

Tribal casino lawsuit hearing begins

The provision in the 2001 compacts states that personal injury claims „may be brought in state district court, including claims arising on tribal land, unless it is finally determined by a state or federal court that (the Indian Gaming Regulatory Act) does not permit the shifting of jurisdiction over visitors' personal injury suits to state court.“

„This is a sophistic attempt to get past the language that was negotiated,“ attorney Paul Kennedy said. He represents Ivan and Lucy Lopez, who sued San Felipe Pueblo after both of them fell at the pueblo's Casino Hollywood.

However, a lawyer for the pueblos said while the pueblos waived their immunity from litigation as sovereign entities when they negotiated the compact, they did not give up their jurisdiction over personal-injury lawsuits.

Supreme Court Chief Justice Richard Bosson wondered whether pueblos reneged on their gambling compacts with the state.