UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA
RENO, NEVADA

UNITED STATES OF AMERICA, Plaintiff(s), vs. WALKER RIVER IRRIGATION, et al., Defendant(s).	IN EQUITY NO. C-125-RCJ Subproceedings: C-125-B and C-125-C 3:73-CV-0125-RCJ-WGC 3:73-CV-0127-RCJ-WGC 3:73-CV-0128-RCJ-WGC MINUTES OF PROCEEDINGS DATED: November 4, 2013

PRESENT: HONORABLE ROBERT C. JONES, U.S. DISTRICT JUDGE and HONORABLE WILLIAM G. COBB , U.S. MAGISTRATE JUDGE

Deputy Clerk(s): Lesa Ettinger and Katie Lynn Ogden **Reporter:** Margaret Griener

Counsel Present: Andrew "Guss" Guarino, David Negri, Wes Williams Jr., Gordon DePaoli, Dale Ferguson, Karen Peterson, Simeon Herskovits, Sean Rowe, Stacey Simon, George Benesch, Marta Adams, Bryan Stockton, Don Springmeyer, Christopher Mixson, and Therese Ure

Counsel Appearing Telephonically: Michael Neville, Annadel Almendras, and Iris Thornton

PROCEEDINGS: STATUS CONFERENCE

10:08 a.m. Court convenes.

On Monday, November 4, 2013, a Status Conference was conducted before Chief District Judge Robert C. Jones and Magistrate Judge William G. Cobb. Parties are directed to review the transcript for more specific details regarding these matters.

I. United States of America's Amended List of Proposed Agenda Items

The Court and counsel confer regarding the agenda items as outlined in the United States of America's ("United States") Amended List of Proposed Agenda Items for the Status Conference Scheduled for November 4, 2013 (Dkt. # 1204 in Case No 3:73-CV-00125-RCJ-WGC; Dkt. # 1950 in Case No. 3:73:CV-00127-RCJ-WGC; and Dkt. # 730 in Case No. 3:73-CV-00128-RCJ-WGC).

After hearing from counsel and their position as to each of the agenda items the court directs the parties to complete the following:

1.) Proof of Service: The United States shall research whether proof of service has been filed in these matters. The United States shall notify the court regarding the outcome of the research and identify proof of service; if necessary, proof of service shall be filed.

2.) Website development: The creation of a website for Subproceeding C-125-C shall be separate from, but similar to, that of the Subproceeding C-125-B website. Counsel for the United States and Mineral County shall submit a proposed order for C-125-C by which the Court will order the creation of a public access website for C-125-C documents.

3.) Ex Parte Motion regarding Service: For those parties who have been served but have not responded in any fashion, they are to be served one last time (at last known address) before being excluded from the list completely. The contemplation of forgoing future service on those parties who have not responded whatsoever essentially changes the posture of the original Case Management Order ("CMO") (Doc. # 108, C-125-B). Counsel for the principal parties are to submit an *ex parte* motion, with an attached proposed order for the court to approve, that notifies this specific group of parties that they are in "technical" default and the court will proceed with the case without further service upon them. The court will entertain the idea of serving a post card for this last round of service.

4.) E-Service Orders: For those parties who have entered an appearance, and who have either responded or have not responded to the E-Service Order, shall be served one last time with the anticipated Superseding E-Service Order. Magistrate Judge Cobb and counsel for principal parties shall continue to revise the E-Service Order to include language that notifies parties that the court has tentatively approved a process whereby the court will simply post pleadings on the website without separate notice to those parties who have not agreed to receive service electronically. For those parties who have elected to be served via United States Postal Service ("USPS") will be served with a post card notifying them that a pleading has been filed and can be reviewed on the website. If counsel for the principal parties agree, they may also include posting at a local public venue (e.g. public library) and list that venue on the website.

A draft of the Superseding E-Service Order shall be submitted no later than Thursday, November 28, 2013. Magistrate Judge Cobb will hold a telephonic status conference on Friday, December 6, 2013, at 10:00 a.m. to address the Proposed Superseding E-Service Order. When appropriate, a final draft of the Superseding E-Service Order will be submitted to Chief Judge Jones for approval.

5.) Case Management Order ("CMO") Development: The parties shall develop a CMO for C-125-C that is similar in nature to and purpose of the C-125-B CMO. Deadline for Proposed CMO as to the C-125-C case will be discussed at the December 6th status conference before Magistrate Judge Cobb.

II. Threshold Jurisdictional Issues

The court institutes the following briefing schedule for motions to dismiss regarding basic threshold jurisdictional issues:

- Motions to Dismiss deadline: Monday, March 31, 2014
- Response deadline: Friday, May 30, 2014
- Reply deadline: Monday, June 30, 2014.

11:48 a.m. Court adjourns.

LANCE S. WILSON, CLERK

By:_____/s/_____
Katie Lynn Ogden, Deputy Clerk