

Murphy & Buchal LLP

3425 SE Yamhill Street, Suite 100
Portland, Oregon 97214

telephone: (503) 227-1011
fax: (503) 573-1939
e-mail: jbuchal@mblp.com

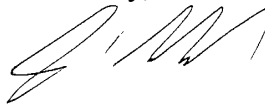
MEMORANDUM

To: Dave McCracken, The New 49'ers Legal Fund
From: James L. Buchal
Date: October 30, 2014
Re: Further Developments in *People v. Rinehart*

On October 17, 2014, the Karuk Tribe and its environmentalist allies filed a request that the Court of Appeals modify its opinion based on an alleged failure to consider potential claims of the State of California to title to the submerged lands within Rinehart's mining claim. On October 21, 2014, I filed a brief response pointing out that the Tribe and its allies were lying: the matter had in fact been considered by the trial court, and the claim was in any event meritless, both because of the nature of Rinehart's claim (obviously non-navigable) and because of jurisdictional issues (the question of title can only be resolved in federal court).

I am pleased to report that on October 29th, the Court of Appeal advised the Tribe and its allies that it was refusing to file their request for modification, and therefore would return our opposition to that request as well. I count this as a victory. As far as the Court of Appeal is concerned, the opinion will remain as published without modification.

Sincerely,



James L. Buchal