

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

FEB 26 2026

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CONFEDERATED TRIBES OF THE
COLVILLE RESERVATION,

Plaintiff - Appellant,

and

JOSEPH A. PAKOOTAS, an individual and
enrolled member of the Confederated Tribes
of the Colville Reservation and DONALD
R. MICHEL, an individual and enrolled
member of the Confederated Tribes of the
Colville Reservation,

Plaintiffs,

STATE OF WASHINGTON,

Intervenor-Plaintiff,

v.

TECK COMINCO METALS LTD, a
Canadian corporation,

Defendant - Appellee.

No. 24-5565

D.C. No.

2:04-cv-00256-SAB

Eastern District of Washington,
Spokane

ORDER

Before: GOULD and PAEZ, Circuit Judges, and McSHANE, Chief District Judge.*

* The Honorable Michael J. McShane, United States Chief District
Judge for the District of Oregon, sitting by designation.

The full court has been advised of Defendant-Appellee's Petition for Rehearing En Banc and no judge of the court has requested a vote on the Petition for Rehearing En Banc. Fed. R. App. P. 40. The Petition for Rehearing En Banc is **DENIED.**