

1 DANIEL G. BOGDEN
United States Attorney

2 GREG ADDINGTON
3 Nevada Bar No. 6875
Assistant United States Attorney
4 100 West Liberty, Suite 600
Reno, Nevada 89501
5 Tel.: (775) 784-5438
6 Fax: (775) 784-5181

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL, PARTIES OF RECORD	
<div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> <p>AUG - 4 2010</p> </div>	
CLERK US DISTRICT COURT	
DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

7 UNITED STATES DISTRICT COURT

8 DISTRICT OF NEVADA

<p>9</p> <p>10 JUDY KROSHUS, et al.,)</p> <p>11 Plaintiffs,)</p> <p>12 v.)</p> <p>13 UNITED STATES OF AMERICA, et)</p> <p>14 al.,)</p> <p>15 Defendants.)</p> <hr/> <p>16 ALICIA UHOUSE, et al.,)</p> <p>17 Plaintiffs,)</p> <p>18 v.)</p> <p>19 UNITED STATES DEPARTMENT OF)</p> <p>20 THE INTERIOR, et al.,)</p> <p>21 Defendants.)</p> <hr/> <p>22 BILL ADAMSON et al.,)</p> <p>23 Plaintiffs,)</p> <p>24 v.)</p> <p>25 UNITED STATES OF AMERICA,)</p> <p>26 Defendant.)</p> <hr/>	<p>3:08-cv-246-LDG-RAM</p> <p>ORDER ON (# 460)</p> <p>MOTION FOR ORDER PROVIDING</p> <p>FOR CLAWBACK OF INFORMATION</p> <p>INADVERTENTLY DISCLOSED</p> <p>3:08-cv-0285-LDG-RAM</p> <p>ORDER ON (# 217)</p> <p>MOTION FOR ORDER PROVIDING</p> <p>FOR CLAWBACK OF INFORMATION</p> <p>INADVERTENTLY DISCLOSED</p> <p>3:08-CV-621-LDG-RAM</p> <p>ORDER ON (# 93)</p> <p>MOTION FOR ORDER PROVIDING</p> <p>FOR CLAWBACK OF INFORMATION</p> <p>INADVERTENTLY DISCLOSED</p>
--	--

1) 3:09-CV-167-LDG-RAM
2 LARRY J. MOORE, et al.,)
3 Plaintiffs,)
4 v.) ORDER ON (# 81)
5 UNITED STATES OF AMERICA,) MOTION FOR ORDER PROVIDING
6 Defendant.) FOR CLAWBACK OF INFORMATION
INADVERTENTLY DISCLOSED

7) 3:09-CV-649-LDG-RAM
8 JAMES ADGETT, et al.,)
9 Plaintiffs,)
10 v.) ORDER ON (# 42)
11 UNITED STATES OF AMERICA,) MOTION FOR ORDER PROVIDING
FOR CLAWBACK OF INFORMATION
INADVERTENTLY DISCLOSED

12) 3:09-CV-713-LDG-RAM
13 JUDY KROSHUS, et al.,)
14 Plaintiffs,)
15 v.) ORDER ON (# 111)
16 UNITED STATES OF AMERICA, et) MOTION FOR ORDER PROVIDING
17 al.,) FOR CLAWBACK OF INFORMATION
Defendants.) INADVERTENTLY DISCLOSED

18)
19 BILL ADAMSON et al.,)
20 Plaintiffs,) 3:09-cv-715-LDG-RAM
21 v.) ORDER ON (# 48)
22 UNITED STATES OF AMERICA,) MOTION FOR ORDER PROVIDING
23 Defendant.) FOR CLAWBACK OF INFORMATION
INADVERTENTLY DISCLOSED

24 This matter came on for hearing before the Court on August
25 3, 2010. There being no objection to the proposed order and good
26 cause appearing therefor, IT IS HEREBY ORDERED AS FOLLOWS:
27

1 1. It is recognized that the prosecution
2 and defense of these related actions will
3 require each party to review and to disclose
4 large quantities of information and documents
5 through the discovery process. As a result,
6 documents and images of documents already
7 deposited or to be deposited with Sunshine
8 Litigation Services ("Sunshine")
9 inadvertently could include materials subject
10 to privilege or other legally recognized
11 protection (hereinafer "privileged
12 information") and therefore not subject to
13 disclosure in discovery. Such inadvertent
14 disclosure of privileged information or
15 documents is possible despite due diligence
16 and reasonable care taken to protect
17 privileged information.

