

FILED

MAR 31 2005

CATHY A. CATTERSON, CLERK  
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

SKOKOMISH INDIAN TRIBE, a federally recognized Indian tribe in its own capacity as a class representative and as parens patriae; DENNY S. HURTADO; GORDON A. JAMES; JOSEPH PAVEL; ANNE PAVEL; MAURES P. TINAZA; CELESTE F. VIGIL; ROSLYNNE L. REED; GARY W. PETERSON, RITA C. ANDREWS; TOM G. STRONG; MARIE E. GOULEY; VICTORIA J. PAVEL; DENNIS W. ALLEN; JOSEPH ANDREWS, SR.; ZETHA CUSH; ELSIE M. ALLEN; ALEX L. GOULEY, JR.; LAWRENCE L. KENYON; DORIS MILLER; GERALD B. MILLER; HELEN M. RUDY; RONALD D. TWIDDY, SR. NICK G. WILBUR. SR.,

Petitioners - Appellants,

v.

UNITED STATES OF AMERICA; TACOMA PUBLIC UTILITY, a Washington municipal corporation; CITY OF TACOMA, a Washington municipal corporation; WILLIAM BARKER, Tacoma Public Utilities Board Member in his official capacity; TOM HILYARD, Tacoma Public Utilities Board Member in his official capacity; ROBERT LANE; TIM STREGE; G. E. VAUGHN,

No. 01-35028

D.C. No.  
CV-99-05606-FDB  
Western District of  
Washington, Tacoma

ORDER

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MORISSET, SCHLOSSER, JOZWIAK & MCGAW

APR 04 2005

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Defendants - Appellees.

SKOKOMISH INDIAN TRIBE, a federally recognized Indian tribe in its own capacity as a class representative and as parens patriae; DENNY S. HURTADO; GORDON A. JAMES; JOSEPH PAVEL; ANNE PAVEL; MAURES P. TINAZA; CELESTE F. VIGIL; ROSLYNNE L. REED; GARY W. PETERSON; RITA C. ANDREWS; TOM G. STRONG, MARIE E. GOULEY; VICTORIA J. PAVEL; DENNIS W. ALLEN; JOSEPH ANDREWS, SR.; ZETHA CUSH; ELSIE M. ALLEN; ALEX L GOULEY, JR. LAWRENCE L. KENYON; DORIS MILLER; GERALD B. MILLER; HELEN M. RUDY; RONALD D. TWIDDY, SR.; NICK G. WILBUR, SR., Skokomish Indian Tribal members for themselves and all others similarly situated,

Plaintiffs - Appellants,

v.

TACOMA PUBLIC UTILITY, a Washington municipal corporation; CITY OF TACOMA, a Washington municipal corporation; WILLIAM BARKER, Tacoma Public Utilities Board Member in his official capacity; TOM HILYARD, Tacoma Public Utilities Board Member in his official capacity; ROBERT LANE; TIM STREGE; G. E. VAUGHN; UNITED STATES INTERNAL REVENUE SERVICE,

Defendants - Appellees.

No. 01-35845

D.C. No. CV-99-05606-FDB  
Western District of  
Washington, Tacoma

ORDER

Before: SCHROEDER, Chief Judge:

Defendant-Appellees are directed to file a response to the petition for rehearing by the en banc panel or full court review of the en banc opinion, filed with this court on March 23, 2005. The response shall not exceed 15 pages in length, and shall be filed in 40 copies on or before 21 days from the date of this order.