1 2 3 4 5 6 7 8 IN THE UNITED STATES DISTRICT COURT 9 FOR THE DISTRICT OF NEVADA 10 SOUTH FORK BAND COUNCIL OF Case No. 3:08-CV-00616-LRH-RAM WESTERN SHOSHONE OF NEVADA; 11 TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS OF NEVADA; 12 TIMBISHA SHOSHONE TRIBE; SCHEDULING ORDER WESTERN SHOSHONE DEFENSE REGARDING PLAINTIFFS' CHALLENGE 13 PROJECT; and GREAT BASIN TO SUPPLEMENTAL FINAL EIS AND RESOURCE WATCH, NEW RECORD OF DECISION 14 Plaintiffs, 15 Judge: Larry R. Hicks V. 16 UNITED STATES DEPARTMENT OF Magistrate Judge: Robert A. McQuaid, Jr. 17 THE INTERIOR; UNITED STATES BUREAU OF LAND MANAGEMENT; 18 DOUGLAS W. FURTADO, District Manager, Battle Mountain Field Office, 19 Defendants, 20 and 21 BARRICK CORTEZ INC., 22 Defendant-Intervenor. 23 24 Pursuant to the Joint Motion of the parties, Plaintiffs South Fork Bank Council of Western 25 Shoshone of Nevada, Te-Moak Tribe of Western Shoshone Indians of Nevada, Timbisha 26 Shoshone Tribe, Western Shoshone Defense Project, and Great Basin Resource Watch 27 (collectively "Plaintiffs"), Defendants United States Department of the Interior, United States 28

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Bureau of Land Management, and Douglas W. Furtado ("BLM"), and Defendant-Intervenor Barrick Cortez Inc. ("Barrick"), proposing an agreed-upon schedule to govern the remaining litigation in this case, the Court, having considered the parties submissions and being fully advised in the matter,

HEREBY ORDERS that the following schedule shall govern the remainder of this litigation and that the parties file the following documents on the dates indicated:

BLM's submittal of the supplemental administrative record to all parties and this Court (in electronic format).	April 8, 2011
Plaintiffs file supplemental complaint, pursuant to FRCP 15, to raise issues identified in the Joint Motion.	April 15, 2011
BLM and Barrick file Answers to supplemental complaint.	April 29, 2011
Plaintiffs file opening summary judgment motion, limited to 40 pages.	May 13, 2011
BLM and Barrick file cross-motions for summary judgment, each limited to 40 pages.	June 10, 2011
Plaintiffs file consolidated response/reply on summary judgment, limited to 30 pages.	July 22, 2011
BLM and Barrick file replies on summary judgment, each limited to 20 pages.	Aug. 12, 2011
Barrick will prepare and file joint appendix containing copies of pages from the administrative record relied on in the briefs	Aug. 26, 2011

Oral Argument on the parties' cross motions for summary judgment shall be set for October 6, 2011, at 10:00 a.m.

The parties need not submit Statements of Material Fact in support of their motions and cross-motions and may simply cite to the administrative record previously lodged with the Court.

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DATED this 6th day of April, 2011. BY THE COURT: Sich LARRY R. HICKS UNITED STATES DISTRICT JUDGE