

**IN THE UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT**

EASTERN NAVAJO DINÉ AGAINST)
URANIUM MINING, SOUTHWEST)
RESEARCH AND INFORMATION)
CENTER, MARILYN MORRIS AND)
GRACE SAM,)

Appellants,)

v.)

UNITED STATES NUCLEAR)
REGULATORY COMMISSION)
AND THE UNITED STATES,)

Appellee.)

No. **07-9505**

**MOTION FOR LEAVE TO FILE AS
AMICUS CURIAE AND BRIEF IN SUPPORT OF APPELLANTS**

Pursuant to Rule 29 of the Federal Rules of Appellate Procedure, the Navajo Nation Department of Justice (hereinafter, “the Navajo Nation”), hereby moves for leave of the Court to file an Amicus Curiae Brief in support of the Appellants. This request is made for the following reasons:

1. Under Title 2 § 1964 of the Navajo Nation Code, the Attorney General is the Chief Legal Officer of the Navajo Nation, who is in charge of the Navajo Nation Department of Justice and of all legal matters in which the Navajo Nation government has an

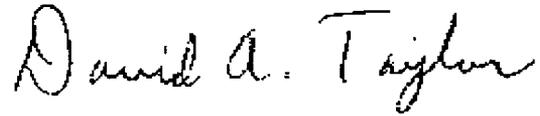
interest. Therefore, this request and the attached brief are submitted pursuant to the Attorney General's authority to represent the interest of the Navajo Nation and its citizens.

2. Further, because some of the events in this case arise on tribal trust lands that lie within the boundaries of Navajo Indian country, the Navajo Nation has a significant interest in the case.
3. In addition, some of the Appellants are enrolled members of the Navajo Nation who present issues of substantial concern regarding uranium within Navajo Indian country. On behalf of its citizens, the Navajo Nation has a responsibility and interest to protect the health and welfare of its citizens and persons who live, travel and occupy lands within Navajo Indian country.

For the reasons stated above, the Navajo Nation requests the Court to grant the Navajo Nation's request to file as amicus curiae and allow the filing of its supporting brief.

Respectfully submitted,

NAVAJO NATION DEPARTMENT OF JUSTICE
Louis Denetsosie, Attorney General

A handwritten signature in cursive script that reads "David A. Taylor".

David A. Taylor, Senior Attorney
Natural Resources Unit
P.O. Box 2010
Window Rock, Arizona 86515

CERTIFICATE OF SERVICE

I hereby certify that on this 29th day of June, 2007, a true and correct copy of the foregoing MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF was served via United States Mail, first-class postage prepaid, addressed as follows: additional copy sent to all via electronic mail.

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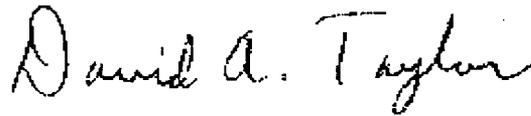
Pursuant to the Emergency General Order of October 20, 2004 (c), I hereby certify follows:

- (1) all required privacy redactions (below) have been made and, with the exception of those redactions, every document

submitted in Digital Form or scanned PDF format is an exact copy of the written document filed with the Clerk, and

- (2) the digital submissions have been scanned for viruses with the most recent version of a commercial virus scanning program, E-Trust Management Suite r3, most recently updated June 15, 2007, and according to the program, are free from viruses.

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