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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TIMBISHA SHOSHONE TRIBE, No. 2:08-cv-03060-MCE-DAD
Plaintiff,

v.

RELATED CASE ORDER

DIRK KEMPTHORNE; SECRETARY OF
THE UNITED STATES DEPARTMENT
OF THE INTERIOR, et al.,
Defendants.

_____/
TIMBISHA SHOSHONE TRIBE, No. 2:09-cv-00246-LKK-EFB
et al.,
Plaintiffs,

v.

KEN SALAZAR, SECRETARY OF THE
INTERIOR, et al.,
Defendants.

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1 Examination of the above-entitled civil actions reveals that
2 these actions are related within the meaning of Local Rule 83-
3 123(a) (E.D. Cal. 1997). The actions involve many of the same
4 defendants and are based on the same or similar claims, the same
5 property transaction or event, similar questions of fact and the
6 same questions of law, and would therefore entail a substantial
7 duplication of labor if heard by different judges. Accordingly,
8 the assignment of the matters to the same judge is likely to
9 effect a substantial savings of judicial effort and is also
10 likely to be convenient for the parties.

11 The parties should be aware that relating the cases under
12 Local Rule 83-123 merely has the result that both actions are
13 assigned to the same judge; no consolidation of the action is
14 effected. Under the regular practice of this court, related
15 cases are generally assigned to the district judge and magistrate
16 judge to whom the first filed action was assigned.

17 IT IS THEREFORE ORDERED that the action denominated 2:09-cv-
18 00246-LKK-EFB, Timbisha Shoshone Tribe, et al. v. Ken Salazar, et
19 al. is reassigned to Judge Morrison C. England, Jr. and Dale A.
20 Drozd for all further proceedings, and any dates currently set in
21 this reassigned case only is hereby VACATED. The Clerk of the
22 Court is to issue an Order Requiring Joint Status Report.
23 Henceforth, the caption on documents filed in the reassigned case
24 shall be shown as 2:09-cv-00246-MCE-DAD.

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1 IT IS FURTHER ORDERED that the Clerk of the Court make
2 appropriate adjustment in the assignment of civil cases to
3 compensate for this reassignment.

4 IT IS SO ORDERED.

5 Dated: February 2, 2009



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8 MORRISON C. ENGLAND, JR.
9 UNITED STATES DISTRICT JUDGE
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