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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WALKER RIVER PAIUTE TRIBE, a)
federally recognized Indian tribe,)
)
Plaintiffs,)
)
v.)
)
UNITED STATES DEPARTMENT OF)
HOUSING AND URBAN)
DEVELOPMENT (“HUD”); SHAWN)
DONOVAN, Secretary of HUD;)
DEBORAH A. HERNANDEZ, General)
Deputy Assistant Secretary for the Office of)
Public and Indian Housing,)
)
Defendants.)

Case No: 3:08-CV-00627

**WALKER RIVER PAIUTE TRIBE’S
UNOPPOSED MOTION FOR LEAVE
TO FILE OVERLENGTH REPLY AND
OPPOSITION**

AND ORDER THEREON

Plaintiff WALKER RIVER PAIUTE TRIBE (hereinafter “WRPT” or “Plaintiff”), through its undersigned counsel, hereby requests that this court enter its order granting the WRPT the right to file a reply and opposition that exceeds the applicable 20 pages or 30 pages limit. The scheduling order requires the WRPT to file by February 27, 2012 a Reply to defendant’s opposition to the WRPT’s Motion for Summary Judgment, and Opposition to defendants’ Cross Motion for Summary Judgment (filed as one document). This one filing will be equivalent to two separate documents, thereby warranting exceeding the applicable 20 pages or 30 pages limit. Accordingly this court should grant the WRPT’s unopposed motion for leave to file an overlength reply and opposition.

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ARGUMENT

On February 8, 2012, this court entered a scheduling order that requires the WRPT to file a reply and opposition by February 27, 2012. Doc. 25. The order also requires the WRPT to file the reply and opposition as one document. Normally a reply in support of a motion for summary judgment and an opposition to a cross motion for summary judgment are filed as two separate documents. Local Rule 7-4 limits such replies to 20 pages, and such responses to 30 pages. However many of the WRPT's argument overlap, but the total number of pages should be less than 50 pages, but will likely be more than 30 pages. Given that filing the reply and opposition as one document will shorten the number of pages needed to fully brief the issues, exceeding the 20 page limit for replies and the 30 page limit for responses is warranted.

The WRPT's counsel contacted the Defendants' counsel regarding this motion and Defendants' counsel advised that she does not object to the request.

CONCLUSION

For the foregoing reasons, the WRPT requests that the court enter its order granting the WRPT the right to file an overlength brief that shall not exceed 50 pages.

RESPECTFULLY SUBMITTED on February 24, 2012.

Law Offices of Wes Williams Jr.

By: /s/ Wes Williams Jr.

Wes Williams Jr.

3119 Lake Pasture Rd.

P.O. Box 100

Schurz, Nevada 89427

Email: wwilliams@stanfordalumni.org

Attorney for Plaintiff Walker River Paiute Tribe

ORDER

IT IS SO ORDERED, nunc pro tunc.

DATED this 29th day of February, 2012.



LARRY R. HICKS

UNITED STATES DISTRICT JUDGE