

WALKER LAW LLC

429 North Saint Asaph Street
Alexandria, Virginia 22314

480200

January 13, 2010

Robert A. Rosette
Rosette & Associates
Attorneys at Law
565 West Chandler Boulevard, Suite 212
Chandler, Arizona 85225

CERTIFIED MAIL

In regards to: California Valley Miwok Tribe

Dear Mr. Rosette,

Attached is a copy of the letter I sent to the Department of the Interior raising our concerns about your style of approaching the Assistant Secretary's offices, and your contact with our client while he was in a state institution. Your letter of January 7, 2010 that we received complained of not receiving a copy of that correspondence, so while there is no obligation to copy you on all our correspondence to the Department of the Interior, I have attached a copy of the original letter. However, once you choose to contact our client directly, without going through legal counsel, you should have expected a reaction.

For the record, the Bureau of Indian Affairs has long acknowledged Thomas Wolfrum's legal representation of Yakima Dixie. Attorney Wolfrum was copied on the letter dated February 11, 2005, by Michael D. Olsen the then Principal Deputy of the Acting Assistant Secretary of Indian Affairs that has been referred to as the "Olsen Determination" in various legal documents. Mr. Olsen in that letter stated clearly that until the tribe was organized the Federal Government can not recognize a tribal Chairperson. Mr. Olsen wrote to Yakima Dixie:

"I encourage you, either in conjunction with Ms. Burley, or other tribal members, to continue your efforts to organize the Tribe along the lines outlined in the March 26, 2004 letter so that the Tribe can become organized and enjoy the full benefits of Federal recognition".

Mr. Olson then goes on to determine the following:

“I understand that a Mr. Troy M. Woodward has held himself out as an Administrative Hearing Officer for the Tribe and purported to conduct a hearing to resolve your complaint against Ms. Burley. Please be advised that the BIA does not recognize Mr. Woodward as a tribal official or his hearing process as a legitimate tribal forum. Should other issues arise with respect to tribal leadership or membership in the future, therefore, your appeal would properly lie exclusively with the BIA.”

In other words, until organized formally, there is no intra-tribal remedy for resolving issues that are related to the Federally Recognized Authority for this tribe. Thus, Yakima Dixie and Silvia Burley have no such standing until such authority is determined by a organize tribe. It then follows that until there is a formal organization of the Tribe, that any negotiation between Ms. Burley and Yakima Dixie is simply moot. It is apparent that Mr. Olsen saw this dispute between Ms. Burley and Yakima Dixie to be about more than tribal leadership. Leadership would be resolved only after there was a community that was formally organized.

When the BIA started to implement the Olsen Determination, your client Ms Burley filed an appeal with the Interior Board of Indian Appeals (IBIA case #07-100-A). That was initiated in April 2007; the pleadings were completed in September 2007; it was queued in the Board's docket; and finally, the case came "under active consideration" by the IBIA in July 2009. That is a long time.

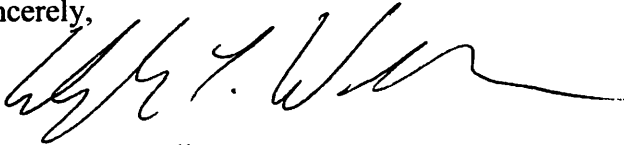
Meanwhile your firm has come into this case at a very late stage (July 2009); after years of waiting for the IBIA decision. You are one of many attorney's Ms. Burley has commissioned to use every possible means to prevent the BIA in assisting with the formal organization of the Indian families with genuine lines of descent to this Miwok community. Since your firm began representing Ms. Burley, you have ignore the fact the BIA has no jurisdiction of the matter until the IBIA decision is rendered and have aggressively lobbied the new Assistant Secretaries offices in hopes of causing further delay of the decision. Fortunately, the IBIA has ruled against your frivolous motions, and Ms. Burley continues to be stopped by the BIA and the State of California from misusing Revenue Sharing funds and PL 638 funding.

With regards to your recent correspondence dated January 7, 2010, we strongly disagree with your characterizations of the issues and roles of the parties, and object to your unethical tactic of writing letters on behalf of Yakima Dixie, without his knowledge or notification of his legal counsel. Your correspondence proved our point that your firm will go to extremes to influence the system.

I am copying the officials you listed on your letter, but find it unnecessary to counter your specific allegations other than to say all the parties who have assisted in the defense of Yakima Dixie are well known to the Bureau of Indian Affairs. The organization of the Tribe will resolve any issues of who controls the governance of the community.

