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**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.

UNITED AUBURN INDIAN COMMUNITY
OF THE AUBURN RANCHERIA,

Plaintiff,

v.

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

Defendants.

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, 91)**

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 defendants SALLY JEWELL, ET AL. (“Federal Defendants”), and defendant intervenor the
5 ESTOM YUMEKA MAIDU TRIBE OF THE ENTERPRISE RANCHERIA, CALIFORNIA
6 (“Enterprise”) hereby stipulate and request that the Court issue the following order to modify the
7 Stipulation and Order Governing Further Proceedings (Docket No. 69 (entered Mar. 4, 2013), as
8 modified by Docket No. 82 (entered June 5, 2013), Docket No. 85 (entered August 13, 2013),
9 and Docket No. 91 (entered April 30, 2014)) (“Stipulated Order”) in these consolidated cases.

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

16 4. Federal Defendants lodged an amended Administrative Record with the Court on
17 April 10, 2014 (*see* Docket No. 86). The parties have since discovered that the amended
18 Administrative Record and associated index contain errors and that several documents are
19 missing from the amended Administrative Record. Federal Defendants have agreed to correct
20 those errors and file a certified second amended Administrative Record containing the missing
21 documents. Any objections to, including motions to supplement, the second amended
22 Administrative Record shall be filed on or before the 7th day following Federal Defendants’
23 delivery to Plaintiffs of a copy of the second amended Administrative Record and index as
24 lodged with the Court. The Parties shall meet and confer to resolve conflicts pertaining to the
25 second amended Administrative Record, if any, prior to Plaintiffs filing motions with the Court,
26 which motion(s) shall be calendared on the earliest available date.

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

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

17 The remaining provisions of the Stipulated Order shall remain unchanged.

18
19 DATED: May 9, 2014

Respectfully submitted,

20 /s/ Tyler Welti

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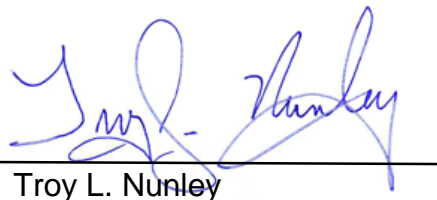
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Counsel for Defendant Intervenor Enterprise

23 So Ordered.

24 Dated: May 13, 2014 _

25 

26 Troy L. Nunley

27 United States District Judge