



# Brie Coyle Jones

Partner

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**“Because each client is unique and what works for one may not work for another, I am committed to deeply understanding every client’s vision, values, goals, and challenges. This enables me to develop creative and forward-thinking solutions that set my clients up for immediate and future success.”**

Brie Coyle Jones is the co-leader of the tribal team, providing counsel to tribal governments and tribal enterprises on gaming, tax, liquor, cannabis, real estate, construction, and other economic development matters. Brie counsels tribes, tribal enterprises, and lenders in tribal-related financing projects for infrastructure improvements, gaming facilities, and resort properties. She understands the complex and unique intricacies of tribes’ unique sovereign status and jurisdictional issues associated with tribal lands. Brie also regularly advises non-tribal entities in their commercial transactions with tribes and tribal enterprises. Brie is a registered lobbyist in Washington State.

Brie is a descendant of the Quileute Nation.

## Professional Activities

- King County Bar Association, Member
- Washington State Bar Association, Indian Law Section
  - Immediate Past Chair, 2020
  - Chair, 2019
  - Secretary/Treasurer, 2018
  - Executive Board, 2017-2020
- Northwest Indian Bar Association, Member
- Washington State Department of Revenue Tribal Tax Advisory Group
- National Intertribal Tax Alliance, Board Member, 2020-present
- Tribal In-House Counsel Association, Associate Member

## Civic Activities

- Serves as a mentor to American Indian and Alaskan Native students
- Potlatch Fund, Board Member
  - Potlatch is a Native-led non-profit that provides grants and leadership development to Tribal Nations in Washington, Oregon, Idaho, and Nevada

## Education

J. D., University of Washington School of Law, 2013

- President, Native American Law Student Association, 2011-2013
- Order of the Barrister

B. A., Whitman College, politics, 2009

## Bar Admissions

Washington, 2013

## Court Admissions

U.S. District Court, Western District of Washington

U.S. Court of Appeals for the Ninth Circuit

Cow Creek Band of Umpqua Tribe of Indians Tribal Court

Jamestown S’Klallam Tribal Court

## Representative Experience

### Tribal Financings

- Counseled a tribe on a \$625 million revolving and term credit facility, secured with gaming revenue, for expansion of a gaming and hotel property.
- Counseled a tribe on a \$39 million construction loan facility for expansion of a gaming and hotel property secured with specific tax revenue.
- Counseled a tribe on a \$500 million revolving credit facility for the construction of gaming facility secured with gaming revenue.
- Counseled a tribe on an \$8.5 million construction loan facility for a sewer system secured with specific tax revenues and pledged revenues.
- Counseled a bank on a \$13 million loan to a tribal enterprise secured by specific tax revenues.
- Counseled a bank on a \$10 million reducing revolving loan secured by specific tax revenue.
- In connection with tribal financings secured with gaming revenue, secured NIGC declination letters and worked with WSGC to secure licensing exemptions for lenders.

### Gaming Compacts & Ordinances

- Successfully negotiated tribal-state gaming compacts and amendments thereto, including negotiation of an amendment to Washington State's Appendix X2.
- Co-authored Washington State House Bill 2638 (2019-2020) to legalize sports wagering in tribal casinos.
- Regularly advises on gaming compact compliance and represents clients in consultations with the Washington State Gambling Commission.
- Prepared and revised gaming ordinances and successfully obtained federal approval.

### Tribal Cannabis

- Co-authored Washington State House Bill 2000, which authorized the state to enter into cannabis compacts with Washington tribes. Lobbied for passage of the bill, worked on drafts and amendments of the bill with tribal and state staff. Bill passed 46-0 in the Senate and 79-17 in the House.
- Co-authored Washington's inaugural tribal-state cannabis compact between the Suquamish Tribe and the State of Washington, and subsequently co-authored several other cannabis compacts in Washington. Prepared tribal member outreach communications, tribal code revisions, compliance documents and policies, operating plans, and other necessary documents for implementation.
- Counseled numerous tribal clients on cannabis compacts and implementation of tribal regulatory structure, drafted tribal commercial cannabis code, prepared formation documents for commercial cannabis entities, prepared vendor contracts, and advised on other regulatory and transactional issues related to tribal cannabis activities.
- Counseled a Michigan tribe on entering lease with a commercial cannabis tenant on the tribe's lands, including handling negotiations with the state, revisions to tribal code, lease review, and other compliance issues.

