

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

**RAMAH NAVAJO CHAPTER,
OGLALA SIOUX TRIBE, and PUEBLO
OF ZUNI**, for themselves, and on behalf of
a Class of others similarly situated,

Plaintiffs,

v.

RYAN ZINKE, Secretary of the Interior, *et
al.*,

Defendants.

No. 90-cv-957-JAP/KBM

DECLARATION

Comes now BRIAN A. DEVEAU, and being first duly sworn, states as follows:

1. I am a C.P.A. and a Partner in Moss Adams, LLP (“Moss Adams”).
2. Moss Adams is the Class Monitor selected by Class Counsel and approved by the Court to carry out the functions required by § VIII.F. of the Final Settlement Agreement (“FSA”) (Doc. 1358).
3. My previous declaration (Doc. 1361-6) verified that the Claim Form amounts set out on Exhibit B (Doc. 1361-2) and the payment amounts as calculated by the Settlement Administrator set out on Exhibit C (filed under seal) to the Class’s “Unopposed Motion for Approval of the Reserve Account Amount, the Holdback Amount, the Payment of Costs and Fees to Class Counsel, and the Final Claim Form and Payment Amounts for Class Members” (Doc. 1361), had been properly calculated pursuant to the methodologies required by the FSA.

4. I hereby certify that (a) Moss Adams has verified that the amounts and Class Members named in Claim Forms identified on Exhibit 1 to this Declaration are the amounts for those Class Members set forth in Exhibits A and B to the Plaintiff Class's Unopposed Motion for Approval of the Reserve Account Amount, the Holdback Amount, the Payment of Costs and Fees to Class Counsel, and the Final Claim Form and Payment Amounts for Class Members dated August 17, 2016 (Doc. 1361), and the Court's Order of August 17, 2016, granting that Motion and approving the Exhibit B Claim Form amounts and the Exhibit C payment amounts for Class Members (Doc.1362); (b) the Settlement Administrator has submitted executed Claim Forms from the Class Members listed on Exhibit 1 hereto to Moss Adams for verification; and (c) Moss Adams has confirmed that those completed Claim Forms were properly executed in accordance with the FSA and the Court's August 17, 2016, Order; or, (d) in the case of payments authorized by an Order of the Court specifying how the shares of no-longer existing class members should be allocated among identified authorizing tribes, Moss Adams has confirmed that the payment proposed is in the amount set by the Court for that class member in the relevant Order, and that the payee class member has previously submitted an approved claim form for its initial share under the FSA.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct and that this declaration was executed this 24th day of October 2017, at Bellingham, Washington.

A handwritten signature in black ink, appearing to read "Brian Deveau", written over a horizontal line.

BRIAN DEVEAU

EXHIBIT 1

Ramah Navajo Settlement

List of Claim Forms Approved by KCC and Moss Adams 10/24/17

| Class # | CLASS MEMBER | Wire Transfer? | Gross Settlement amounts |
|---------|--|----------------|--------------------------|
| 294a | LIME VILLAGE TRAD. COUNCIL (realloc of #280) | Yes | 98,105.14 |
| 447a | PAUMA BAND OF MISSION INDIANS (reallocation of #512) | Yes | 3,228.69 |
| 636a | TOKSOOK BAY TRADITIONAL COUNCIL (AKA Nunakuyararmut Tribe) (realloc of #664) | Yes | 49,244.11 |
| | | | 150,577.94 |