

# Allen Matkins

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## Via Certified Mail

February 3, 2012

Governor Edmund G. Brown, Jr.  
Attn: Jacob Appelsmith, Senior Advisor to the  
Governor  
Governor's Office  
State Capitol, First Floor  
Sacramento 95814

**Re: Tribal-State Gaming Compact Negotiations With The Morongo  
Band of Mission Indians**

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Dear Governor Brown,

We understand that your office may be negotiating with the Morongo Band of Mission Indians ("Morongo Tribe") regarding its current gaming compact with the State. If that is correct, our client, Mr. Lloyd Fields, would like to inform you of recent actions by the Morongo Tribe against him and other property owners, so that your office is aware of them when conducting its negotiations.

Mr. Fields owns a forty-one acre property in the City of Banning, California, located along Malki Road (formerly Fields Road), a public street since at least the 1960s. Malki Road is the only access Mr. Fields has to his property. The property is otherwise completely surrounded by land either owned by the Morongo Tribe or held in trust for the Morongo Tribe by the United States government.

Within the last few years, the Morongo Tribe has constructed multiple permanent obstructions across Malki Road. The obstructions include a guard shack, lift gates, and multiple electro-mechanical barriers – all of which completely block Mr. Fields' only access to his property. Despite repeated requests to remove the obstructions, the Morongo Tribe has refused, forcing Mr. Fields to request assistance from the City. The City has also refused to do anything to help Mr. Fields.

In desperation, Mr. Fields filed a lawsuit against the City to compel the City to fulfill its duty to remove the obstructions from the public street. The City has opposed Mr. Fields' efforts, insisting that no action can be taken against the City unless the Morongo Tribe is also made a party

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to the litigation. The Morongo Tribe has made it clear, however, that it will defend against any attempt to make it a party to any litigation by asserting its sovereign immunity. As a result, so far Mr. Fields has been unable to obtain any help, and he remains unable to access his property. Making matters worse, in retaliation for his attempt to compel the City to help him obtain access through a public street, the City unanimously voted to change the name of Fields Road (named after Mr. Fields' father) to Malki Road (named after a museum operated by the Morongo Tribe). Additional information on the obstructions and Mr. Fields' attempt to enlist the City's aid can be found at <http://www.morongolandgrab.com>.

Unfortunately, there are other property owners near Malki Road in Millard Canyon whose property access is impeded by Morongo obstructions on Malki Road and on other roads leading to Millard Canyon Road. Those owners are William Lewis, Jesse and Deannie Bird, Darryl Baker, and Josephine Bridge. The impact of the obstructions on these owners has been enormous. Because access is difficult, the properties have been largely abandoned, and the homes constructed on them have been repeatedly vandalized. All of these owners are senior citizens who purchased their properties decades ago, many with the intent of living on them during retirement.

Most important, three of these property owners have tried to sell their properties, but the Morongo Tribe informs all prospective buyers that the properties will be completely inaccessible after they are purchased. As a result, the potential purchasers abandon their efforts to buy the properties. The Morongo Tribe then offers the current owners a tiny fraction of what the properties are worth. Additional information on the effects of the Morongo Tribe's actions against these property owners can be found at <http://www.morongoblockadedestroyandsteal.com>.

Mr. Fields respectfully requests that you consider the above situation in any compact negotiations with the Morongo Tribe. Mr. Fields respects the Morongo Tribe's land and its right to control its property. At the same time, however, the Morongo Tribe should not be permitted to squeeze out existing property owners by purchasing the surrounding property, blockading any public streets, and offering the owners only a small portion of what the properties are worth.

Should you have any questions please do not hesitate to contact me at your convenience. I thank you for your attention to this matter.

Very truly yours,



Nicholas S. Shantar

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cc: Mr. Lloyd Fields