

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA  
RENO, NEVADA

UNITED STATES OF AMERICA,	)	IN EQUITY NO. C-125-ECR
	)	Subproceedings: C-125-B and C-125-C
Plaintiff(s),	)	
	)	3:73-CV-0125-ECR-WGC
	)	3:73-CV-0127-ECR-WGC
vs.	)	3:73-CV-0128-ECR-WGC
	)	
	)	
WALKER RIVER IRRIGATION, et al.,	)	MINUTES OF THE COURT
	)	
Defendant(s).	)	DATED: MARCH 13, 2012
	)	
	)	

PRESENT: HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

Deputy Clerk: Jennifer S. Cotter Reporter: Donna Davidson

**Counsel Present:** Susan Schneider, Wes Williams, Jr., Nico DePaoli, Gordon DePaoli, Dale Ferguson, Therese Ure, and George Benesch

**Counsel Appearing Telephonically:** Marta Adams, Karen Peterson, Simeon Herskovits, Stacey Simon, and Michael Neville

PROCEEDINGS: STATUS CONFERENCE

1:33 p.m. Court convenes.

The Court and Counsel confer regarding the agenda items, as outlined in the United States' Status Report (Doc. 1697).

**1. - The Status of Service in C-125-B**

The Court approves the removal of Mary Rosachi and Walker General Inc. from the mailing list. Ms. Schneider agrees to send letters explaining what has occurred and that they, at some point, will be receiving something regarding future filings. Ms. Schneider agrees to prepare an order for the Court's signature.

The Court further finds that the United States Board of Water Commissioners has procedural standing to serve and file documents in these actions and should be served with any filings. Ms. Schneider shall add this finding to the proposed order to be submitted.

The Court approves the proposed dismissal of certain parties. Mr. DePaoli requests that further detail be inserted into the proposed order regarding the Sixteenth Report Concerning Status of

Page 2

USA v. Walker River Irrigation, et al.

March 13, 2012

Service, which explains the term “without prejudice”, so that the parties understand that certain circumstances may occur which would lead to future involvement in these matters. The Court agrees, and Ms. Schneider represents that she will add language to that effect in a revised proposed order regarding the Sixteenth Report Concerning Status of Service .

With respect to the Fifth Proof of Service filed on November 30, 2011 (Doc. 1670), the Court deems the persons and entities listed on the Proof of Service have been properly served. Ms. Schneider agrees to add this finding to the proposed order.

Discussion occurs regarding the need for a finalized caption and challenges to service. Ms. Schneider represents that her office is working on preparing a list of the proper defendants.

## **2. - The Status of Service Efforts in C-125-C**

Mr. Herskovits advises the Court that the status remains unchanged at this time.

## **3. - Notification Protocol**

Discussion occurs regarding the options with respect to a notification protocol. Counsel and Lia Griffin, Operations Manager for the Clerk’s Office, advise the Court of the various challenges which may arise with the notification process.

The Court suggests that Counsel meet and attempt to work out this issue prior to the next status conference. Counsel and Ms. Griffin further agree to follow up on the feasibility of a centralized website for this case and the possibility of correcting and updating the Court’s docket.

## **4. - Status of Objections Regarding Service-Related Orders Pending Before Judge Reed**

No action has been taken on these objection at this time.

## **5. - Upcoming Issues**

Counsel indicate to the Court that the issues, as outlined in the Agenda, are matters to be addressed in the future.

## **6. - Discussions with the Clerk’s Office and E-file Problems**

Ms. Schneider advises the Court that there is currently a problem with e-filing which shows attorneys filing pleadings on behalf of parties they are not representing. Ms. Griffin represents that there is a glitch with cases that came over from older systems, such as this one. While efforts are being made to remedy the problem, a fix isn’t expected anytime soon.

## **7. - Additional Issues**

There are no additional issues to address.

Page 3  
USA v. Walker River Irrigation, et al.  
March 13, 2012

**IT IS ORDERED** that a further Status Conference is set for **Wednesday, May 9, 2012 at 1:30 p.m.** Counsel wishing to appear telephonically shall dial **1-888-273-3658**, enter the access code **5820561**, and enter the security code **5912** approximately five (5) minutes prior to the hearing.

If Counsel make progress on notice by publication, or need the Court's guidance regarding that issue, they may notify the Court and an earlier conference will be scheduled.

3:16 p.m. Court adjourns.

LANCE S. WILSON, CLERK

By: /s/\_\_\_\_\_

Deputy Clerk