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

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
WALKER RIVER PAIUTE TRIBE,)
)
Plaintiff-Intervenor,)
)
vs.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)
)
Defendants.)
)

MINERAL COUNTY,)
)
Plaintiff-Intervenor,)
)
vs.)
)
WALKER RIVER IRRIGATION DISTRICT,)
a corporation, et al.,)
)
Defendants.)

IN EQUITY NO. C-125-MMD
Subproceeding: 3:73-CV-00128-MMD-CSD

**JOINT MOTION FOR
RECONSIDERATION OF APRIL 22,
2022, MINUTE ORDER DENYING
STIPULATION CONCERNING
BRIEFING DEADLINES ON
PRINCIPAL DEFENDANTS' MOTION
TO DISMISS**

COME NOW, Plaintiff-Intervenor Mineral County, Nevada, and Principal Defendants Walker River Irrigation District, Lyon County, Centennial Livestock, the Schroeder Group, Nevada Department of Wildlife, Mono County, California, Desert Pearl Farms, Peri Family Ranch, LLC, Peri & Peri LLC, and Frade Ranches (“the Parties”), by and through undersigned counsel, and hereby move the Court to reconsider its April 22, 2022, *Minute Order*, which denied the Parties’ April 20, 2022, stipulated request to adjust the briefing schedule on Principal Defendants’ October 28, 2021, *Joint Motion to Dismiss Mineral County’s Second Amended Complaint in Intervention Pursuant to Fed. R. Civ. P. 12(B)(1), 12(B)(6) and 12(B)(7)* (“*Motion to Dismiss*”). *Minute Order* (April 22, 2022) (ECF 1047); *see also Stipulation and [Proposed] Order Concerning Briefing Deadlines on Principal Defendants’ Motion to Dismiss Mineral County’s Second Amended Complaint in Intervention* (April 20, 2022) (ECF 1045) (“*Stipulation*”); *Motion to Dismiss* (ECF 994, 996).

The Parties’ April 20, 2022, *Stipulation* contained a request to adjust the response deadlines related to Principal Defendants’ October 28, 2021, *Motion to Dismiss* as follows:

1. Mineral County’s response to Principal Defendants’ *Motion to Dismiss* would be due by May 31, 2022. *Stipulation* at 4.
2. Principal Defendants’ joint reply in support of said joint *Motion to Dismiss* would be due by August 1, 2022. *Id.* at 5.

The Court’s April 22, 2022, *Minute Order* denied the *Stipulation*, “because the requested extension would result in the reply brief being submitted to the Court by the end of September 2022.” ECF 1047. The *Minute Order* further provided that “the Court will grant a brief extension so long as the joint reply brief is filed by the end of August 2022 to give the Court sufficient time to resolve the dispositive motions by the end of September 2022.” *Id.*

1 Because the *Stipulation* already provides that Principal Defendants' reply brief would be
2 due by August 1, 2022, *see Stipulation* at 5, it already conforms to the time frame set by the
3 Court's April 22, 2022, *Minute Order*. Accordingly, the Parties respectfully request that the
4 Court reconsider its denial of the *Stipulation* and grant the same.

5 Respectfully submitted,

6
7 Date: April 25, 2022 ADVOCATES FOR COMMUNITY & ENVIRONMENT
8 P.O. Box 1075
9 El Prado, New Mexico 87529

10 By: /s/ Iris Thornton
11 Iris Thornton, *pro hac vice*
12 Attorney for Mineral County

13
14 Date: April 25, 2022 WOODBURN AND WEDGE
15 6100 Neil Road, Suite 500
16 Reno, Nevada 89511

17 By: /s/ (per authorization)
18 Gordon H. DePaoli, NSB # 195
19 Attorneys for Walker River Irrigation District

20
21 Date: April 25, 2022 BEST BEST & KRIEGER
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23 Walnut Creek, California 94596
24 Jerry Snyder, NSB # 6830

25 By: /s/ (per authorization)
26 Roderick E. Walston
27 Attorney for Lyon County and Centennial Livestock

28
29 Date: April 25, 2022 SCHROEDER LAW OFFICES, P.C.
30 10615 Double R. Blvd. #100
31 Reno, NV 89521

32 By: /s/ (per authorization)
33 Therese Ure Stix, NSB # 10255
34 Attorney for The Schroeder Group

1 Date: April 25, 2022

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ATTORNEY GENERAL
100 N. Carson Street
Carson City, Nevada 89701-4717

2
3
4 By: /s/ (per authorization)
Anthony J. Walsh, NSB # 14128
5 *Attorney for Nevada Department of Wildlife*

6 Date: April 25, 2022

THE COUNTY OF MONO, CALIFORNIA
P.O. Box 2415A
7 Mammoth Lakes, California 93546-2415

8 By: /s/ (per authorization)
9 Stacey Simon, County Counsel
Emily Fox, Dep. County Counsel
10 *Attorneys for Mono County, California*

11 Date: April 25, 2022

SIMONS HALL JOHNSTON PC
22 State Route 208
12 Yerington, Nevada 89447

13 By: /s/ (per authorization)
14 Brad M. Johnston, NSB # 8515
15 *Attorney for Desert Pearl Farms, Peri Family
Ranch, LLC, Peri & Peri LLC, and Frade Ranches*

16 **ORDER**

17
18 Dated: _____, 2022. IT IS SO ORDERED.

19
20
21 _____
22 Miranda M. Du
23 United States District Judge
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CERTIFICATE OF SERVICE

I hereby certify that on this 25th day of April, 2022, I electronically filed the foregoing **JOINT MOTION FOR RECONSIDERATION OF APRIL 22, 2022, MINUTE ORDER DENYING STIPULATION CONCERNING BRIEFING DEADLINES ON PRINCIPAL DEFENDANTS' MOTION TO DISMISS** 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.

Additionally, I hereby certify that on this 25th day of April, 2022, I caused to be served, via United States Postal Service First Class Mail, a complete copy of the foregoing **JOINT MOTION FOR RECONSIDERATION OF APRIL 22, 2022, MINUTE ORDER DENYING STIPULATION CONCERNING BRIEFING DEADLINES ON PRINCIPAL DEFENDANTS' MOTION TO DISMISS**, on the following Defendant who has been granted mailed service by the Court:

Joe and David Sceirine Ranches
P.O. Box 1013
Yerington, NV 89447

/s/Iris Thornton
Iris Thornton