

**IN THE SUPREME COURT OF THE STATE OF ALASKA**

Yvonne Ito,

Appellant,

v.

Copper River Native Association,

Appellee.

Supreme Court Case No. S-17965  
Trial Court Case No. 3AN-20-06229CI

**UNOPPOSED MOTION TO PARTICIPATE IN ORAL ARGUMENT**

The United States respectfully requests that this Court allow it to participate in oral argument in the above-captioned case.

1. This Court “invite[d] the United States to file an amicus curiae brief covering any and all issues it deems appropriate” in this case. Sept. 21, 2021 Order. In response to this Court’s invitation, the federal government notified the Court on November 5 that it planned to participate as amicus in support of appellee. On February 9, 2022, the federal government filed its amicus brief.

2. The case has not yet been scheduled for oral argument. The other invited amicus—the State of Alaska—filed a motion to participate in oral argument on November 5, 2021. This Court held that motion in abeyance pending completion of briefing. Dec. 20, 2021 Order. Briefing is now complete.

3. Under Rule 212(c)(9), this Court may grant a motion of an amicus curiae to participate in oral argument “for extraordinary reasons.” Those reasons exist here. The Court invited the federal government to participate in this case. The United States

appreciates that invitation and complied with the Court's request. The case presents important issues involving involves the scope of tribal immunity to which the Copper River Native Association, an intertribal consortium controlled and managed by federally recognized Indian tribes in Alaska, is entitled. It also involves the interpretation of a federal statute, the Indian Self-Determination and Education Assistance Act, 25 U.S.C. §§ 5301 *et seq.*. As explained in its amicus brief, the federal government has a strong interest in the proper resolution of these issues. Allowing invited amici to participate in oral argument will assist the Court in deciding this case.

4. Counsel for Yvonne Ito and Copper River Native Association do not oppose this motion.

Respectfully submitted,

*/s/ Martin Totaro*  
Martin Totaro  
*Attorney, Appellate Staff*  
*Civil Division*  
*U.S. Department of Justice*  
*950 Pennsylvania Ave. N.W.*  
*Washington, D.C. 20530*  
*[martin.v.totaro@usdoj.gov](mailto:martin.v.totaro@usdoj.gov)*  
*(202) 514-5048*

April 22, 2022

## CERTIFICATE OF SERVICE AND TYPEFACE

I certify that on April 22, 2022, I emailed the attached motion to the following:

*Representing appellant Yvonne Ito:*

James J. Davis, Jr.  
jdavis@njp-law.com

*Representing appellee Copper River Native Association:*

Richard D. Monkman  
rdm@sonosky.net

*Representing amici Arctic Village Council, Alaska Native Tribal Health Consortium, Council of Athabascan Tribal Governments, Maniilaq Association, Southeast Alaska Regional Health Consortium, and United Tribes of Bristol Bay:*

Erin C. Dougherty Lynch  
Matthew N. Newman  
Maggie Massey  
dougherty@narf.org  
mnewman@narf.org  
massey@narf.org

*Representing amicus Tanana Chiefs Conference:*

legal\_dept@tananachiefs.org

*Representing amicus State of Alaska*

Laura Wolff  
laura.wolff@alaska.gov

I further certify, pursuant to Appellate Rule 513.5(c), that these documents are set in 13-point Garamond.

/s/Martin Totaro  
Martin Totaro  
*Attorney, Appellate Staff*  
*Civil Division*  
*U.S. Department of Justice*  
*950 Pennsylvania Ave. N.W.*  
*Washington, D.C. 20530*  
*martin.v.totaro@usdoj.gov*  
*(202) 514-5048*

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