in the Tribal membership, so as to cause the state courts to order that the RSTF monies being withheld from the Tribe continue to be withheld, until that uncertainty is gone, and working with the Commission and the Commission's lawyers to argue those points to the state courts" [Cplt. ¶ 100 l.]; "[f]alsely claiming in the federal court that Resolution #GC-98-01 is void" [Cplt. ¶ 100 m.]; worked with the Commission "to advance these claims before the state and federal courts" [Cplt. ¶ 100 n.]; caused "the California State Court of Appeal on November 21, 2014 to affirm the trial court's grant of summary judgment in favor of the Commission" and filed "an opposition to Plaintiff's petition for review before the Supreme Court" [Cplt. ¶ 100 m.]. The seventh cause of action (Civil Conspiracy) relies on the same alleged conduct as set forth above [Cplt. ¶ 105-109]. The court finds all of Everone's alleged conduct was either "made before a legislative, executive, or judicial proceeding, or any other official proceeding authorized by law" or made "in connection with an issue under consideration or review by a legislative, executive, or judicial body, or any other official proceeding authorized by law." **As such, Everone's alleged conduct is protected activity for purposes of CCP § 425.16."**

{I did not realize that I had done that much on behalf of the Tribe.}

## II

### Mr. Corrales sues for his contingency fee

Also, your attorney Mr. Corrales, about 1 year ago, file suit on his own behalf against the California Gambling Control Commission requesting a lien on the Revenue Sharing Trust Fund in an attempt to secure his fee arrangement with you. This is currently in Superior Court of the State of California for the County of San Diego and was filed on 4/12/2019 Case #37-2019-00019079. He says: "The fee agreement provides that Corrales will be paid 20% of the RSTF money ultimately released to the Miwok Tribe as payment for his legal services, including costs and expenses of litigation." This case is now proceeding to a hearing; and the Tribe is an Opposing Party in that Action. Corrales has not presented in evidence a copy of his contract; and I would be interested to have your copy of any such agreement, if you care to provide that. It would like to see if your copy agrees with his which eventually will be submitted in the court record.

## III

### The Court Sanctions Mr. Corrales for a frivolous appeal

Finally, in some ways more important and very recently, the Court of Appeals, Fourth Appellate District Division One of State of California in case #D074339 on January 29, 2020, file on its own motion and imposed sanctions on your attorney, Manuel Corrales, Jr., for filing an objectively frivolous appeal. While the amount of the fine is on Corrales, *per se*, and is minimal \$850.00, the Court so sanctioning an attorney is a serious blemish one's profession reputation. The Order is on the first three pages that concludes with "Further, on our own motion, after giving notice and affording an opportunity for opposition and a hearing, we impose sanctions on Plaintiffs' attorney, Manuel Corrales, Jr., in the amount of \$850.00 for filing an objectively frivolous appeal." The remaining 44 pages constitute the Factual Background, which is a thorough and interesting review. The judges must have taken this seriously to have taken the time, effort, and resource to construct such an extensive Order. <sup>[2]</sup>

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<sup>2</sup> <http://www.californiavalleymiwok.com/2020-01-29-D074339-Court-of-Appeal-Sanction-Corrales-1.pdf>

In summary, all of my actions on behalf of the Tribe and the restoration of its legal authority are within my constitutional rights to do so and are legally "protected activity". Also, the notion, which you promote, that I am planning an "off-reservation casino" is complete non-sense because the Tribe does not have a reservation in the first place. You seem to suggest that there is something wrong about a casino. But after the many attempts which you, yourself, have made to create a casino, I cannot believe that you think there is something immoral with gambling. (Recall the suit against you in 2000 by North American Sports Management for Breach of Contract and Fraud and the \$433,226.92 which they paid to you in the name of the Tribe and your agreements with other developers for a casino such as Game Won, BBC Entertainment, etc.)

Chadd Everone