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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALTURAS INDIAN RANCHERIA,

NO. CIV. S-10-1997 LKK/EFB

Plaintiff,

v.

O R D E R

KENNETH L. SALAZAR,
et al.,

Defendants.

_____ /

A hearing on plaintiff's Motion for Partial Summary Judgment, ECF No. 81 is currently set for August 10, 2011.

In an order dated March 31, 2011, this court STAYED this matter pending final resolution of the administrative adjudication of the governance dispute within the Department of the Interior. The Department's Interior Board of Indian Appeals (IBIA) has not yet issued a decision on the Del Rosa faction's appeal of the October 22, 2010 decision by the Department. See Pl.'s Memo 9:9-10, ECF No. 81-1; Def.'s Oppo Memo 7:4, ECF No. 92. The court notes that briefing on the IBIA appeal was completed on April 22, 2011,

1 but the IBIA has not yet rendered a decision. Pl.'s Memo 9:9-10.
2 Plaintiff's motion is therefore not cognizable given the court's
3 order staying this matter.

4 Accordingly, the court ORDERS as follows:

5 [1] The August 10, 2011 hearing on Plaintiff's Motion
6 for Partial Summary Judgment, ECF No. 81, is VACATED.


7 [2] A hearing on whether to lift the stay is SET for
8 August 15, 2011. Briefs in support or in opposition to
9 lifting the stay are due on August 9, 2011.

10 [3] In lieu of briefs in support and opposition, the
11 parties MAY file a stipulation agreeing to lift the stay
12 of this matter.

13 IT IS SO ORDERED.

14 DATED: August 2, 2011.

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LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT