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15 IN THE UNITED STATES DISTRICT COURT
16 EASTERN DISTRICT OF CALIFORNIA

17 WENDY DEL ROSA AND ALTURAS
INDIAN RANCHERIA, *et al.*,

18 Plaintiffs,

19 v.

20 RYAN ZINKE, Secretary of the United States
Department of the Interior, *et al.*,

21 Defendants.
22

CASE NO. 2:17-CV-01750-TLN-CMK

**STIPULATION AND ORDER FOR
EXTENSION OF TIME TO RESPOND TO
COMPLAINT, and TO FILE JOINT
STATUS REPORT**

[E.D. Cal. Local Rule 144(a)]

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24 Plaintiffs served their complaint in this matter on the United States Attorney's Office on or about
25 August 24, 2017. Pursuant to Federal Rule of Civil Procedure 4(i), the United States' responsive
26 pleading originally was due on October 23, 2017. Defendants filed a notice of related case (Dkt. No. 4),
27 and the Court re-assigned the case based on that notice, but there has been no substantive activity in the
28 matter. The parties previously agreed to extensions of time for the United States to respond, up to and

1 including January 5, 2018, to allow attorneys for the United States to evaluate the complex issues in the
2 case and coordinate a response within the Department of Justice and the Department of the Interior.
3 During that process, U.S. Attorney McGregor Scott was confirmed by the Senate. While the parties did
4 not expect to request further extensions, the United States discovered a potential conflict of interest
5 based on Mr. Scott's private employment prior to his confirmation as U.S. Attorney for this district.
6 Thus, the parties stipulated, and the court ordered, an extension of the January 5 date until February 5,
7 2018. (Docket Nos.12 and 13).

8 Upon investigation, the Department of Justice determined that Mr. Scott did have such a conflict,
9 and that it was appropriate to recuse the entire U.S. Attorney's Office for the Eastern District of
10 California from participation in this case. Consequently, the matter was sent to the Environment and
11 Natural Resources Division of the Department of Justice to handle, and was recently assigned to
12 undersigned counsel for the United States. Given the complex nature of the issues and the recent
13 reassignment of this case, the United States needs additional time to gather pertinent information, and
14 coordinate within the Department of Justice and Department of the Interior, to craft a response to the
15 Complaint.

16 Therefore, Plaintiffs and Defendants, by and through their respective counsel, and pursuant to
17 Local Rule 144, hereby stipulate and propose as follows:

- 18 (1) Defendants shall have an extension of 35 days, up to and including March 19, 2018,
19 within which to respond to Plaintiffs' Complaint; and
20 (2) The deadline for submitting the Joint Status Report shall be continued to March 26,
21 2018.

21 Respectfully Submitted,

22 Dated: February 2, 2018.

JEFFREY H. WOOD
Acting Assistant Attorney General

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24 /s/ Andrea L. Berlowe
ANDREA L. BERLOWE
Senior Counsel

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26 /s/ Lester J. Marston (authorized 02/01/18)
27 LESTER J. MARSTON
Attorney for Plaintiff
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1 Good Cause Appearing, IT IS SO ORDERED.

2 (1) Defendants shall respond to Plaintiffs' Complaint on or March 19, 2018; and

3 (2) The parties shall submit a Joint Status Report on or before March 26, 2018.

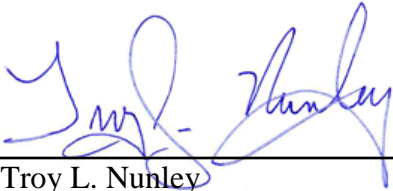
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5 Dated: 2/12/2018

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Troy L. Nunley
United States District Judge

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