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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

CLUB ONE CASINO, INC., GLCR,

Plaintiffs,

v.

SALLY M. JEWELL, LAWRENCE S.  
ROBERTS, UNITED STATES  
DEPARTMENT OF INTERIOR,

Defendants,

CASE NO. 1:16-CV-01908 AWI EPG

**SCHEDULING CONFERENCE ORDER**

Plaintiff’s Motion  
for Summary Judgment: June 30, 2017

Defendants’ Motion  
for Summary  
Judgment/Opposition: July 31, 2017

Plaintiffs’  
Opposition/Reply: August 30, 2017

Defendants’ Reply: September 27, 2017

This Court conducted an Initial Scheduling Conference on March 29, 2017. Robert Links appeared telephonically on behalf of Plaintiffs. Joseph Watson appeared telephonically on behalf of Defendants. Pursuant to Fed. R. Civ. P. 16(b), this Court sets a schedule for this action.

**I. Amendments to The Parties’ Pleadings**

Additional amendments to pleadings are not anticipated or authorized.

**II. Consent To Magistrate Judge**

The parties have not consented to Magistrate Judge jurisdiction.

**III. Preparation of the Administrative Record**

Defendants have agreed to prepare the administrative record in this case and lodge it with the Court no later than **May 14, 2017**. If Plaintiffs wish to challenge the administrative record, they should consult with Federal Defendants by **June 14, 2017** and file a motion to supplement the record by **June 30, 2017**. Federal Defendants shall file a response by **July 31, 2017**. Plaintiffs may file a reply by **August 14, 2017**. In such case, the parties shall submit to the Court a new

1 briefing schedule for summary judgment as soon as the motion to supplement the record is  
2 decided by the Court.

3 **IV. Dates for Filing Briefs**

4 Plaintiffs have requested that the Court set a briefing schedule for the parties to file cross-  
5 motions for summary judgment. All motions will be heard before United States District Judge  
6 Anthony W. Ishii in Courtroom 2. The Court will advise the parties if a hearing on any motion is  
7 required after reviewing the briefing. Given the nature of this case, the parties are not required to  
8 submit a joint statement of undisputed facts when filing motions for summary judgment.  
9 However, prior to filing such motion, the parties are ordered to meet, in person or by telephone,  
10 and discuss the issues to be raised in the motion at least twenty-one days prior to filing the  
11 motion. The purpose of the meeting shall be to: 1) avoid filing motions for summary judgment  
12 where a question of fact exists; 2) determine whether the respondent agrees that the motion has  
13 merit in whole or in part; 3) discuss whether issues can be resolved without the necessity of  
14 briefing; 4) narrow the issues for review by the court; and 5) explore the possibility of settlement  
15 before the parties incur the expense of briefing a summary judgment motion.

16 Dates for the filing of briefs are outlined below:

17 **June 30, 2017** Plaintiffs shall file their motion for summary judgment.

18 **July 31, 2017** Defendants shall file their combined cross-motion for summary  
19 judgment and opposition to Plaintiffs' motion for summary  
judgment.

20 **August 30, 2017** Plaintiffs shall file their combined opposition to Defendants' cross-  
21 motion for summary judgment and reply in support of Plaintiffs'  
22 motion for summary judgment.

23 **September 27, 2017** Defendants shall file their reply in support of their cross-motion for  
summary judgment.

24 **V. Settlement Conference**

25 A settlement conference has not been scheduled because the parties have indicated that the  
26 case involves a legal issue that needs to be resolved by judicial decision. The parties may contact  
27 the Court if they determine that a settlement conference would be beneficial at any stage of the  
28

1 proceedings.

2 **VI. Related Matters Pending**

3 The parties list *Cal-Pac Cordova, LLC v. U.S. Dep't of the Interior, Et Al.*, Case No. 2:16-  
4 CV-02982-KJM-KJN; *Stand Up for California! v. U.S. Dept. of Interior*, No. 2:16-CV-02681-  
5 AWI-EPG; and *Picayune Rancheria of Chukchansi Indians*, No. 1:16-CV-00950-AWI-EPG as  
6 related cases. Plaintiffs also identify two cases currently pending before the California Supreme  
7 Court that involve similar issues: *United Auburn Indian Community v. Brown*, 4 Cal.App.5th 36  
8 (2016) and *Stand Up for California! v. State of California*, 6 Cal.App.5th 686 (2016).

9 **VII. Effect Of This Order**

10 This order represents the Court and the parties' best estimated schedule to complete this  
11 case. Any party unable to comply with the dates outlined in this order shall immediately file an  
12 appropriate motion or stipulation identifying the requested modification(s).

13 *The dates set in this Order are considered to be firm and will not be modified absent a*  
14 *showing of good cause, even if a stipulation to modify is filed.* Stipulations extending the  
15 deadlines contained herein will not be considered unless they are accompanied by affidavits or  
16 declarations with attached exhibits, where appropriate, that establish good cause for granting the  
17 requested relief. Due to the impacted nature of the civil case docket, this Court disfavors requests  
18 to modify established dates.

19 All counsel are expected to familiarize themselves with the Federal Rules of Civil  
20 Procedure and the Local Rules of the Eastern District of California and to keep abreast of any  
21 amendments thereto. The Court requires strict compliance with these rules. Sanctions will be  
22 imposed for failure to follow the rules as provided in both the Federal Rules of Civil Procedure  
23 and the Local Rules of the Eastern District of California.

24 Failure to comply with this order shall result in the imposition of sanctions.  
25 IT IS SO ORDERED.

26 Dated: April 11, 2017

27 /s/ Eric P. Gray  
28 UNITED STATES MAGISTRATE JUDGE