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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

BLUE LAKE RANCHERIA and CHICKEN
RANCH RANCHERIA OF ME-WUK
INDIANS,

Plaintiffs,

v.

KALSHI INC., KALSHIEX LLC,
ROBINHOOD MARKETS, INC.,
ROBINHOOD DERIVATIVES LLC, and
DOES 1-20,

Defendants.

Case No.: 25-cv-06162-JSC

JOINT STATUS REPORT

WHEREAS, on May 22, 2026, the Court entered an order staying this case until the Ninth Circuit's rulings in *KalshiEX LLC v. Assad, et al.*, Case No. 25-7516 (9th Cir.) and *Blue Lake Rancheria, et al. v. Kalshi Inc., et al.*, Case No. 25-7504 (9th Cir.) (ECF No. 87);

WHEREAS, on August 14, 2026, Blue Lake Rancheria and Chicken Ranch Rancheria of Me-Wuk Indians (together, "Plaintiffs") filed a motion to amend the Complaint to add Buena Vista Rancheria of Me-Wuk Indians ("Buena Vista") as an additional Plaintiff (ECF No. 90);

WHEREAS, on August 28, 2026, Kalshi Inc., KalshiEX LLC, Robinhood Markets, Inc., and Robinhood Derivatives, LLC (together, "Defendants") filed an opposition to Plaintiffs' motion to amend the Complaint (ECF No. 1) to add Buena Vista as an additional Plaintiff (ECF No. 91);

WHEREAS, on August 28, 2026, the Ninth Circuit issued its Opinion in *KalshiEX LLC v. Assad, et al.*, Case No. 25-7516;

WHEREAS, on September 4, 2026, Plaintiffs filed a reply in support of their motion to amend the Complaint (ECF No. 1) to add Buena Vista as an additional Plaintiff (ECF No. 92);

WHEREAS, on September 16, 2026, the Ninth Circuit issued its Opinion in *Blue Lake Rancheria, et al. v. Kalshi Inc., et al.*, Case No. 25-7504;

WHEREAS, on September 24, 2026, the Court conducted a status conference, at which it ordered the Parties to meet and confer regarding next steps in this case;

1 WHEREAS, on October 2, 2026, the Parties met and conferred in response to the Court's
2 directive, and were able to reach agreement on some, but not all, issues;

3 WHEREAS, on October 8, 2026, the Ninth Circuit issued the mandate in the *Blue Lake*
4 *Rancheria* appeal;

5 NOW, THEREFORE, the Parties submit the following Joint Status Report and inform the
6 Court as follows:

7 **PLAINTIFFS' POSITION**

8 Pending Motion to Lift Stay and to Amend Complaint. Both of the conditions imposed by
9 the Court for lifting the stay have been met, the case has been remanded by the Ninth Circuit Court
10 of Appeals to the District Court for further proceedings and there is no longer any reason to keep
11 the stay in effect. For these reasons the Court should lift the stay to allow the plaintiff Tribes to
12 renew their motion for a preliminary injunction or in the alternative move for summary judgment.

13 Defendants do not oppose the plaintiffs' motion to amend their complaint to add the Buena
14 Vista Rancheria as an additional plaintiff, and for all the reasons set forth in the plaintiffs' brief in
15 support of their motion to amend the complaint, the Court should grant the motion.

16 Pending Motion for Preliminary Injunction. At the last status conference hearing before the
17 Court, counsel for defendants, Kalshi Inc. and KalshiEX LLC (collectively "Kalshi") represented
18 to the Court that it had undertaken steps to geofence around each of the plaintiff Tribes reservations
19 thereby rendering plaintiffs' motion for a preliminary injunction moot. This was the first time
20 plaintiffs or plaintiffs' counsel heard that Kalshi was geofencing. Prior to the hearing Kalshi never
21 notified plaintiffs or plaintiffs' counsel that it was geofencing, and plaintiffs' counsel has not been
22 given any information regarding the alleged geofencing other than to be told that Kalshi has
23 allegedly hired a firm called GeoComply to geofence the Tribes' reservations.

24 After this representation was made to the Court, a member of the Blue Lake Rancheria
25 Gaming Commission placed a "bet" on the Kalshi App while on the Blue Lake Rancheria
26 illustrating that plaintiffs will need access to GeoComply and have a court ordered putting a
27 process in place that will allow the Tribes to independently verify whether Kalshi is in fact
28 geofencing the Tribes' reservations. That process would have to include a provision in the order

1 directing Kalshi to geofencing so that in the event the Tribes find Kalshi is not geofencing the
2 Tribes can enforce the order and if necessary, move to hold Kalshi in contempt of the order.
3 Absence such an order the plaintiff Tribes desire that the Court set a new date for a hearing on the
4 Tribes' motion for a preliminary injunction and establish a briefing schedule for the parties to brief
5 the issue.

6 Anticipated Motion to Amend. Plaintiff Tribes intend to file a second amended complaint
7 to add allegations that defendants, Robinhood Markets, Inc., and Robinhood Derivatives LLC
8 (collectively "Robinhood") has, in addition to Kalshi, violated the Tribes' Gaming Ordinances,
9 Compact/Procedures and the Indian Gaming Regulatory Act ("IGRA"). At the time the plaintiffs
10 filed their complaint the Tribes were not fully aware of the relationship between Kalshi and
11 Robinhood. At the outset of the litigation plaintiffs understood that Futures Commission
12 Merchants ("FCM"), such as Robinhood, to be merely brokers. Plaintiffs now have evidence that
13 shows that FCM's are central to the operation of a Designated Contract Market ("DCM") like
14 Kalshi. Thus, Robinhood is offering sports events contracts on the Tribes' reservations in violation
15 of the IGRA, the Tribes' Gaming Ordinances and the Tribes' Compact/Procedures. The Tribes,
16 therefore, want to amend their complaint to seek the same relief against Robinhood in the same
17 manner and to the same extent it seeks such relief against Kalshi.