18 2. Any party who has deposited materials
19 with Sunshine may request the other parties
20 to return privileged documents inadvertently
21 produced with non-privileged documents. Such
22 a request shall identify the document with
23 particularity and state the privilege or
24 protection being asserted and the basis for
25 the asserted claim.

26 3. Any party who has deposited
27 materials with Sunshine may assert a claim of
28 privilege after receiving notice that another
29 party intends to refer to, quote, cite, rely
30 upon or otherwise use the material or
31 information contained therein. In asserting
32 such a claim of privilege, the depositing
33 party shall at a minimum identify the
34 document with particularity and state the
35 privilege or protection being asserted and
36 the basis for the asserted claim. Such a
37 claim shall be made in a timely manner so
38 that the claim of privilege may be challenged
39 and any such challenge resolved without undue
40 delay. A claim of privilege made within 21
41 days after receiving such a notice shall be
42 regarded as timely.

43 4. If a party does not agree with the
44 assertion of a claim of privilege by a
45 depositing party under paragraphs 2 or 3, it
46 shall notify the depositing party within 14
47 days after the receipt of the claim of
48 privilege. The depositing party may, after
49 meeting and conferring as required by

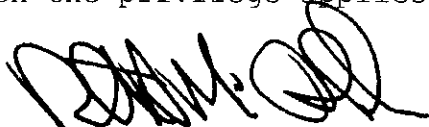
1 applicable rules, move the court for a
2 determination of that claim. The failure of
3 the depositing party to file such a motion
4 within 30 days after receiving notification
5 by another party of a disagreement regarding
6 a claim of privilege shall operate as a
7 waiver of the claim.

8 5. Once a document or information has
9 been identified as privileged in accordance
10 with paragraphs 2 or 3, no party shall in any
11 way copy, reproduce, refer to, quote, cite,
12 rely upon or otherwise use in any manner, any
13 such document or its contents in any
14 proceeding unless and until the Court
15 determines that the document is not protected
16 from discovery or the depositing party
17 withdraws or waives the claim of privilege
18 (except that the document or information may
19 be identified or produced, under seal or in
20 camera, in connection with a motion regarding
21 the validity of the claim of privilege).

22 6. If the claim of privilege is upheld
23 by the Court or the receiving party does not
24 challenge the claim of privilege, all copies
25 of the privileged documents so identified
26 shall be returned to the depositing party and
27 counsel for each party shall certify in
28 writing to counsel for the depositing party
that all such documents have been returned.

7. Inadvertent disclosure of any
information or document which the depositing
party later claims should not have been
disclosed because of any privilege will not
be deemed to constitute a waiver of the
privilege. No parties shall claim or
otherwise urge the Court to deem a privilege
to have been waived solely on the basis of
the inadvertent disclosure of the information
or documents to which the privilege applies.

23 Date: Aug. 4, 2010


ROBERT A. McQUAID, JR.
United States Magistrate Judge

CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing (proposed) ORDER ON MOTION FOR ORDER PROVIDING FOR CLAWBACK OF INFORMATION INADVERTENTLY DISCLOSED was made through the Court's electronic filing and notification or by sending a copy thereof by electronic mail from Reno, Nevada, addressed to the following addressee(s) on August 3, 2010.

