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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

RENO, NEVADA

UNITED STATES OF AMERICA Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff, Intervenor v. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants. UNITED STATES OF AMERICA WALKER RIVER PAIUTE TRIBE Counterclaimants, vs. WALKER RIVER IRRIGATION DISTRICT, et al., Counterdefendants.	Case No: 03:73:cv-127-ECR-RAM In Equity No. C-125-ECR Subfile No. C-125-B **DEFENDANTS' NOTICE OF APPEAL TO THE NINTH CIRCUIT COURT OF APPEAL**

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TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that Defendants Joseph & Beverly Landolt hereby appeal the Order (#938) denying their Motion to Disqualify Counsel Gordon DePaoli. Said Order was issued by Edward C. Reed, U.S. District Judge, on July 12, 2006 and was entered into the docket that same day. This Order affirmed U.S. Magistrate Judge Robert A. McQuaid Jr.'s Order (#855) of March 10, 2006 denying the Motion to Disqualify Counsel.

Therefore, Defendants Joseph & Beverly Landolt respectfully request that their Appeal of the July 12, 2006 final Order on their Motion to Disqualify Counsel Gordon DePaoli be heard by the 9th Circuit Court of Appeal.

Date: July 14, 2006

/s/ John W. Howard

John W. Howard

CERTIFICATE OF SERVICE

I hereby certify that on the 17th day of July, 2006, I electronically filed the foregoing *Defendants' Notice of Appeal to the Ninth Circuit Court of Appeal* with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following via their e-mail addresses:

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and I further certify that I served a copy of the foregoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 17th day of July, 2006:

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/s/ Elisa Marino

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