



## Brian Lewis

### Attorney

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## Bio

Brian Lewis is an experienced attorney whose practice is devoted to tribal economic development and the protection and promotion of tribal powers, rights, and interests. He represents tribes, tribal enterprises, tribal member-owned businesses, and non-tribal private corporations doing business in Indian Country in collaboration with tribes and tribal enterprises. Mr. Lewis litigates federal Indian law and commercial matters, and much of his practice concerns complex jurisdictional disputes and taxation and regulatory preemption issues. Mr. Lewis also has extensive experience in performing virtually all aspects of sensitive, high-level commercial and financial transactions, particularly those involving sovereign stakeholders and components. He advises and represents clients in a range of areas, including energy, commercial, corporate, construction, tourism, finance, and gaming matters. He also directs and manages securing energy leases and rights-of-way on federal, state, private, tribal trust, and allotted lands for large projects and transactions. Mr. Lewis has deep transactional, regulatory, and litigation experience in complex matters involving tribes, states, and the federal government that allows him to effectively promote the interests of tribes and tribal enterprises in a wide range of commercial, financial, jurisdictional, and governmental matters. In his dynamic and interdisciplinary practice, he brings experience to understand the challenges and opportunities unique to tribal nations and matters that concern tribes and a focused, analytical approach to solving problems and resolving issues in every matter and all circumstances, with the primary aim of protecting and promoting tribal interests.

Brian Lewis began his career as an attorney with the Navajo Nation Department of Justice, where he handled special matters for the Attorney General and Deputy Attorney General of the Navajo Nation.

## Practice Areas

Business & Corporate  
Energy & Public Utility Law  
Litigation  
Tribal Nations Law

## Admissions

Navajo Nation Tribal Court  
New Mexico  
U.S. Court of Appeals for the  
Tenth Circuit  
U.S. District Court for the  
District of Colorado  
U.S. District Court for the  
District of New Mexico

While with the Department of Justice and Office of the Attorney General, he represented the Navajo Nation as lead counsel in numerous federal, state, and tribal administrative, trial, and appellate cases, including, *Navajo Nation v. RJN Construction Mgmt., Inc., et al., Ctr. for Biological Diversity, et al. v. Pizarchik et al., Diné C.A.R.E., et al. v. Salazar, et al.*, and *Navajo Nation v. Urban Outfitters*. He also served as the lead attorney in the Navajo Nation's creation of a new commercial instrumentality, Navajo Transitional Energy Company, LLC, the acquisition and merger of all assets and interests of an international mining company, and the negotiation of eight and nine-figure transactions for the company's operations. He served as a member of several teams, commissions, and task forces, including, the Speaker of the Navajo Nation Council's Energy Task Force, the President of the Navajo Nation's project negotiation and transaction teams for large-scale economic development projects, and the New Mexico Governor-elect's Transition Team's Indian Affairs Department Review Committee. In private practice, Mr. Lewis has continued to represent Navajo Nation political subdivisions and commercial instrumentalities, as well as corporate entities working collaboratively with the Navajo Nation, as a part of his overall representation of tribes, tribal enterprises, public utilities, and private companies. He serves as outside general counsel to several tribal enterprises and private entities, for which he handles and oversees all litigation and transactional matters impacting their operations. He represents tribes, tribal enterprises, public utilities, and private corporations in large transactions and projects, as well as in the resolution of complex jurisdictional and commercial disputes. With his experience representing tribes and tribal enterprises along with private commercial entities, Mr. Lewis has developed deep transactional, regulatory, and litigation experience in complex matters involving industry, tribes, states, and the federal government that allows him to effectively promote clients' interests in a wide range of governmental, financial, and commercial matters.

As a member of the Choctaw Nation of Oklahoma with a wife and daughters who are members of the Navajo Nation, Mr. Lewis has deep and extensive ties in Oklahoma and the Navajo Nation and is committed to enhancing economic development in Indian Country. He earned his J.D. with an Indian Law Certificate from the Sandra Day O'Connor College of Law at Arizona State University, where he was a member of the Indian Legal Program and graduated Order of Barristers, and earned his B.A. and M.A. in Political Science and Political Economy from Washington State University with honors. Prior to law school, he attended the Pre-Law Summer Institute for American Indians at the University of New Mexico College of Law's American Indian Law Center. Mr. Lewis teaches and presents for the Navajo Nation Bar Association, state bar associations, and legal industry organizations in the areas of business organizations, civil procedure, commercial transactions, contracts, energy, and property law.

## **Education**

Sandra Day O'Connor College of Law at Arizona State University, J.D.,  
Indian Law Certificate

Washington State University, M.A., Political Science with Political  
Economy and Political Psychology Emphases

Washington State University, B.A., Political Science

## **Publications**

*Tribal Energy in New Mexico and the Southwest: How a Lethal Trinity  
is Stymying Tribal Energy and Economic Development*, State Bar of  
New Mexico *Indian Law Section* (Fall/Winter 2011)

*Off Reservation Gaming: Judicial and Administrative Interpretations of  
the Indian Gaming Regulatory Act's Section 2719, and Why the  
Differences Matter*, State Bar of New Mexico *Indian Law Section*  
(Spring 2011)

*So Close, Yet So Far Away: A Comparative Analysis of Indian Status in  
Canada and the United States*, 18 *Willamette J. Int'l L. & Disp. Resol.*  
38 (2011)

*Do You Know What You Are? You Are What You Is; You Is What You  
Am: Indian Status for the Purpose of Federal Criminal Jurisdiction and  
the Current Split in the Courts of Appeals*, 26 *Harvard J. on Racial &  
Ethnic Just.* 241 (2010)

*A Day Late and a Dollar Short: Section 2719 of the Indian Gaming  
Regulatory Act, the Interpretation of Its Exceptions and the Part 292  
Regulations*, 12 *M. Cooley J. Prac. & Clinical L.* 147 (2010)

## **Recognition**

Chambers and Partners, USA Guide, *Nationwide, Native American Law, Band 3*

Order of Barristers

Willard H. Pedrick Scholar – Dean’s List

Academic Scholarship – Sandra Day O’Connor College of Law

Graduate Fellowship – Arizona State University

Yates Scholarship – Sandra Day O’Connor College of Law

Choctaw Nation of Oklahoma Academic Scholarship

President’s List Honor Roll

## **Memberships**

New Mexico State Bar Indian Law and Natural Resources/Energy/Environmental Law Sections

New Mexico Indian Bar Association