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Attorneys for Defendants  
RAY BARNES, MARIAN BURROUGH  
(erroneously sued as “MARIAN  
BURROUGHS”), IVADELLE CASTRO  
(erroneously sued as “IVDELLE CASTRO”),  
IRENE LOWERY (erroneously sued as “IRENE  
LEWIS”), WILLIAM WALKER, CAROLYN  
WALKER, AND TWILA BURROUGH  
(erroneously sued as “TWILA BURROUGHS”)

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

CLIFFORD M. LEWIS, et al.,  
Plaintiffs,  
vs.  
KEN SALAZAR, et al.,  
Defendants.

CASE NO. 1:10-CV-01281-OWW-DLB  
**STIPULATION AND ORDER  
SCHEDULING PARTIES’ BRIEFING  
OF DEFENDANTS’ MOTIONS TO  
DISMISS**

1 Plaintiffs, defendant Ken Salazar, and certain individual defendants who are members of a  
2 sovereign Indian tribe, Table Mountain Rancheria (Ray Barnes, Marian Burrough (erroneously  
3 sued as “Marian Burroughs”), Ivadelle Castro (erroneously sued as “Ivdelle Castro”), Irene  
4 Lowery (erroneously sued as “Irene Lewis”), William Walker, Carolyn Walker, and Twila  
5 Burrough (erroneously sued as “Twila Burroughs”) (hereinafter referenced as “Tribal  
6 Defendants”)) (collectively referenced as “Parties”), by and through their respective counsel of  
7 record, hereby stipulate and agree as follows, and respectfully request that the Court approve and  
8 give effect to their stipulation:

9 WHEREAS, all of the above-listed defendants plan to file responsive pleadings seeking  
10 dismissal of plaintiffs’ claims on multiple grounds; and

11 WHEREAS, defendant Ken Salazar is represented by the United States Attorney; and

12 WHEREAS, the above-listed Tribal Defendants are represented by SNR Denton US LLP  
13 (“SNR Denton”), and the Tribal Defendants intend to file a single brief in support of a  
14 consolidated motion to dismiss, raising defenses that they share in common; and

15 WHEREAS, the Parties wish to make arrangements for orderly briefing of the numerous  
16 defenses that defendant Ken Salazar and the Tribal Defendants plan to raise in their respective  
17 motions to dismiss on a timeline that accommodates counsels’ respective schedules; and

18 WHEREAS, the claims plaintiffs bring against defendant Ken Salazar in his personal  
19 capacity require coordination between the United States Attorney’s Office of the Eastern District  
20 of California and Mr. Salazar; and

21 WHEREAS, the Parties believe that the large number of defenses Ken Salazar and the  
22 Tribal Defendants plan to raise; the extensive history of the litigation by certain plaintiffs against  
23 the United States and against Table Mountain Rancheria, its Tribal members, and its Tribal  
24 government officials; and the important issues of federal Indian law implicated by plaintiffs’  
25 claims will require thorough and time-consuming briefing; and



- 1           4.       Defendant Ken Salazar may file a separate brief, which shall not exceed 40 pages,
- 2                       in support of his motion to dismiss;
- 3           5.       No later than December 20, 2010, plaintiffs may file one consolidated brief in
- 4                       opposition to each motion to dismiss of defendant Ken Salazar and the Stipulating
- 5                       Tribal Defendants, and each opposition shall not exceed 40 pages;
- 6           6.       Not later than January 14, 2011, Stipulating Tribal Defendants may file one
- 7                       consolidated reply brief, which shall not exceed 20 pages, in support of their
- 8                       motion to dismiss;
- 9           7.       Not later than January 14, 2011, defendant Ken Salazar may file a separate reply
- 10                      brief, which shall not exceed 20 pages, in support of his motion to dismiss;
- 11           8.       The motions to dismiss of defendant Ken Salazar and Stipulating Tribal Defendants
- 12                      shall be consolidated for a single hearing during the Court's civil and motion
- 13                      calendar on Monday, January 24, 2011, at 10:00 a.m., or at another date and time
- 14                      convenient for the Court;
- 15           9.       Service on Stipulating Tribal Defendants shall be deemed effective as of the date
- 16                      the Court approves and gives effect to this stipulation; and
- 17           10.      Given the uncertainty of service on any defendant, the Mandatory Scheduling
- 18                      Conference currently set for November 17, 2010, shall be vacated, to be reset, if
- 19                      appropriate, following resolution of potential service disputes and any motions to
- 20                      dismiss.

21                      IT IS SO STIPULATED.

22    Respectfully submitted,

23       Dated: October 20, 2010

LAW OFFICES OF RICHARD HAMLISH

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26    By: /s/ Richard Hamlish (authorized October 20, 2010)  
  Richard Hamlish

