

# In The United States Court of Federal Claims

No. 02-25L

(Filed: April 13, 2011)

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JICARILLA APACHE NATION, formerly  
JICARILLA APACHE TRIBE,

Plaintiff,

v.

THE UNITED STATES,

Defendant.

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## ORDER

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On April 13, 2011, a status conference was held in this case. Participating in the conference were Steven Gordon, on behalf of plaintiff, and Stephen Terrell, on behalf of defendant. In accordance with discussions held therein, the court adopts the schedule below:

1. On or before May 31, 2011, the parties shall file any motions for summary judgment under RCFC 56.
2. On or before August 15, 2011, the parties shall file all other pre-trial motions, including motions *in limine* and motions directed at expert opinion testimony. The court recognizes that the parties may file motions *in limine* up to, and including in, trial based upon evidence introduced or sought to be introduced at the pre-trial or at the trial.
3. On or before September 12, 2011, the parties shall file a joint statement setting forth a list of exhibits to be offered at trial.
4. On or before September 12, 2011, the parties shall file a joint statement setting forth a list of witnesses to be called at trial. As to each witness, the parties shall comply with the requirements of Appendix A, ¶ 15.

5. On or before September 30, 2011, the parties shall file a stipulation setting forth all factual matters as to which they agree.
6. On or before October 28, 2011, the parties shall simultaneously file their respective memorandum of contentions of fact and law. The memorandum shall not exceed 50 pages and shall contain a summary of the party's basic factual contentions, together with any applicable legal authority. *See* Appendix A, ¶ 14(a).
7. A pre-trial conference will be held on October 31, 2011, at 9:30 am (EST) at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be posted in the lobby on the day of the conference.
8. Trial will commence on November 7, 2011 at the United States Court of Federal Claims, National Courts Building, 717 Madison Place, N.W., Washington, D.C. 20005. The courtroom location will be supplied at a later date.
9. The court modifies its April 9, 2010, order and hereby relieves the parties of their obligation to file a joint status report due on June 14, 2011.

**IT IS SO ORDERED.**

s/ Francis M. Allegra  
Francis M. Allegra  
Judge