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SEP 2 6 2001
DISTRICT COURT
BY

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

FILED
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LANCE S. WILSON
CLERK
BY
DEPUTY

UNITED STATES OF AMERICA, Plaintiff, WALKER RIVER PAIUTE TRIBE, Plaintiff-Intervenor, vs. WALKER RIVER IRRIGATION DISTRICT, a corporation, et al., Defendants.	IN EQUITY NO. C-125 and Sub-file No. C-125-B **STIPULATION AND ORDER FOR EXTENSION OF TIME WITHIN WHICH THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE MAY FILE OBJECTIONS TO THE REPORT AND RECOMMENDATIONS OF U.S. MAGISTRATE JUDGE REGARDING CLASS CERTIFICATION** (First Request)

1. On September 13, 2001, the U.S. Magistrate Judge issued a *Report and Recommendation of U.S. Magistrate Judge* ("Report and Recommendation") regarding Plaintiffs'

165.

Joint Motion for Certification of Defendant Classes (May 3, 2001), recommending that the motion be denied. Pursuant to FED. R. CIV. P. 72 (b) and Local Rule IB 3-2, any objections to this motion must be filed and served no later than October 1, 2001.

2. The Plaintiffs in this matter, the United States of America ("United States") and the Walker River Paiute Tribe ("Tribe"), intend to file objections to the Report and Recommendation.

3. The United States and the Tribe did not receive the Report and Recommendation until late Friday, September 21, 2001. This delay appears to be due in substantial part to the delays in United States mail delivery related to the multiple terrorist attacks in the United States on September 11, 2001.

4. Due to the unforseen circumstances that have apparently delayed receipt of the Report and Recommendation and the press of other matters in the offices of legal counsel for the United States and the Tribe, the United States and the Tribe seek an extension of time within which to serve their objections pursuant to Local Rule IB 3-2.

NOW THEREFORE, based on the foregoing and subject to the approval of the Court, the parties to this Stipulation and Order hereby agree and stipulate that:

The United States and Tribe shall have to and including October 26, 2001, in which to file and

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this 25th day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By: Gordon H. DePaoli
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

By: _____
LINDA A. BOWMAN

Attorneys for UNITED STATES BOARD OF WATER COMMISSIONERS

FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

By: _____
MARTA ADAMS

Attorneys for the STATE OF NEVADA

DANIEL G. BOGDEN, United States Attorney

By: _____
SUSAN L. SCHNEIDER

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BILL LOCKYER, Attorney General of the State of California

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By: _____
GEORGE N. BENESCH

Attorneys for *LYON COUNTY*

GREENE, MEYER & McELROY

By: _____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this ____ day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

By: Linda A. Bowman
LINDA A. BOWMAN

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FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

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By:_____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this ____ day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

By: _____
LINDA A. BOWMAN

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FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

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SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this ____ day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

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By:_____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this ____ day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

By: _____
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DANIEL G. BOGDEN, United States Attorney

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SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this ____ day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

By: _____
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FRANKIE SUE DEL PAPA, Attorney General of the State of Nevada

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Attorneys for *LYON COUNTY*

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By:_____
SCOTT B. McELROY
ALICE E. WALKER

Attorneys for WALKER RIVER PAIUTE TRIBE

serve their objections to the September 13, 2001, Report and Recommendation.

Dated this 24th day of September, 2001.

Respectfully submitted,

WOODBURN AND WEDGE

By:_____
GORDON H. DePAOLI

Attorneys for WALKER RIVER IRRIGATION DISTRICT

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SCOTT B. McELROY
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Attorneys for WALKER RIVER PAIUTE TRIBE

IT IS SO ORDERED 9-26-01

UNITED STATES ~~JUDGE~~ Magistrate Judge

CERTIFICATE OF MAILING

I hereby certify that on this 26th day of September, 2001, I served a true and correct copy of the foregoing "**Stipulation and Order for Extension of Time Within Which the United States of America and the Walker River Paiute Tribe May File Objections to the Report and Recommendations of U.S. Magistrate Judge Regarding Class Certification**" by first-class mail, postage prepaid, addressed to the following persons:

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