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15 *APRIL JAMES, EUNICE SWEARINGER, STEVE BRITTON*
16 *AND ROUND VALLEY INDIAN TRIBES*

17 **UNITED STATES DISTRICT COURT**
18 **NORTHERN DISTRICT OF CALIFORNIA**

19 APRIL JAMES, EUNICE SWEARINGER,
20 STEVE BRITTON, and ROUND VALLEY
21 INDIAN TRIBES,

22 Plaintiffs,

23 v.

24 MATTHEW KENDALL, Sheriff of Mendocino
25 County; COUNTY OF MENDOCINO;
26 WILLIAM HONSAL, Sheriff of Humboldt
27 County; JUSTIN PRYOR, deputy of Humboldt
28 County Sheriff's Office; COUNTY OF
HUMBOLDT; SEAN DURYEE, Commissioner
of the California Highway Patrol;
CALIFORNIA HIGHWAY PATROL; and
DOES 1 through 50,

Defendants.

Case No. 1:25-cv-03736-RMI

**DECLARATION OF JAMES RUSS IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PARTIAL SUMMARY
JUDGMENT**

Date: August 19, 2025

Time: 11:00 a.m.

Crtrm: 1

Before: Honorable Robert M. Illman

DECLARATION OF JAMES RUSS

Pursuant to 28 U.S.C. § 1746, I, James Russ, hereby declare as follows:

1. I am the Tribal Administrator of the Round Valley Indian Tribe. I make this declaration of my own personal knowledge and am competent to testify to the facts stated herein. I am fully competent to make this declaration and I have personal knowledge of the facts stated in this declaration.

2. This declaration is submitted in support of the instant Motion for Partial Summary Judgment.

3. The Round Valley Indian Tribes, is a federally recognized Indian Tribe in Mendocino County organized under the provisions of the Act of June 18, 1934 (48 Stat. 984), commonly known as the Indian Reorganization Act (“IRA”) and codified at 25 U.S.C. § 5101.

4. The Tribe adopted a revised Constitution on August 3, 1994 (“Constitution”), which was approved by the Secretary of the Interior (“Secretary”) pursuant to the authority delegated to the Secretary under the IRA, as amended, and delegated to the Superintendent of the Central California Agency, Bureau of Indian Affairs by 230 D.M. 2.4.

5. The Constitution establishes the Tribal Council (“Tribal Council”) as the Tribe’s governing body with legislative powers to enact laws, regulations, and policies through ordinances, resolutions and other legislative actions on behalf of the Tribe.

6. On August 8, 2006, the Tribal Council enacted and later amended the Compassionate Use Ordinance (“Ordinance”), regulating medical cannabis cultivation and use by tribal citizens on the Reservation. The Ordinance explicitly prohibits interpreting it to allow the imposition of State civil regulatory laws on the Reservation.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on July 9, 2025

/s/ James Russ

JAMES RUSS, Declarant

CERTIFICATE OF SERVICE

I am employed in the County of Mendocino, State of California. I am over the age of 18 years and not a party to the within action; my business address is that of Rapport & Marston, 405 West Perkins Street, Ukiah, California 95482.

I hereby certify that I electronically filed the foregoing:

**DECLARATION OF JAMES RUSS IN SUPPORT OF PLAINTIFFS’
MOTION FOR PARTIAL SUMMARY JUDGMENT**

with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system on July 11, 2025, which generated and transmitted a notice of electronic filing to CM/ECF registrants.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct; executed on July 11, 2025, at Ukiah, California.

/s/ Ericka Duncan

ERICKA DUNCAN