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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 CLIFFORD M. LEWIS, et al.,

12 Plaintiffs,

13 v.

14 KEN SALAZAR, Secretary of the Interior for
the United States of America, et al.,

15 Defendants.
16
17

CASE NO. 1:10-CV-01281-OWW-DLB

**STIPULATION TO MODIFY BRIEFING
SCHEDULE AND HEARING DATE; AND
ORDER**

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19 Plaintiffs and Defendants, by and through their attorneys of record, hereby stipulate, subject to
20 approval by the Court, to modify the briefing schedule and hearing date in the above-captioned
21 proceeding, in light of the following:

22 (1) Plaintiffs filed a Complaint on July 16, 2010, and a First Amended Complaint on August 17,
23 2010.

24 (2) On October 26, 2010, the Court adopted the parties' proposed briefing schedule pursuant to
25 which the Tribal Defendants' and the Federal Defendant's respective motions to dismiss were due on
26 November 22, 2010; (2) oppositions by the plaintiffs were due on December 20, 2010; (3) defendants'
27 replies were due on January 14, 2011; and a hearing was scheduled for January 24, 2011.

28 (3) Although the Tribal Defendants and the Federal Defendant each filed timely motions to
dismiss, plaintiffs inadvertently overlooked the deadline for filing their oppositions to the motions to

1 dismiss and did not file their opposition to the Tribal Defendants' motion to dismiss until December 31,
2 2010, and did not file their opposition to the Federal Defendant's motion to dismiss until January 5,
3 2011.

4 (4) In order to give the Tribal Defendants and the Federal Defendant fair and sufficient time to
5 prepare and file their respective replies, the parties agree, subject to approval of the Court, to modify
6 the briefing schedule and hearing date as follows:

7 **Deadline for the filing of the defendants' replies: February 11, 2011**

8 **Hearing Date: March 21, 2011**

9 The parties recognize that the next available hearing date on the Court's calendar is March 21,
10 2011, but would of course accept any sooner hearing date following the submission of their replies on
11 February 11, 2011, if suitable to the Court.

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13 Dated: January 10, 2011 */s/ Richard Hamlish*
14 RICHARD HAMLISH
15 Law Offices of Richard Hamlish
16 Attorney for Plaintiffs

17 Dated: January 10, 2011 BENJAMIN B. WAGNER
18 UNITED STATES ATTORNEY

19 By: */s/ Edward A. Olsen*
20 EDWARD A. OLSEN
21 Assistant United States Attorney
22 Attorneys for Federal Defendant

23 Dated: January 10, 2011 SNR DENTON US LLP
24 By: */s/ Ian R. Barker*
25 PAULA M. YOST
26 IAN R. BARKER
27 Attorneys for Tribal Defendants

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IT IS SO ORDERED.

Dated: January 11, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE

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