IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
Plaintiff,) IN EQUITY NO. C-125-RCJ
WALKER RIVER PAIUTE TRIBE,) Subproceeding: C-125-B)) 3:73-CV-00127-RCJ-WGC
Plaintiff-Intervenor,) 3.73 eV 00127 Res Wee
WALKER RIVER IRRIGATION DISTRICT, a corporation, et al.,) PROPOSED ORDER ADDRESSING NOTICE) WITH REGARD TO PARTIES WHO) ALREADY HAVE BEEN SERVED BUT) WHO HAVE NOT APPEARED
Defendants.)))

This ORDER addresses a service issue raised in subproceeding C-125-B, as discussed by the parties on several occasions, including the Status Conference conducted on May 9, 2012, in Case No. C-125 and subproceedings C-125-B and C-125-C.

Although the Court will not enter defaults in this subproceeding for failure to appear, all defendants must file a Notice of Appearance, as a *pro se* defendant or through counsel, if they wish to receive notice of filings and orders in this subproceeding. Any defendant who waived service or was personally served, but has failed to appear in a timely manner as directed by the *Notice of Lawsuit and Request for Waiver of Service of Notice in Lieu of Summons* (when served by mail) and the *Notice in Lieu of Summons* (when personally served), shall be deemed to have notice of all subsequent orders and filings in this subproceeding.

This Order confirms the position of the parties and the Court, as discussed at the May 9, 2012 Status Conference, and is consistent with the approved service packages for service by mail and personal service, the *Case Management Order* (Apr, 18, 2000, B-#108) in this subproceeding, the Federal ORDER ADDRESSING NOTICE WITH REGARD TO PARTIES WHO ALREADY HAVE BEEN SERVED BUT WHO HAVE NOT APPEARED

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Rules of Civil Procedure, and prior Orders of the Court in subproceeding C-125-C. *See, e.g., Order* at 24-25 (Apr. 23, 2012; C-#592); *Order* at 2, 4 (Sept. 29, 1995; C-#48).

IT IS SO ORDERED this ___day of _______, 2012.

Hon. William G. Cobb
United States Magistrate Judge

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CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of August, 2012, I electronically filed the foregoing PROPOSED **ORDER ADDRESSING NOTICE WITH REGARD TO PARTIES WHO ALREADY HAVE BEEN SERVED BUT WHO HAVE NOT APPEARED** with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the email addresses that are registered for this case;

and I further certify that I served a copy of the forgoing to the following non CM/ECF participants by U.S. Mail, postage prepaid, this 1st day of August, 2012:

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/s/ Eileen Rutherford Senior Paralegal, USIS for United States Department of Justice