



UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

ALICIA UHOUSE, et al.

Case No. 3:08-cv-0285-LDG-RAM

vs.

UNITED STATES DEPARTMENT OF  
THE INTERIOR, BUREAU OF  
RECLAMATION; et al.

JUDY KROSHUS, et al.

Case No. 3:08-cv-0246-LDG-RAM

vs.

UNITED STATES OF AMERICA; et al.

~~PROPOSED~~ ORDER APPOINTING JUDGE FONDI AS SPECIAL MASTER

1. The above-referenced courts previously approved the Notice of Proposed Settlements that were sent to the class members.

2. The Notice of Proposed Settlements provided that settlement proceeds, after deducting attorneys' fees and costs of suits, will be distributed to class members allocated according to the level of water intrusion in each home:

Level 1- No water on property (generally not eligible to receive settlement funds);

Level 2- Water on property but no water in garage/crawlspace;

Level 3- Water in garage and/or crawlspace; and

Level 4- Water in living space

3. The Notice of Proposed Settlements further provided: "An engineer has used elevation surveys and other data to determine the level of water intrusion in each house. Each property owners' claim will be compared to the engineer's analysis. Any claim of level of water

1 intrusion inconsistent with the engineer's analysis will be submitted to the Court for determination."

2 4. The above-referenced courts have since approved the class action settlements with  
3 Defendants TCID Board of Directors, City of Fernley and County of Lyon.

4 5. Some members of the class submitted claims indicating a level of water intrusion  
5 inconsistent with the engineer's analysis.

6 6. Retired Judge Fondi is hereby appointed as a special master to entertain the class  
7 members claims that are inconsistent with the engineer's analysis and to issue a recommendation for  
8 order to the above-referenced courts for a decision as to the applicable water intrusion level for each  
9 home wherein the class member took issue with the engineer's allocation.

10 7. Retired Judge Fondi's fees will be paid from the settlement proceeds.

11 IT IS SO ORDERED.

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13 ~~UNITED STATES DISTRICT JUDGE~~  
UNITED STATES MAGISTRATE JUDGE

14 DATED: 10-11-11

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**CERTIFICATE OF SERVICE**

I hereby certify that I am an employee of the law offices of LEVERTY & ASSOCIATES LAW, CHTD and that on this date, I served a true copy of the within document by using the CM/ECF system which will send notification of such filing to counsel of record.

Dated this 28<sup>th</sup> day of September, 2011.

*Kathie Druart*

An employee of Leverty & Associates Law, Chtd.