



Rincon Band of Luiseño Indians

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MEDIA ALERT

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The Rincon Tribe Wins Case to Protect its Critical Aspect of Survival: Groundwater

12 years of litigation is finally a big win in Federal Court

Valley Center, CA... The Rincon Band of Luiseño Indians today announced a big Federal Court win! After a 12-year torturous path of litigation disputing the tribe's assertion of jurisdiction to take the necessary actions to protect the groundwater and the health and safety of the reservation, the Tribe successfully won!

The Court Order paves the way for the Tribe to immediately enforce the 2020 Trial Court Amended Judgment against the Rincon Mushroom Corporation of American and Marvin Donius (RMCA/Donius).

"Our goal and responsibility is to protect the health and safety of the women, men and children who live, work and play on the reservation," **stated Chairman Bo Mazzetti of the Rincon Tribe.** "Unfortunately, our only option was to let the courts decide on this environmental issue. I would like to thank Judge Hayes for his insight and motion on this case. It is my hope we can finally close this chapter and move forward."

On March 16, 2022, Federal District Court Judge William Hayes granted the Rincon Tribe's Motion for Summary Judgment against RMCA/Donius upholding the 2020 Amended Judgment issued by Judge Anthony Brandenburg of the Rincon Trial Court after a lengthy bench trial and appeal to the Rincon Court of Appeals.

The Court found that RMCA/Donius' conduct on the Property "threatens or has some direct effect on the political integrity, the economic security, or the health or welfare of the tribe."

The Court also found that the Rincon Tribe had jurisdiction to apply its laws to regulate the activities of RMCA/Donius on the Mushroom Farm (Property), "such as the storage of various flammable materials and the presence of tanks and vehicles without adequate disposal systems ... activities that have previously resulted in groundwater contamination and large fuel explosions on the Property."

The Court rejected RMCA/Donius' allegation that the Trial Court 2020 Amended Judgment was obtained by fraud concluding that there was no evidence in the record of fraud perpetrated against RMCA/Donius in connection with the Tribe's changes to its ordinances and notices of violation.

RMCA/Donius can file an appeal to the Ninth Circuit Court within the next thirty days.

About the Rincon Tribe

The Rincon Band of Luiseño Indians is a sovereign government recognized by the United States of America. The Tribe owns Harrah's Resort Southern California and uses profits from this and other commercial enterprises to provide government services including police and environmental enforcement; economic development; healthcare and culture programs; and a tribal court. At no cost to taxpayers, Rincon's public safety operations respond to emergencies in the neighboring communities, with more than a majority of calls generating outside the Reservation. Rincon's tribal enterprises are significant contributors to the North San Diego County economy through job creation, tax generation, purchase of local products and services and charitable donations.

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