### Tribal Governance & Support of In-House Counsel

- Drafted numerous tribal code provisions and resolutions for more than half a dozen tribes.
- Briefed and presented before, tribal councils and boards.
- Advised on compliance with Tribal constitutions, bylaws, codes, and policies.
- Completed three secondments for two tribal enterprises, serving as in-house attorney both on-site and remotely. Secondments ranged from three to twelve months.
- Reviewed hundreds of contracts and advised on day-to-day operations of enterprises, including on issues related to advertising, procurement, property damage, employment, patron exclusion, and compliance with codes and policies.

- Prepared communications to local and state government agencies on behalf of tribes and tribal enterprises.
- Briefed enterprise management and elected tribal leadership.

### Taxation in Indian Country

- Analyzed various state taxes, including sales, excise, property, and business and occupations taxes, and their application to tribes and non-tribal enterprises doing business in Indian country in order to advise on optimal structures for tribal and non-tribal enterprises in Indian country.
- Prepared property tax exemption applications on behalf of tribes.
- Drafted an amicus curiae brief on behalf of a non-profit tribal organization in *Agua Caliente Band of Cahuilla Indians v. Riverside County*.

### Liquor Agreements & Code

- Helped negotiate and draft memoranda of agreements (MOA) between Washington tribes and the Washington State Liquor and Cannabis Board related to liquor licensing in Indian country and related tax issues.
- Drafted liquor ordinances and advised on submittal for federal approval.
- Regularly advise on compliance with MOAs and tribal liquor ordinances.

### Fuel Tax Compacts

- Negotiated tribal fuel tax compacts between Washington tribes and the State of Washington.
- Drafted related fuel tax ordinances and advised on implementation.
- Played a leading role in drafting the amicus curiae brief submitted on behalf of 15 tribes in *Automotive United Trades Organization v. State of Washington* (2015). In a 9-0 decision, the Supreme Court of Washington upheld the constitutionality of tribal-state fuel tax compacts.

### Litigation

- Successfully resolved a dram shop action against a tribe and tribal enterprise.
- Successfully briefed and argued cross-motions for summary judgment on behalf of a governmental agency in a real estate case involving more than 50 property owners.
- Represented a governmental agency in a condemnation case and helped arrive at a settlement amount that was \$3.3 million less than purported in the property owner's just compensation evidence.

### Presentations

- "Restatement of the Law of American Indians: Chapter 4 – Economic Development: Subchapter 3 – Indian Gaming," University of Washington, Annual Indian Law Symposium, panelist (Apr. 2022)
- "Protecting Tribes from Invisible Intrusions," Federal Bar Association, Indian Law Conference, panelist (Apr. 2022)
- "Blazing Ahead: Lessons from the Pros," NAFOA, Annual Conference, panelist (Apr. 2022)
- "Marijuana and Hemp in Indian Country," National Intertribal Tax Alliance, Annual Tax Conference, panelist (Mar. 2022)
- "Dual Taxation Issues and How it Affects Nations Doing Business in Indian Country," National Intertribal Tax Alliance, Annual Tax Conference, moderator (Mar. 2022)
- "What is a Tribe? Who is an Indian? – A Brief History and Introduction to Key Considerations When Developing Legislation," Washington State Legislature, webinar for legislators and staff members (Jan. 2022)
- "Tribes and the Cannabis Industry," Oregon State Bar, Indian Law Series: Fall 2021 Updates (Oct. 2021)
- "Navigating Cannabis in Indian Country," Washington State Bar Association, 33rd Annual Indian Law CLE (June 2021)
- "Sports Betting: Exploring a New Landscape in Tribal Gaming," Federal Bar Association, Indian Law Conference (Apr. 2021)

- “Financial Issues for Tribes,” Washington State Department of Financial Institutions, webinar (Mar. 2021)
- “Taxation in Indian Country: An Update in Washington,” Washington State Bar Association Indian Law Section, 32nd Annual Indian Law Symposium (Sept. 2020)
- “Building a Cannabis Enterprise & Community Considerations,” Chippewas of the Thames First Nation, Elders Knowledge Exchange, A Wisdom Path on Nation to Nation Conference (Mar. 2020)
- “Tobacco 21, Vape Tax, and the Cougar Den Fuel Tax Case: Washington State Legislation and Litigation Updates,” Tribal Convenience Store Association, Membership Meeting (Sept. 2019)
- “Can Tribes Rely on the Commerce Clause to Mitigate Dual Taxation in Indian Country?” Washington State Bar Association Indian Law Section, 29th Annual Indian Law Symposium (June 2016)
- “BIA Leasing Regulations,” National Intertribal Tax Alliance, 16th Annual Tribal Tax Conference (Sept. 2014)

### Recognition & Honors

- Selected for inclusion in Best Lawyers: Ones to Watch
  - Commercial Litigation, 2021-present
- Selected for inclusion as a Washington Super Lawyer—Rising Star, 2017-present