Robert Hager, Esq. parrlawoffices@sbcglobal.net
Trevia Hearne, Esq. thearne@hagerhearnelaw.com
HAGER & HEARNE rhager@hagerhearnelaw.com
245 East Liberty, #110 775-329-5800
Reno, NV 89501 775-329-5819 (fax)
Counsel for Plaintiffs
Kroshus/Adamson

Lee Hotchkin, Esq. hotchkinlaw@sbcglogal.net
1025 Ridgeview Drive, Suite 200 lthotch@sbcglobal.net
Reno, NV 89519 775-786-5791
Counsel for Plaintiffs 775-786-8524 (fax)
Kroshus/Adamson

Robert Maddox, Esq. rmaddox@maddoxandassociates.com
Nancy Jасsulca, Esq. njасsulca@maddoxandassociates.com
10587 Double R Blvd., # 100
Reno, NV 89521 775-322-3666
Counsel for Plaintiffs 775-322-6338 (fax)
Uhouse/Adgett/Moore

Patrick Leverty, Esq. pat@levertylaw.com
Vernon Leverty, Esq. gene@levertylaw.com
William Ginn, Esq. bill@levertylaw.com
832 Willow Street
Reno, NV 89502 775-322-6636
Counsel for Plaintiffs 775-322-3953 (fax)
Uhouse/Adgett/Moore

Calvin R.X. Dunlap, Esq. worldlyx@att.net
Monique Laxalt, Esq. monique.laxalt@sbcglobal.net
537 Ralston Street 775-323-7790
Reno, NV 89503 775-323-5454 (fax)
Counsel for Plaintiffs
Uhouse/Adgett/Moore

William Doyle, Esq.
Roger Strassburg, Esq. bfinnell@doylelawgroup.com
THE DOYLE FIRM
1313 East Osborne Road 602-240-5055
Phoenix, AZ 85014 602-240-6951 (fax)
Counsel for TCID and Overvold

1 William Doyle, Esq. wdoyle@doylelawgroup.com
2 Roger Strassburg, Esq. roger.strassburg@cox.net
THE DOYLE FIRM bfinnell@doylelawgroup.com
3 8500 Capella Rico Avenue 702-240-9205
Las Vegas, NV 89117-9055 702-233-2107 (fax)
4 Counsel for TCID and Overvold

5 Michael VanZandt, Esq. mvanzandt@hansonbridgett.com
HANSON BRIDGETT LLP
6 425 Market Street, 26th Floor 415-777-3200
San Francisco, CA 94105 415-995-3566 (fax)
7 Counsel for TCID and Overvold

8 Lyman McConnell, Esq. lyman@tcid.org
1247 Rice Road
9 Fallon, NV 89406 775-423-6923/2141
Counsel for TCID and Overvold 775-423-5354 (fax)

10 Charles Burcham, Esq. clb@thorndal.com
11 THORNDAL, ARMSTRONG, DELK,
BALKENBUSH & EISENGER 775-786-2882
12 6590 S. McCarran Blvd., Suite B 775-786-8004
Reno, NV 89509
13 Counsel for Lyon County

14 Brent Kolvet, Esq. btk@thorndal.com
THORNDAL, ARMSTRONG, DELK,
15 BALKENBUSH & EISENGER 775-786-2882
6590 S. McCarran Blvd., Suite B 775-786-8004
16 Reno, NV 89509
Counsel for City of Fernley

17 Newel Knight, Esq. nbknight@sbcglobal.net
18 STEPHENS, KNIGHT & EDWARDS
401 Ryland Street, Suite 330 775-786-5776
19 Reno, NV 89502 775-786-5044 (fax)
Counsel for CAL Investments
20 and Eilrich

21 Michael Stoberski, Esq. mstoberski@rocgd.com
Zachary J. Thompson, Esq.
22 OLSON, CANNON, GORMLEY &
DESRUISSEAU 702-384-4012
23 9950 West Cheyenne Avenue 702-383-0701 (fax)
Las Vegas, NV 89129
24 Counsel for RE/MAX Realty
And Judy Ashton

25 Thomas Mirczak, Esq. glenna.gish@zurichna.com
26 CISNEROS CLAYSON & MARIAS thomas.mirczak@zurichna.com
One East First Street, #1400 775-326-8200
27 Reno, NV 89501 775-326-8206 (fax)
Counsel for King Construction
28

