
WilmerHale Achieves Significant Litigation Victory for Tohono O’odham Nation

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On Friday, WilmerHale achieved a significant litigation victory for the Tohono O’odham Nation involving the tribe’s effort to open a gaming facility on land that, with the firm’s assistance, was taken into trust last year. After the Nation brought a challenge to an Arizona statute that would have permitted annexation of the tribe’s land—a statute intended to block gaming on the land—the US District Court for the District of Arizona struck down the statute as preempted by federal law. On November 6, the Ninth Circuit affirmed the district court’s ruling. Partner [Danielle Spinelli](#) argued the case before the district court and the Ninth Circuit.

A second appeal, pending before the Ninth Circuit after a complete victory in the district court, involves complex issues ranging from the proper interpretation of the tribe’s gaming compact to issues of tribal sovereign immunity. Partner [Seth Waxman](#) will argue that case this December.

The WilmerHale litigation team also includes Counsels [Kelly Dunbar](#) and [Sonya Lebsack](#) and Associate [Kevin Lamb](#).