

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

HOPLAND BAND OF POMO INDIANS ET AL.,

No. C 12-00556 CRB

Plaintiffs,

**ORDER TO SHOW CAUSE WHY
CASE SHOULD NOT BE STAYED**

v.

SALAZAR ET AL.,

Defendants.

The parties have filed cross-motions for summary judgment, which are currently set for hearing on Friday, October 26, 2012, at 10:00 a.m. See dkts. 21, 32. The briefing on those motions reveals that a case presenting very similar facts and legal issues is currently on appeal in the Ninth Circuit, where the appeal has already been fully briefed. Los Coyotes Band of Cahuilla v. Salazar, No. 10CV1448 AJB (NLS), 2011 U.S. Dist. LEXIS 125213 (S.D. Cal. Oct. 28, 2011), appeal docketed, No. 11-57222 (9th Cir. Dec. 22, 2011).

As the Ninth Circuit’s resolution of that case is likely to resolve important legal disputes presented in the parties’ motions, the Court **ORDERS BOTH PARTIES TO SHOW CAUSE** why further proceedings in this case should not be stayed pending the Ninth Circuit’s resolution of Los Coyotes.

//
//

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Both parties shall simultaneously submit briefs of no more than five pages responding to this Order by 5:00 p.m. Friday, October 19, 2012.

IT IS SO ORDERED.

Dated: October 16, 2012



CHARLES R. BREYER
UNITED STATES DISTRICT JUDGE