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Docket Entry 272 - Filed Defendants Answers to Plaintiffs 8th Requests for admission (Additional Sub-Ultimate Issues)

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FILED IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

JUL 6 1973

EDGAR SCOFIELD, CLERK

By lh Deputy

12 UNITED STATES DISTRICT COURT
13 WESTERN DISTRICT OF WASHINGTON
14 AT TACOMA

15 UNITED STATES OF AMERICA, et al.,)
16 Plaintiffs,)
17 v.)
18 STATE OF WASHINGTON, et al.,)
19 Defendants.)

NO. 9 2 1 3

DEFENDANTS' ANSWERS TO
PLAINTIFFS' EIGHTH REQUESTS
FOR ADMISSIONS (Additional
Sub-Ultimate Issues)

21 COME now the defendants and for answer to Plaintiffs' Eighth
22 Requests for Admissions (Additional Sub-ultimate Issues) state:

24 8.001 Denied on the ground that the statements contained
25 therein are legal opinions and conclusions which would be
26 more properly submitted to the Court in plaintiffs' trial brief.
27 Defendants, obviously, admit that the statutes mentioned exist,
28 but deny the characterizations made of them.

30 8.002 Denied for the same reason set forth in answer to
31 8.001.

33 8.003 Denied for the same reason set forth in answer

1 to 8.001.

2
3 8.004 Denied for the same reason as set forth in answer
4 to 8.001.

5
6 8.005 Admitted with the understanding that these state-
7 ments duplicate prior specific requests for admissions and are
8 general in nature.

9
10 8.006 Denied on the grounds that in aboriginal times it
11 is not believed that salmon and steelhead provided a major
12 recreational sports attraction for fishermen.

13
14 8.007 Denied, Riley testimony. It is also specifically
15 denied that Indians fished "under their treaty secured rights"
16 but it is admitted that they participated in the lawful non-Indian
17 commercial fisheries for many years.

18
19 8.008 Denied, Riley testimony, and for the additional reason
20 that it involves an ultimate legal issue before the Court and the
21 legal assertions contained therein are not agreed to by the
22 defendants.

23
24 8.009 - 8.019 Admitted.

25 Respectfully submitted:

26 SLADE GORTON
27 Attorney General

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29 JOSEPH L. CONIFF, JR.
30 Assistant Attorney General
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