| 1 2      | TODD KIM<br>Assistant Attorney General  |  |  |
|----------|---|--|--|
| 3        | Amber Dutton-Bynum United States Department of Justice  |  |  |
| 4        | United States Department of Justice<br>Environment & Natural Resources Division<br>Natural Resources Section                    |  |  |
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| 6        | Washington, D.C. 200044-7611<br>Tel: (202) 305-0465<br>Amber.Dutton-Bynum@usdoj.gov   |  |  |
| 7        | Michelle Ramus  |  |  |
| 8        | United States Department of Justice Environment & Natural Resources Division  |  |  |
| 9        | Natural Resources Section P.O. Box 7611 Washington, D.C. 200044-7611 Tel: (202) 514-2598  |  |  |
| 10       |   |  |  |
| 11       | Michelle.Ramus@usdoj.gov  |  |  |
| 12       | Attorneys for Federal Defendants  |  |  |
| 13       |   |  |  |
| 14       | UNITED STATES DISTRICT COURT DISTRICT OF NEVADA   |  |  |
| 15       |   |  |  |
| 16<br>17 | JOSEPH HOLLEY INDIVIDUALLY AND ON BEHALF OF THE TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA as Tribal Council Chairman, | Case No. 2:24-cv-01629   |  |
| 18       | Plaintiff,  | Joint Motion to Modify Schedule for the Filing of Joint Status Reports |  |
| 19       | VS.   | Timing of come seatus reports  |  |
| 20       | UNITED STATES DEPARTMENT OF THE   |  |  |
| 21       | INTERIOR, BUREAU OF INDIAN AFFAIRS; and Bryan Mercier, as Acting Director of the  |  |  |
| 22       | Bureau of Indian Affairs,   |  |  |
| 23       | Defendants.   |  |  |
| 24       | On October 7, 2024, this Court ordered the parties—Plaintiff Joseph Holley  |  |  |
| 25       | ("Plaintiff"); Federal Defendants, U.S. Department of the Interior, Bureau of Indian Affairs, and                               |  |  |
| 26       | Bryan Mercier, in his official capacity as Acting Director of the BIA (collectively, "Federal                                   |  |  |
| 27       | Defendants"); Intervenor Plaintiff Housing Authority of the Te-Moak Tribe of Western  |  |  |
| 28       | Shoshone Indians of Nevada ("Housing Authority"); and Intervenor Plaintiff Steven McDade  |  |  |
|          | 1   |  |  |

("Mr. McDade")—to file a Joint Status Report on November 1, 2024, and every 28 days thereafter. ECF No. 34. The Parties filed their first Joint Status Report on November 1, 2024. ECF Nos. 38–39. Their next Joint Status Report is due November 29, 2024. Federal Rule of Civil Procedure 6(b)(1) permits an enlargement of time for good cause, such as that requested herein, "if a request is made, before the original time or its extension expires." Good cause exists for a brief seven-day extension of the next joint status report deadline, with the future deadlines resuming every 28 days thereafter. This is the first request to modify the schedule.

The day before the current deadline is November 28, 2024, which is a federal holiday. The next deadline is currently December 27, 2024, which falls between two additional federal holidays, December 25, 2024, and January 1, 2025. Undersigned counsel for Federal Defendants has long-planned leave for the holidays scheduled for November 27 through 29, 2024, and December 27, 2024, through January 2, 2025. By extending the deadline for the next joint status report by seven days to December 6, 2024, with the future deadlines resuming every 28 days thereafter, the following joint status report would be due January 3, 2025.

On November 21, 2024, undersigned counsel for Federal Defendants discussed the instant motion with Plaintiff's counsel, the Housing Authority's counsel, and Mr. McDade via email. Plaintiff's counsel, the Housing Authority's counsel, and Mr. McDade indicated they would join the motion. For the foregoing reasons, the parties respectfully request that this joint motion to modify the schedule for the filing of Joint Status Reports be granted. A proposed order is attached.

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| 1        | DATED this 22nd day of November, 2024.   | DATED this 22nd day of November, 2024.                                      |  |
|----------|--|---|--|
| 2        | SEMENZA RICKARD LAW  | THE LAW OFFICES OF CHARLES R. ZEH, ESQ                                      |  |
| 3        | Jarrod L. Rickard, Esq., Bar No. 10203   | <u>/s/ Charles R. Zeh, Esq.</u><br>Charles R. Zeh, Esq., Bar No. 1739       |  |
| 4        | 10161 Park Run Drive, Ste. 150<br>Las Vegas, Nevada 89145  | Pete Cladianos III, Esq., Bar No. 8406<br>50 West Liberty Street, Suite 950 |  |
| 5        | & JOHN W. MUIJE & ASSOCIATES   | Reno, NV 89501 Attorneys for the Housing Authority of the                   |  |
| 6        | John W. Muije, Esq., Bar No. 2419<br>3216 Lone Canyon Court  | Te-Moak Tribe of Western Shoshone Indians of<br>Nevada                      |  |
| 7        | N. Las Vegas, NV 89031 Attorneys for Plaintiff   |   |  |
| 8        | Allorneys for 1 lainly   |   |  |
| 9        | DATED this 22nd day of November, 2024.   | DATED this 22nd day of November, 2024.                                      |  |
| 11       | TODD KIM, Assistant Attorney General   |   |  |
| 12       | /s/ Michelle Ramus Michelle Ramus  | /s/ Steven Joseph McDade  |  |
| 13       | &  | Steven Joseph McDade<br>TeMoak Prosecutor                                   |  |
| 14       | Amber Dutton-Bynum United States Department of Justice   | PO Box 2568<br>Elko, NV 89801   |  |
| 15       | Environment & Natural Resources Division Natural Resources Section   |   |  |
| 16<br>17 | P.O. Box 7611<br>Washington, D.C. 200044-7611  |   |  |
| 18       | JASON M. FRIERSON, Nevada Bar No. 7709<br>United States Attorney, District of Nevada<br>KARISSA D. NEFF, Nevada Bar No. 9133 |   |  |
| 19       |  |   |  |
| 20       | Assistant United States Attorney 501 Las Vegas Blvd. So., Suite 1100   |   |  |
| 21       | Las Vegas, Nevada 89101 Counsel for Defendants   |   |  |
| 22       | Counsel for Defendants   |   |  |
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| 24       |  |   |  |
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## UNITED STATES DISTRICT COURT 1 DISTRICT OF NEVADA 2 3 JOSEPH HOLLEY INDIVIDUALLY AND ON BEHALF OF THE TE-MOAK TRIBE OF Case No. 2:24-cv-01629 WESTERN SHOSHONE INDIANS OF 4 NEVADA as Tribal Council Chairman, 5 [Proposed] Order Granting Joint Motion to Modify Schedule for the Plaintiff, 6 Filings of Joint Status Reports 7 UNITED STATES DEPARTMENT OF THE 8 INTERIOR, BUREAU OF INDIAN AFFAIRS; and Bryan Mercier, as Acting Director of the 9 Bureau of Indian Affairs, 10 Defendants. 11 Having considered the Parties' Joint Motion to Modify Schedule for the Filing of Joint 12 Status Reports in the above-captioned case, and pursuant to Federal Rule of Procedure 13 Rule 6(b)(1), it is hereby ORDERED that the motion is GRANTED. Therefore, the Parties are to 14 file their next Joint Status Report on December 6, 2024, and every 28 days thereafter, apprising 15 the Court of whether the stay should remain or be lifted. 16 17 The Hororable Gloria M. Navarro 18 United States District Judge 19 20 21 22 23 24 25 26 27

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