

1 Simeon M. Herskovits, Nevada Bar No. 11155
Advocates for Community and Environment
2 P.O. Box 1075
El Prado, New Mexico 87529
3 Phone: (575) 758-7202
Fax: (575) 758-7203
4 Email: simeon@communityandenvironment.net

5 Sean A. Rowe, Nevada Bar No. 10977
Mineral County District Attorney
6 P.O. Box 1210
Hawthorne, Nevada 89415
7 Phone: (775) 945-3636
8 Fax: (775) 945-0740
Email: srowe@mineralcountynv.org

9 *Attorneys for Mineral County*

10 **UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA,)

13 Plaintiff,)

14 WALKER RIVER PAIUTE TRIBE,)

15 Plaintiff-Intervenor,)

16 vs.)

17 WALKER RIVER IRRIGATION DISTRICT,)
18 a corporation, et al.,)

19 Defendants.)

20 MINERAL COUNTY,)

21 Proposed-Plaintiff-Intervenor,)

22 vs.)

23 WALKER RIVER IRRIGATION DISTRICT,)
24 a corporation, et al.,)

25 Proposed Defendants.)

IN EQUITY NO. C-125-RCJ-WGC
Subproceeding: C-125-C

3:73-CV-00128-RCJ-WGC

**UNOPPOSED MOTION FOR
EXTENSION OF TIME TO
COMPLETE RULE 4 SERVICE
(First Request)**

1 Pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and LR 6-1 and LR 6-2,
2 counsel for Mineral County moves the Court for an order extending the time for Mineral County
3 to complete Rule 4 service in subproceeding C-125-C from March 1, 2013 until March 11, 2013.

4 In support of this Motion, counsel for Mineral County represents the following to the Court:

- 5 1. Pursuant to the status conference held on August 2, 2012, and by the Court's
6 August 2, 2013, *Order Relating to Completion of Service*, the Court established a
7 March 1, 2013, deadline for completion of Rule 4 service in subproceeding C-
8 125-C. Doc No. 605.
- 9 2. Mineral County filed a service report on January 9, 2013, in which it requested
10 that the Court approve the completion of service efforts as to certain Proposed
11 Defendants, dismiss certain listed Proposed Defendants and substitute successors-
12 in-interest, and amend the names of certain Proposed Defendants in the caption.
- 13 3. On February 8, 2013, the Court granted the requests made in Mineral County's
14 January 9, 2013 service report. Doc. No. 665.
- 15 4. The Court's February 8, 2013, *Order Concerning Status of Remaining Proposed*
16 *Defendants to be Served Via Rule 4 Service* confirmed that there were four (4)
17 proposed defendants who remain to be served. Doc. No. 665.
- 18 5. Mineral County expects that Rule 4 service on these final four (4) Proposed
19 Defendants will be complete within the next few days and is in the process of
20 documenting final service efforts.
- 21 6. On Thursday, February 21, 2013, lead counsel for Mineral County, Simeon
22 Herskovits, was hospitalized and remains in the hospital.

1 7. Due to this hospitalization, documentation of final service efforts has been
2 delayed.

3 8. Mineral County expects to complete this documentation prior to the March 13,
4 2013, Status Conference.

5 9. The Primary Parties have been contacted and do not oppose this request.

6 NOW, THEREFORE, based upon the foregoing, Mineral County respectfully requests
7 that the Court grant this Unopposed Motion, and extend the time for Mineral County to complete
8 Rule 4 service to March 11, 2013.
9

10 Respectfully Submitted,

11 /s/ Simeon M. Herskovits

12 Simeon M. Herskovits, Nevada Bar No. 11155
13 Advocates for Community and Environment
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15 El Prado, New Mexico 87529
16 Phone: (575) 758-7202
17 Fax: (575) 758-7203
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23 Phone: (775) 945-3636
24 Fax: (775) 945-0740
25 Email: srowe@mineralcountynv.org

26 *Attorneys for Mineral County*

27 **ORDER**

28 Dated: _____, 2013.

IT IS SO ORDERED.

United States Magistrate Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of February, 2013, I electronically filed the foregoing **UNOPPOSED MOTION FOR EXTENSION OF TIME TO COMPLETE RULE 4 SERVICE** 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 on this 27th day of February, 2013, I caused a hard copy of the forgoing to be served on the following non CM/ECF primary Defendant participants by U.S. Mail, postage prepaid:

Athena Brown, Superintendent
Western Nevada Agency
Bureau of Indian Affairs
311 E. Washington Street
Carson City, NV 89701-4065

Arthur B. Walsh
Los Angeles City Attorney's Office
P.O. Box 51-111
111 North Hope Street, Suite 340
Los Angeles, CA 90054

Dist. Attorney for Lyon County
31 South Main Street
Yerington, NV 89447

State Engineer - Division of Water
Resources
State of Nevada
901 S. Stewart St., Suite 202
Carson City, NV 89701

Leo Drozdoff
Dept. of Conservation & Natural Res.
State of Nevada
901 S. Stewart St.
Suite 1003
Carson City, NV 89701

/s/ Iris Thornton
Iris Thornton