It is our hope that the Tribal Community will be formally organized in the near future and your client's relentless efforts to delay the process will come to an end.

Sincerely,

A handwritten signature in black ink, appearing to read "Elizabeth T. Walker", with a long horizontal flourish extending to the right.

Elizabeth T. Walker

Enclosure (1)

cc: Ken Salazar
Larry Echo Hawk
Pilar Thomas
Del Laverdure
Tracie Stevens
Jerry Gidner
Troy Burdick
Office of Inspector General

The logo for Walker Law LLC features the company name in a serif font, centered within a circular emblem. The emblem has a sunburst or starburst design in the background, with vertical lines extending above and below the circle.

WALKER LAW LLC

112 South Royal Street
Alexandria, Virginia 22314

November 12, 2009

Mr. Robert A. Rosette
Rosette & Associates
565 West Chandler Boulevard, Suite 212
Chandler, Arizona 85225

Dear Mr. Rosette:

On October 21, 2009, you called me at my offices and introduced yourself as the attorney representing Ms. Sylvia Burley and the California Valley Miwok Tribe. You then asked who represented Yakima Dixie although you had contacted me as an attorney of record. I responded that I found it difficult to believe you were not aware of the extensive record in the case, that you should well know there was a team of attorney's that had collaborated on his representation; Tim Vollmann and I have represented him in US District Court in DC; Peter Melnicoe and Tom Wolfrum in California. In fact this year your firm on behalf of Sylvia Burley litigated against Attorney Wolfrum who represented Yakima Dixie in California State Court over the security of Tribal records. You did not disclose in that call that your firm intended to contact Yakima Dixie.

On November 6, 2009 Attorney Wolfrum received a call from Kevin Cochrane of your law firm informing him that Rosette & Associates was now representing Yakima Dixie and demanded to be at the meeting Attorney Wolfrum had previously arranged with Yakima Dixie on November 9, 2009 to discuss his parole hearing. Apparently, without prior notice to the any of the attorney's representing Yakima Dixie, your client Sylvia Burley wrote a letter to the Deuel Vocational Institute (DVI), where Yakima Dixie has been detain since October for the use of Alcohol in violation of his parole. This letter stated she was the authority of the California Valley Miwok Tribe, and requested a meeting between Yakima Dixie (an enrolled member of her Tribe) and the Tribe's attorney Kevin Cochrane. Attorney Cochrane in your firm was then given permission to visited Yakima Dixie and did so on November 2 and 5, 2009.

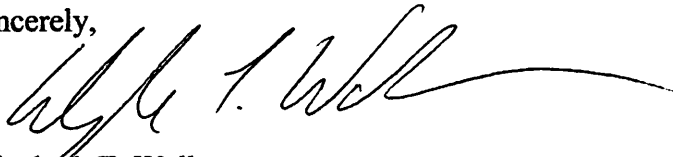
In the meeting that was held on November 9, 2009 with Attorneys Cochrane and Wolfrum and witnessed by Deputy Gamblin from the DVI and Chadd Everone, Yakima Dixie said he was never told that Attorney Cochrane's firm also represented Sylvia Burley. Yakima Dixie stated that Attorney Cochrane had promised him he could be released sooner, if your firm represented him before the parole board. However, upon learning on November 9th, that Attorney Cochrane worked for the firm that represented Sylvia Burley, Yakima Dixie made clear to Attorney Cochrane that he did not want your firm representing him and that his Attorney was Thomas Wolfrum. After a strong protest

from Attorney Cochrane, that lead to his removal from the room by Deputy Gamblin papers were then signed by Yakima Dixie revoking any agreement he had executed with your firm. Thomas Wolfrum now remains Yakima Dixie's attorney in California legal matters. He has represented Yakima Dixie since 2003 under written retainer.

This letter is to request that no further direct contact with Yakima Dixie is made by you or those attorney's associated with your firm. California State Bar rules are clear about disclosure of conflicts of interest and the avoidance of direct contact with parties represented by an attorney. It should not be necessary for me to further explain what is commonly understood as the standard of ethical practice. Yakima Dixie and Sylvia Burley have been adverse to each other in various judicial forums including the pending Appeal before the IBIA. Ms. Burley's bogus attempts to disenroll or re enroll Yakima Dixie into his own Tribe, has no bearing on whether the rules require disclosure of conflicts, or contact through attorneys.

If you wish to discuss matters related to the Appeal before the IBIA or Yakima Dixie's current circumstances at Deuel Vocational Institution in California contact me or Attorney Wolfrum.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth T. Walker', with a long horizontal flourish extending to the right.

Elizabeth T. Walker