

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

CACHIL DEHE BAND OF WINTUN  
INDIANS OF THE COLUSA INDIAN  
COMMUNITY, a federally recognized Indian  
Tribe,

*Plaintiff,*

v.

S.M.R. JEWELL, Secretary of the Interior, *et*  
*al.*,

*Defendants.*

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UNITED AUBURN INDIAN COMMUNITY  
OF THE AUBURN RANCHERIA,

*Plaintiff,*

v.

S.M.R. JEWELL, Secretary of the Interior, *et*  
*al.*,

*Defendants.*

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CITIZENS FOR A BETTER WAY, *et al.*,

*Plaintiffs,*

v.

UNITED STATES DEPARTMENT OF THE  
INTERIOR, *et al.*,

*Defendants.*

CASE NO. 2:12-CV-03021-TLN-AC

**STIPULATION AND ORDER TO  
MODIFY ORDER GOVERNING  
FURTHER PROCEEDINGS (DOCKET  
NOS. 69, 82, 85)**

1 Plaintiffs UNITED AUBURN INDIAN COMMUNITY OF THE AUBURN  
2 RANCHERIA (“UAIC”), CACHIL DEHE BAND OF WINTUN INDIANS OF THE COLUSA  
3 INDIAN COMMUNITY (“Colusa”), CITIZENS FOR A BETTER WAY, ET AL. (“Citizens”),  
4 and defendants SALLY JEWELL, ET AL. (“Federal Defendants”), hereby stipulate and request  
5 that the Court issue the following order to modify the Stipulation and Order Governing Further  
6 Proceedings (Docket No. 69 (entered Mar. 4, 2013), as modified by Docket No. 82 (entered June  
7 5, 2013) and Docket No. 85 (entered August 13, 2013) (“Stipulated Order”)) in these  
8 consolidated cases. Counsel for Citizens and counsel for Federal Defendants attempted to  
9 contact counsel for Defendant Intervenor the Estom Yumeka Maidu Tribe of the Enterprise  
10 Rancheria, California (“Enterprise”) regarding this stipulation, but had not heard back from  
11 Enterprise by the time of filing.

12 Paragraph 4 of the Stipulated Order shall be modified to reflect that Federal Defendants  
13 lodged an amended Administrative Record with the Court on April 10, 2014, that Plaintiffs have  
14 raised objections regarding the amended Administrative Record, and that the Parties have agreed  
15 to extend the current deadline of April 28, 2014 for filing objections to the Administrative  
16 Record to allow for the resolution of those objections, to read as follows:

17 4. Federal Defendants lodged an amended Administrative Record with the Court on  
18 April 10, 2014 (*see* Docket No. 86). The parties have since discovered that the amended  
19 Administrative Record and associated index contain errors. Federal Defendants have agreed to  
20 provide Plaintiffs with a corrected version of the amended Administrative Record so that  
21 Plaintiffs can conclude their review of the adequacy of the amended Administrative Record.  
22 Any objections to, including motions to supplement, the amended Administrative Record shall  
23 be filed on or before the 14th day following Federal Defendants’ delivery to Plaintiffs of a  
24 corrected amended Administrative Record and index. The Parties shall meet and confer to  
25 resolve conflicts pertaining to the corrected amended Administrative Record, if any, prior to  
26 Federal Defendants lodging a corrected version of the amended Administrative Record and  
27

1 Plaintiffs filing motions with the Court, which motion(s) shall be calendared on the earliest  
2 available date.

3 Paragraph 5 of the Stipulated Order shall be modified to read as follows:

4 5. Plaintiffs' Motion(s) for Summary Judgment shall be filed on or before the later  
5 of 28 days after the lodging of the corrected amended Administrative Record with the Court, or  
6 28 days after resolution by the Court of any objections to, including motions to supplement, the  
7 corrected amended Administrative Record. Federal Defendants shall lodge a certified  
8 Supplement to the corrected amended Administrative Record, if necessary, as soon as practicable  
9 after the Court resolves any objections to, including motions to supplement, the corrected  
10 amended Administrative Record. Plaintiffs shall calendar the hearing on their Motion(s) for  
11 Summary Judgment on the first available hearing date on or after the 90th day following filing of  
12 the last-filed Motion for Summary Judgment. Federal Defendants' Combined Cross-Motion(s)  
13 for Summary Judgment and Opposition(s) to Plaintiffs' Motion(s) for Summary Judgment shall  
14 be filed no later than 30 days after the last-filed Motion for Summary Judgment. Plaintiffs'  
15 Combined Opposition(s) to Defendants' Cross-Motion for Summary Judgment and Reply(ies), if  
16 any, in support of their Motion(s) for Summary Judgment shall be filed no later than 30 days  
17 thereafter. Federal Defendants' Reply(ies), if any, in support of their Cross-Motion(s) for  
18 Summary Judgment shall be filed no later than 14 days thereafter.

19 The remaining provisions of the Stipulated Order shall remain unchanged.  
20

21 DATED: April 25, 2014

Respectfully submitted,

22 /s/ Tyler Welti

23 Tyler Welti

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24 /s/ Peter Kryn Dykema (authorized on Aug. 12,  
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28 Trial Attorney

U.S. Department of Justice

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Natural Resources Section

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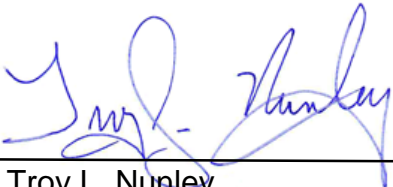
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*Counsel for Federal Defendants*

24 So Ordered.  
25 Dated: April 29, 2014

26   
27

28 Troy L. Nunley  
United States District Judge