

ORIGINAL

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Attorneys for Defendant,
WALKER RIVER IRRIGATION DISTRICT

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

WALKER RIVER PAIUTE TRIBE,

Plaintiff-Intervenor,

v.

WALKER RIVER IRRIGATION DISTRICT,
a corporation, et al.,

Defendants.

) In Equity No. C-125-ECR
) Subfile No. C-125-B

) **STIPULATION AND ORDER FOR**
) **EXTENSION OF TIME TO FILE**
) **RESPONSES TO THE OBJECTION OF**
) **THE UNITED STATES OF AMERICA**
) **AND THE WALKER RIVER PAIUTE**
) **TRIBE CONCERNING REPORT AND**
) **RECOMMENDATION OF U.S.**
) **MAGISTRATE JUDGE REGARDING**
) **CERTIFICATION OF DEFENDANT**
) **CLASSES**

(First Request)

1. On or about September 13, 2001, the United States Magistrate Judge filed a *Report and Recommendation of U.S. Magistrate Judge* (the "Report and Recommendation") which recommends that the *Joint Motion for Class Certification* filed by the Walker River Paiute Tribe (the "Tribe") and the United States be denied.

2. Pursuant to a *Stipulation and Order for Extension of Time* filed by the parties, the Tribe and United States served their *Objection of the United States of America and the*

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1 *Walker River Paiute Tribe To The Report and Recommendation of U.S. Magistrate Judge*
2 *Regarding Certification of Defendant Classes* (the "Objection") on October 25, 2001.

3 3. Responses to the Objection are currently due to be filed and served on
4 November 7, 2001.

5 4. The Walker River Irrigation District (the "District") and other parties responding
6 to the Objection require additional time in which to serve their respective responses to the
7 Objection.

8 NOW THEREFORE, based on the foregoing and subject to the approval of the Court,
9 the parties hereby agree and stipulate that:

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The District and other parties responding to the Objection shall have to and including November 30, 2001, in which to serve their respective responses to the Objection.

Dated this 2nd day of ~~October~~ ^{November}, 2001.

WOODBURN AND WEDGE

United States Department of Justice

By: Dale Ferguson

By: _____

GORDON H. DEPAOLI
Nevada State Bar 00195
DALE E. FERGUSON
Nevada State Bar 04986

Susan L. Schneider
Attorneys for the UNITED STATES OF
AMERICA

Attorneys for WALKER RIVER
IRRIGATION DISTRICT

By: _____

Scott B. McElroy

By: _____

Linda A. Bowman

Attorneys for U.S. BOARD OF WATER
COMMISSIONERS

Alice E. Walker
Attorneys for the WALKER RIVER
PAIUTE TRIBE

By: _____

George N. Benesch

Attorneys for LYON COUNTY

By: _____

Marta Adams

Attorneys for NEVADA DIVISION OF
WILDLIFE

By: _____

Michael Neville

Attorneys for CALIFORNIA DEPT. OF FISH
AND GAME

Dated: _____

IT IS SO ORDERED

UNITED STATES MAGISTRATE JUDGE

OCT 30 '01 03:53PM WOODBURN & WEDGE

P.5/5

Case 3:73-cv-00127-MMD-WGC Document 168 Filed 11/06/01 Page 4 of 11

1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this ____ day of October, 2001.

4 WOODBURN AND WEDGE

United States Department of Justice

5
6 By: _____

By: _____

7 GORDON H. DEPAOLI
8 Nevada State Bar 00195
9 DALE E. FERGUSON
10 Nevada State Bar 04986

Susan L. Schneider
Attorneys for the UNITED STATES OF
AMERICA

11 Attorneys for WALKER RIVER
12 IRRIGATION DISTRICT

By: _____

Scott B. McElroy

13 By: Linda A. Bowman
14 Linda A. Bowman
15 Attorneys for U.S. BOARD OF WATER
16 COMMISSIONERS

Alice E. Walker
Attorneys for the WALKER RIVER
PAIUTE TRIBE

17
18 By: _____

By: _____

19 George N. Benesch
20 Attorneys for LYON COUNTY

Marta Adams
Attorneys for NEVADA DIVISION OF
WILDLIFE

21 By: _____

22 Michael Neville
23 Attorneys for CALIFORNIA DEPT. OF FISH
24 AND GAME

25 Dated: _____

26
27 IT IS SO ORDERED

28
UNITED STATES MAGISTRATE JUDGE

1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this ____ day of October, 2001.

4 WOODBURN AND WEDGE

United States Department of Justice

5
6 By: _____

7 GORDON H. DEPAOLI
8 Nevada State Bar 00195
DALE E. FERGUSON
Nevada State Bar 04986

By: _____

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Marta Adams
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WILDLIFE

17
18 By: _____

19 Michael Neville
Attorneys for CALIFORNIA DEPT. OF FISH
AND GAME

20
21 Dated: _____

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23 IT IS SO ORDERED

24
25 UNITED STATES MAGISTRATE JUDGE

1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this ____ day of October, 2001.

4 **WOODBURN AND WEDGE**

United States Department of Justice

5
6 By: _____

By: _____

7 **GORDON H. DEPAOLI**
8 **Nevada State Bar 00195**
9 **DALE E. FERGUSON**
10 **Nevada State Bar 04986**

Susan L. Schneider
Attorneys for the UNITED STATES OF
AMERICA

11
12 **Attorneys for WALKER RIVER**
13 **IRRIGATION DISTRICT**

By: _____

Scott B. McElroy

14 By: _____

Alice E. Walker
Attorneys for the WALKER RIVER
PAIUTE TRIBE

15 **Linda A. Bowman**
16 **Attorneys for U.S. BOARD OF WATER**
17 **COMMISSIONERS**

18 By: _____

By: _____

19 **George N. Benesch**
20 **Attorneys for LYON COUNTY**

Marta Adams
Attorneys for NEVADA DIVISION OF
WILDLIFE

21 By:  _____

22 **Michael Neville**
23 **Attorneys for CALIFORNIA DEPT. OF FISH**
24 **AND GAME**

25 Dated: _____

26
27 **IT IS SO ORDERED**

28

UNITED STATES MAGISTRATE JUDGE

1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this 31st day of October, 2001.

4 WOODBURN AND WEDGE

United States Department of Justice

5 By: _____

By: A. L. Schneider

6 GORDON H. DEPAOLI
7 Nevada State Bar 00195
8 DALE E. FERGUSON
Nevada State Bar 04986

Susan L. Schneider

Attorneys for the UNITED STATES OF
AMERICA

9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

By: _____

Scott B. McElroy

11 By: _____

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PAIUTE TRIBE

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13 Attorneys for U.S. BOARD OF WATER
COMMISSIONERS

14 By: _____

By: _____

15 George N. Benesch
16 Attorneys for LYON COUNTY

Marta Adams

Attorneys for NEVADA DIVISION OF
WILDLIFE

17 By: _____

18 Michael Neville
19 Attorneys for CALIFORNIA DEPT. OF FISH
20 AND GAME

21 Dated: _____

22 IT IS SO ORDERED

23
24
25 UNITED STATES MAGISTRATE JUDGE

1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this ____ day of October, 2001.

4 **WOODBURN AND WEDGE**

United States Department of Justice

5
6 By: _____

7 **GORDON H. DEPAOLI**
Nevada State Bar 00195
8 **DALE E. FERGUSON**
Nevada State Bar 04986

9 Attorneys for WALKER RIVER
10 IRRIGATION DISTRICT

11 By: _____

12 **Linda A. Bowman**
Attorneys for U.S. BOARD OF WATER
13 COMMISSIONERS

14 By: _____

15 **George N. Benesch**
Attorneys for LYON COUNTY

16
17 By: _____

18 **Michael Neville**
Attorneys for CALIFORNIA DEPT. OF FISH
19 AND GAME

20
21 Dated: _____

By: _____

Susan L. Schneider
Attorneys for the UNITED STATES OF
AMERICA

By: Alice E. Walker

Scott B. McElroy

Alice E. Walker
Attorneys for the WALKER RIVER
PAIUTE TRIBE

By: _____

Marta Adams
Attorneys for NEVADA DIVISION OF
WILDLIFE

22
23 IT IS SO ORDERED

24
25 UNITED STATES MAGISTRATE JUDGE
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1 The District and other parties responding to the Objection shall have to and including
2 November 30, 2001, in which to serve their respective responses to the Objection.

3 Dated this ____ day of October, 2001.

4 WOODBURN AND WEDGE

United States Department of Justice

5
6 By: _____

7 GORDON H. DEPAOLI
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9 DALE E. FERGUSON
10 Nevada State Bar 04986

By: _____

Susan L. Schneider
Attorneys for the UNITED STATES OF
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11 Attorneys for WALKER RIVER
12 IRRIGATION DISTRICT

By: _____

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17 By: _____

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By: _____

Marta Adams
Attorneys for NEVADA DIVISION OF
WILDLIFE

20 By: _____

21 Michael Neville
22 Attorneys for CALIFORNIA DEPT. OF FISH
23 AND GAME

24 Dated: _____

25 IT IS SO ORDERED

11-5-01

26 Edward C. Rued.
27 UNITED STATES MAGISTRATE JUDGE
28 DISTRICT

CERTIFICATE OF MAILING

I certify that I am an employee of Woodburn and Wedge and that on this date, I deposited in the United States Mail, postage prepaid, a true and correct copy of the foregoing ***STIPULATION AND ORDER FOR EXTENSION OF TIME TO FILE RESPONSES TO THE OBJECTION OF THE UNITED STATES OF AMERICA AND THE WALKER RIVER PAIUTE TRIBE CONCERNING REPORT AND RECOMMENDATION OF U.S. MAGISTRATE JUDGE REGARDING CERTIFICATION OF DEFENDANT CLASSES*** in an envelope addressed to and where indicated by an asterisk by facsimile also:

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16 Kelly R. Chase ✓
17 P.O. Box 2800
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18 Dated this 2nd day of November, 2001.

19 Penelope H. Colter
20 Penelope H. Colter
21
22
23
24
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