18 Where, as here, the defendants have not filed an answer to the complaint, the defendants
19 will not be prejudiced by the filing of a second amended complaint.

20 Anticipated Motion for Partial Summary Judgment. Assuming that Kalshi verifiably
21 geofences the Tribes' reservations, the Tribes intend to amend the complaint to add their additional
22 claims against Robinhood and move for partial summary judgment on all their causes of action
23 except their RICO and Latham Act claims. The Tribes request that the Court establish a briefing
24 schedule for the filing of the Tribes' motion for partial summary judgment.

25 Anticipated Motion to Dismiss. Plaintiffs position is that the Ninth Circuit Court of
26 Appeals decision rendered the defendants' motion to dismiss moot on all issues except the Tribes'
27 RICO and Latham Act claims. The plaintiffs agree with the defendants that the Court should set a
28 hearing on that motion, along with a hearing on the Tribes' motion to amend its complaint, and

1 establish a briefing schedule around the upcoming holidays to allow the parties to brief the
2 remaining issues in light of the Court of Appeals decision.

3 **DEFENDANTS' POSITION**

4 Pending Motion to Lift Stay and to Amend Complaint. In light of the Ninth Circuit's
5 decision in *Blue Lake Rancheria*, Defendants no longer oppose the lifting of the stay of the
6 proceedings and Plaintiffs' motion to amend solely for the purposes of adding Buena Vista as an
7 additional Plaintiff.

8 Pending Motion for Preliminary Injunction. With respect to Plaintiffs' pending motion for
9 preliminary injunction (ECF No. 35), Defendants Kalshi Inc. and KalshiEX LLC (together,
10 "Kalshi") respectfully request leave to file a supplemental opposition. Kalshi believes the
11 preliminary injunction motion is now moot because, following the Ninth Circuit's ruling in *Blue*
12 *Lake*, Kalshi has taken reasonable measures, working with a well-known third-party provider
13 (GeoComply), to geofence Plaintiffs' tribal lands. As a result, persons located within the
14 boundaries of Plaintiffs' Indian lands (as defined by the Indian Gaming Regulatory Act, or
15 "IGRA") should not be able to trade sports event contracts on Kalshi's app or website, and
16 Plaintiffs thus cannot establish that they are suffering irreparable harm. During the October 2
17 meet-and-confer, Plaintiffs' counsel asserted that, on September 25, an unidentified individual was
18 able to place a trade on Kalshi while located on one of Plaintiffs' Indian lands. That was the first
19 time Plaintiffs had informed Kalshi of any issue with the measures that had been established as of
20 September 23, and Plaintiffs' counsel did not provide any details regarding the specifics of the
21 alleged trade. Later, on October 7, Plaintiffs' counsel sent information suggesting that the trade
22 in question occurred on October 2, not September 25. Kalshi is discussing with GeoComply the
23 issue identified by Plaintiffs' counsel on October 7. In any event, Kalshi's supplemental
24 opposition will affix a sworn company affidavit attesting to the measures that have been taken to
25 prevent persons from accessing Kalshi's sports event contracts while located on Plaintiffs' Indian
26 lands. Kalshi proposes to file its supplemental opposition by October 23, 2026.

27 Anticipated Motion to Amend. Defendants understand that Plaintiffs intend to move for
28 leave to file a Second Amended Complaint. Kalshi cannot evaluate whether or not it will oppose

the motion to amend until it has seen the motion and proposed pleading. Based on Plaintiffs' position above, which states the intention to assert additional causes of action against Robinhood, Robinhood expects to oppose Plaintiffs' anticipated motion to amend. Defendants take no position as to when Plaintiffs should be expected to file any such motion, and request only that Defendants be afforded thirty (30) days to respond to the motion once filed.

Anticipated Motion for Partial Summary Judgment. Defendants also understand that Plaintiffs intend to move for partial summary judgment on certain of their claims (ECF No. 90-1). Defendants submit that a motion for partial summary judgment is premature until such time as the anticipated motion to amend has been adjudicated, such that the Court and the Parties have clarity as to what the operative pleading is. Once the Court has rendered a decision on the anticipated motion to amend, Defendants submit that briefing on any motion for partial summary judgment should be on the same schedule as Defendants' anticipated motions to dismiss the operative pleading,¹ as set forth below.

Anticipated Motions to Dismiss. As noted, Defendants intend to move to dismiss the Second Amended Complaint (if the motion to amend is granted), or to file renewed motions to dismiss the First Amended Complaint (if the motion to amend is denied). Because the timing is currently uncertain as to when there will be clarity as to the operative pleading, Defendants would propose the following schedule on Defendants' anticipated motions to dismiss and Plaintiffs' anticipated motion for partial summary judgment:

- 45 days after decision on motion to amend: Defendants file motions to dismiss; Plaintiffs file motion for partial summary judgment.
- 45 days after opening briefs: Defendants file opposition to motion for partial summary judgment; Plaintiffs file opposition to motions to dismiss.

¹ If the Court were to deny Plaintiffs' motion to amend, Defendants believe it would be helpful to file renewed motions to dismiss the First Amended Complaint so as to crystallize what issues remain in play following the Ninth Circuit's decision in *Blue Lake Rancheria*.

- 30 days after opposition briefs: Defendants file replies in further support of motions to dismiss; Plaintiffs file reply in further support of motion for partial summary judgment.

1 Dated: October 14, 2026

Respectfully submitted,

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