27    Attorney for Plaintiffs

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CLIFFORD M. LEWIS, DONALD D. LEWIS, BOB MALDONADO, NASTASHIA HER, DANIELLE MALDONADO, ELMA MALDONADO, DOMINQUE ASHLEY TOM, RUSSELL SAHAGIAN, RAY SAHAGIAN, STEPHANIE SANDOVAL, FRANKI SANDOVAL, CYNTHIA SANDOVAL, BRENT SANDOVAL, MONICA MONTEZ, MARTIN MONTEZ, JR. CYNTHIA ROSE MONTEZ, ADRIAN MONTANO, MARTIN B. LEWIS, ANTHONY LEWIS, PAUL ANTHONY KELUCHE, JOSEPH M. KELUCHE, CHARLENE KELUCHE, PRISILLA JETT, KEVIN WADE HUNTER, JOHN GONZALES, GAIL ANN GONZALES, BRITTANY MONIQUE GONZALES, ROGER TED DAVIS, TERRY A. CRUZ, MONICA CRUZ, DAVID CRUZ, JR., CECELIA CRUZ, STEVEN CRAWLEY, KIMBERLY A. BRACAMONTE, VICTORIAS BOWMAN, TERESA BOWMAN, MELISSA ANN CORONA, PATRICK ALVERAZ, ANTHONY ALVERAZ, KAUREN D. BOYLE, JEFF BROWN, COLLEEN BYOFF, MICHELLE CAMPBELL, DAVID CASTELLON, JR., JASON CASTELLON, MARK CASTELLON, YVETTE CASTELLON, CHERYL ERIKSEN, DIANE GRIGSBY, JOANNA GUTIERREZ, PAULA HAMILTON, SALLY HAYES, ALEXANDRIA LEWIS, CHAD E. LEWIS, CHERYL LEWIS, JERRY L. LEWIS, KAMERON LEWIS, KATHY LEWIS, TRINA LEWIS, LAURELL MCGRAW, KAREN A. ROMUND, LEWIS COLE SCHACHER, RICHARD J. SCHACHER, JR., ROSANNE HELEN SCHACHER, PAUL SOKOLSKI, DARREN SORONDO, SHIRLEY A. SWENSON. DEBRA CLARIECE BAILEY, HARRIET BOWMAN, CASSANDRA CASEM, JOEY CASEM, BLAINE CHARLIE, CLARA, CHARLIE, HEATHER CHARLIE, SKLAR CHARLIE, TATE CHARLIE, VERNON CHARLIE, RENA CRAWLEY, STEVEN CRAWLEY, JENNIFER CONNOLLY, DEBORAH DANIELS-GARCIA, DANNY DANIELS, CHEYENNE SIERRA LEWIS, ERNSET ERIC SHERFIELD, RENE E VILLARREAL, DAVID YELTON, FLORENCE YELTON, GARY YELTON, HARRY YELTON, KAREN YELTON, KELLY YELTON, RICKY YELTON, MARY MARTINEZ, JEANINE GONZALES, AND ROES 1-100

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Dated: October 20, 2010

SNR DENTON US LLP

By: /s/ Ian R. Barker  
Paula M. Yost  
Ian R. Barker

Attorneys for Defendants  
RAY BARNES, MARIAN BURROUGH (erroneously sued  
as "MARIAN BURROUGHS"), IVADELLE CASTRO  
(erroneously sued as "IVDELLE CASTRO"), IRENE  
LOWERY (erroneously sued as "IRENE LEWIS"),  
WILLIAM WALKER, CAROLYN WALKER, AND  
TWILA BURROUGH (erroneously sued as "TWILA  
BURROUGHS")

Dated: October 20, 2010

UNITED STATES ATTORNEY'S OFFICE — EASTERN  
DISTRICT OF CALIFORNIA

By: /s/ Edward A. Olsen (authorized October 20, 2010)  
Benjamin B. Wagner  
Edward A. Olsen

Attorneys for Defendant  
KEN SALAZAR

ORDER

The Parties having stipulated thereto and good cause appearing, IT IS HEREBY ORDERED THAT:

1. The responsive pleading of defendant Ken Salazar shall be due no later than November 22, 2010;
2. Responsive pleadings of Tribal Defendants and any other individual defendant who is a member of Table Mountain Rancheria and who elects to accept service under the terms of this stipulation by joining Tribal Defendants' motion to dismiss (collectively "Stipulating Tribal Defendants") shall be due no later than November 22, 2010;
3. Stipulating Tribal Defendants may file one consolidated brief, which shall not exceed 40 pages, in support of a motion to dismiss;
4. Defendant Ken Salazar may file a separate brief, which shall not exceed 40 pages, in support of his motion to dismiss;
5. No later than December 20, 2010, plaintiffs may file one consolidated brief in opposition to each motion to dismiss of defendant Ken Salazar and the Stipulating Tribal Defendants, and each opposition shall not exceed 40 pages;
6. Not later than January 14, 2011, Stipulating Tribal Defendants may file one consolidated reply brief, which shall not exceed 20 pages, in support of their motion to dismiss;
7. Not later than January 14, 2011, defendant Ken Salazar may file a separate reply brief, which shall not exceed 20 pages, in support of his motion to dismiss;
8. The motions to dismiss of defendant Ken Salazar and Stipulating Tribal Defendants shall be consolidated for a single hearing during the Court's civil and motion calendar on Monday, January 24, 2011, at 10:00 a.m., or at another date and time convenient for the Court;

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- 9. Service on Stipulating Tribal Defendants shall be deemed effective as of the date the Court approves and gives effect to this stipulation; and
- 10. Given the uncertainty of service on any defendant, the Mandatory Scheduling Conference currently set for November 17, 2010, shall be vacated, to be reset, if appropriate, following resolution of potential service disputes and any motions to dismiss.

IT IS SO ORDERED.

Dated: October 21, 2010

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE