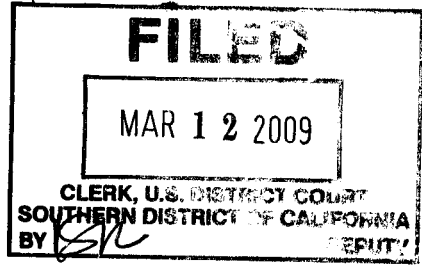


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Civil No. 51cv1247 GT(RBB)
Plaintiff,	)	ORDER PARTIALLY LIFTING STAY
RAMONA BAND OF CAHUILLA,	)	
CAHUILLA BAND OF INDIANS, et	)	
al.,	)	
Plaintiff-Intervenors,	)	
v.	)	
FALLBROOK PUBLIC UTILITY	)	
DISTRICT, et al.,	)	
Defendants.	)	

The order previously issued by the Court imposing a stay in this action is partially lifted to allow any water district that (1) has appeared in this action, (2) has been served with a copy of the complaint, or (3) otherwise has standing, including the Eastern Municipal Water District, Elsinore Valley Municipal Water District, Fallbrook Public Utility District, Rainbow Municipal Water District, and Western Municipal Water District, to file a motion to quash service of summons on the basis that it is not authorized to accept service on behalf of anyone obtaining water from the

1 district. The motion to quash shall be filed so that it may be  
2 heard on April 27, 2009, at 10:00 a.m. before Magistrate Judge  
3 Ruben B. Brooks. The motions, oppositions, and reply memoranda  
4 shall comply with the page and format limitations contained in the  
5 local rules.

6 The stay in this action is also lifted for the limited purpose  
7 of permitting James Markman and B. Tilden Kim, of Richards, Watson  
8 & Gershon, counsel for Gregory V. Burnett and other landowners, to  
9 file, on behalf of no more than six representative landowner-  
10 clients with standing, a motion to quash service of summons on any  
11 of the following grounds: (1) The service of the complaint in  
12 this action by third-class mail fails to comply with the Federal  
13 Rules of Civil Procedure and is invalid; (2) the service of the  
14 complaint on fewer than all joint owners of an affected parcel of  
15 property is invalid; and (3) the service of the complaint on a  
16 predecessor owner is invalid as to a current owner. The motion to  
17 quash shall be filed so that it may be heard on May 11, 2009, at  
18 10:00 a.m. before Magistrate Judge Ruben B. Brooks. The motions,  
19 oppositions, and reply memoranda shall comply with the page and  
20 format limitations contained in the local rules.

21 If counsel for any moving party determines that the grounds  
22 listed above cannot be raised in a motion to quash service of  
23 summons, counsel shall limit the motion to only those grounds that  
24 may be asserted in a motion to quash.

25  
26 DATED: March 12 2009

  
Gordon Thompson, Jr., Judge  
United States District Court

27  
28 cc:  
All Parties of Record