1 Anthony T. Case, Esq.
Hayley B. Chambers, Esq. cfedor@farmercase.com
2 Kathryn Holbert, Esq. rrokni@farmercase.com
FARMER CASE & FEDOR kholbert@farmercase.com
3 2510 Wigwam Pkwy, Suite 206 702-579-3900
Henderson, NV 89074 702-739-3001 (fax)
4 Counsel for Keystone Realty

5 John Aberasturi, Esq. jaberasturi@etsreno.com
ERICKSON THORPE & SWAINSTON lligouri@etsreno.com
6 99 West Arroyo Street 775-786-3930
Reno, NV 89509 775-786-4160 (fax)
7 Counsel for LL Realty

8 Clayton Brust, Esq. cbrust@rbslattys.com
Kent Robison, Esq. krobison@rbslattys.com
9 ROBISON BELAUSTEGUI SHARP & LOW 775-329-3151
71 West Washington Street 775-329-7941 (fax)
10 Reno, NV 89503
Counsel for Greater Nevada Builders,
11 Steve Campoy Contracting

12 Jean A. Weil, Esq. Jweil@weildrage.com
WEIL & DRAGE
13 6085 W. Twain Avenue, Suite 203 702-314-1905
Las Vegas, Nevada 89103 702-314-1909 (fax)
14 Counsel for Bidart, Ugalde,
and V-Point

15 Joan Wright, Esq. jwright@allisonmackenzie.com
16 Christopher MacKenzie, Esq. cmackenzie@allisonmackenzie.com
Virginia O'Neill, Esq. voneill@allisonmackenzie.com
17 ALLISON, MACKENZIE, etc.
402 N. Division Street
18 Carson City, NV 89702 775-687-0202
Counsel for Crisp Development 775-882-7918 (fax)
19 Inc. And Berle Crisp

20 Mark L. Gentile, Esq. mark@gentilelawproup.com
GENTILE LAW GROUP
21 1640 Alta Drive, Suite 12 702-251-8445
Las Vegas, NV 89106 702-253-7431
22 Counsel for Charles Prandi

23 Kelly R. Chase, Esq. kellyrchaselaw@aol.com
LAW OFFICE KELLY R. CHASE
24 P.O. Box 2800 775-782-3099
Minden, NV 89423 775-782-3082 (fax)
25 Counsel for Nevada Johnson, Inc.

26 Kenneth V. Ward, Esq. kenwardlaw@aol.com
P.O. Box 2500
27 Fernley, NV 89408 775-575-2228
Counsel for CTI, Inc. and 775-575-2257 (fax)
28 William Carlson

1 Ryan J. Mandell, Esq. ryan@renotahoelaw.com
2 GEORGESON ANGARA CHTD. 775-827-6440
3 5450 Longley Lane 775-827-9256
4 Reno, NV 89511
Counsel for Mary Noriega and
Adrien Noriega

5 Charles W. Spann, ESq. cspann@perryspann.com
6 PERRY SPANN & WESTBROOK 775-829-2002
7 6130 Plumas Street 775-829-1808 (fax)
Reno, NV 89519
Counsel for Latuska and Warn

8 Donald A. Lattin, Esq. dlattin@mclrenolaw.com
9 MAUPIN COX & LEGOY 775-827-2000
10 4785 Caughlin Parkway 775-827-2185 (fax)
Reno, NV 89520
Counsel for Matthews Land, Inc.

11 Michael Pintar, Esq. mpintar@bbg.net
12 Micheline Fairbank, Esq. mfairbank@bbg.net
13 BURTON BARTLETT & GLOGOVAC 775-333-0400
14 50 West Liberty Street, # 650 775-333-0412 (fax)
Reno, NV 89501
Counsel for Biral and Suennen

15 Christian L. Moore, Esq. clm@lge.net
16 LEMONS GRUNDY & EISENBERG 775-786-6868
17 6005 Plumas Street, Suite 300 775-786-9716 (fax)
Reno, NV 89519
Counsel for Meppen and Davis

18 /s/ Greg Addington
19 GREG ADDINGTON
20
21
22
23
24
25
26
27
28