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8 **IN THE DISTRICT COURT OF THE NAVAJO NATION**  
**JUDICIAL DISTRICT OF WINDOW ROCK, ARIZONA**

9 HON. PETITIONER CRYSTALYNE  
10 CURLEY,

11 Petitioner,

12 v.

13 PRESIDENT BUU VAN NYGREN,  
OFFICE OF MANAGEMENT AND  
14 BUDGET, and OFFICE OF THE  
CONTROLLER,

15 Respondents,  
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21 PRESIDENT BUU VAN NYGREN,

22 Counter-Petitioner,

23 v.

24 SPEAKER CRYSTALYNE CURLEY  
and THE NAVAJO NATION  
25 COUNCIL,

26 Counter-Respondents,  
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Case No. WR-CV-112-25, CV-113-25

**RENEWED REQUEST AND REPLY  
IN SUPPORT OF:**

**COMBINED APPLICATION FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION REGARDING THE  
SPECIAL PROSECUTOR**

**-AND-**

**MOTION TO STAY RELATED  
INVESTIGATIVE HEARINGS  
BEFORE THE BUDGET AND  
FINANCE COMMITTEE  
SCHEDULED TO BEGIN MONDAY,  
JUNE 8, AT 10:00 A.M.**

**Expedited Oral Argument Requested  
(Virtual)**

1           The “Answer and Limited Response” filed by Petitioner / Counter-Respondent  
2 proves, beyond all doubt, that this Court must step in.

3           The “Agreement” attached to the Answer and Limited Response purports to be a  
4 signed document between the Special Prosecutor and Ms. Espino, dated May 21, 2026.  
5 This is extremely problematic for several reasons.

6           *First*, as discussed in the Combined Application, the special prosecutor did not  
7 respond to inquiries regarding the BFC investigation and why it appeared to be going  
8 forward. This document appears to be a secret agreement between the special prosecutor  
9 and Ms. Espino. Navajo law requires public notice, talking things out, doing things in the  
10 open (anáhaazláago) and avoiding “going about in darkness” (being secretive). Violation  
11 of those principles violate fundamental Navajo principles. Additionally, this refusal to  
12 disclose or respond violates the principle of “talking things out.”

13           *Second*, this agreement proves the one-sided and unfair treatment which was  
14 discussed in the Combined Application. In April, the special prosecutor told Navajo DOJ  
15 to “step aside in [its] ZenniHome investigation,” *see* Ex. 18 to Combined Application, yet  
16 the following month, appears to have signed an agreement allowing BFC to go forward.  
17 This is not balance, and it is not harmony. Furthermore, this fundamentally favors one  
18 branch of the government over another, destroying checks and balances.

19           *Third*, this document is dated May 21, 2026 –months after BFC announced its  
20 investigation, and weeks after undersigned counsel alerted this Court

21           *Fourth*, this document does not explain why the special prosecutor appears to be  
22 allowing BFC to go forward, while telling DOJ to “step aside.” The document merely  
23 states that the parties “agree.” This does not tell the Navajo people anything, and again,  
24 violates the principles against being secretive.

25           *Finally*, the document strongly suggests that everything that has happened here –  
26 the appointment of the special prosecutor, the secret agreement, allowing for BFC to hold  
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28


1 public hearings – has been politically motivated. This is a violation of Navajo law. *Kirk*  
2 *v. ONLR*, 7 Nav. R. 363 (Nav. Sup. Ct. 1998).

3 This Court has the duty to ensure government stability, and to ensure that the  
4 power of the government is used to further the interests of the Navajo people.<sup>1</sup>

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RESPECTFULLY SUBMITTED this 5th day of June 2026.

**ZWILLINGER WULKAN PLC**

By:   
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26 <sup>1</sup> The Answer and Limited Response also suggests that Combined Application is procedurally deficient or an  
27 improper collateral attack. This Court specifically stated that it “welcomes any non-ethics in government  
28 complaints,” and stated that “President Nygren can “refile” to “address invalidation of the Special Prosecutor Act.  
Of 2010.” Ex. 17 to Combined Application.

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that the foregoing **RENEWED REQUEST AND REPLY IN**  
3 **SUPPORT OF: COMBINED APPLICATION FOR TEMPORARY**  
4 **RESTRAINING ORDER AND PRELIMINARY INJUNCTION REGARDING**  
5 **THE SPECIAL PROSECUTOR -AND- MOTION TO STAY RELATED**  
6 **INVESTIGATIVE HEARINGS BEFORE THE BUDGET AND FINANCE**  
7 **COMMITTEE SCHEDULED TO BEGIN MONDAY, JUNE 8, AT 10:00 A.M.** was  
8 filed via fax and U.S. mail on this this 5th day of June, 2026 to, with the court at:

7 Window Rock Judicial District Court  
8 Post Office Box 5520  
9 Window Rock, Arizona 86515  
10 Fax: (928) 871-7560

10 And COPY was sent via email and U.S. mail this same date to:

11 Michelle Espino  
12 Chief Legislative Counsel  
13 Navajo Nation Council  
14 P.O. Box 3390  
15 Window Rock, AZ 86515  
16 Email: [espino@navajo-nsn.gov](mailto:espino@navajo-nsn.gov)

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18 By: /s/ Marlena Mendez Higgins  
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