

**News**

## **BCLP SECURES VICTORY FOR UPPER SKAGIT INDIAN TRIBE IN FISHING RIGHTS DISPUTE**

Sep 06, 2024

BCLP achieved a significant win for the Upper Skagit Indian Tribe after the U.S. District Court of Washington granted our Rule 52(c) motion following remand from the 9th Circuit. This decision came after February's arguments in the case of *Stillaguamish Tribe of Indians v. State of Washington; Upper Skagit Indian Tribe*. 2:17-sp-RSM 2:70-cv-09213-RSM).

In a recent sub-proceeding, another tribe sought to expand its fishing territory into Upper Skagit's accustomed fishing grounds, as defined by the Treaty of Point Elliott. The Upper Skagit, one of several tribes party to this treaty, regularly seeks guidance on enforcing their treaty rights to fish in their designated areas.

Partners Tyler Farmer and Ariel Martinez, along with the Tribe's general counsel, represented the Upper Skagit Indian Tribe in the successful defense of the tribe's fishing territory. Following a bench trial in the Western District of Washington, including expert witness testimony, the district court granted Upper Skagit's FRCP 52 (c) motion and dismissed all of the petitioning tribe's claims. On appeal before the Court of Appeals for the Ninth Circuit, the case was remanded for additional fact finding by the district court— reinforcing the significance of this ongoing legal defense of treaty rights.

### **RELATED PRACTICE AREAS**

- Business & Commercial Disputes

## MEET THE TEAM



### **Tyler L. Farmer**

Seattle

[tyler.farmer@bclplaw.com](mailto:tyler.farmer@bclplaw.com)

[+1 206 294 7411](tel:+12062947411)



### **Ariel Martinez**

Seattle

[ariel.martinez@bclplaw.com](mailto:ariel.martinez@bclplaw.com)

[+1 206 294 7423](tel:+12062947423)

---

This material is not comprehensive, is for informational purposes only, and is not legal advice. Your use or receipt of this material does not create an attorney-client relationship between us. If you require legal advice, you should consult an attorney regarding your particular circumstances. The choice of a lawyer is an important decision and should not be based solely upon advertisements. This material may be “Attorney Advertising” under the ethics and professional rules of certain jurisdictions. For advertising purposes, St. Louis, Missouri, is designated BCLP’s principal office and Kathrine Dixon ([kathrine.dixon@bclplaw.com](mailto:kathrine.dixon@bclplaw.com)) as the responsible attorney.