UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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WESTERN EXPLORATION LLC, *et al.,* Plaintiffs, v. U.S. DEPARTMENT OF THE INTERIOR, *et al.,* Defendants.	Case No. 3:15-cv-00491-MMD-VPC ORDER

The Court has reviewed Plaintiff State of Nevada's Motion to Permit Supplemental Briefing ("Motion for Supplemental Briefing") and Motion to Postpone the February 1, 2017 Hearing ("Motion to Continue") (ECF No. 109), the responses thereto (ECF Nos. 115, 116, 118), and Defendants' response and motion to postpone the scheduled hearing ("Defendants' Motion") (ECF No. 117). Defendants support the continuance of the hearing to permit the incoming administration time to be briefed and consider whether any supplemental briefing should occur.[1] However, the Court has not decided whether to permit supplemental briefing, but will give the parties an opportunity to address this issue at the hearing. The Court agrees with Intervenor-Defendants that the hearing could be instructive on whether supplemental briefing should be permitted. The dispositive motions have been fully briefed and pending for quite some time and due to the Court's upcoming

[1]The Court understands the need to brief the incoming administration about this case, but in terms of the issues to be addressed at the hearing, they have been fully briefed so it is unclear what decisions would need to be made at this point. Nor do Defendants explain why the hearing cannot proceed in the meantime.

trial schedule, postponing the hearing will result in further delays of several months.[2] The February 1, 2017, hearing will proceed as scheduled and if the Court determines that supplemental briefing is warranted, the Court will set a briefing schedule.

It is therefore ordered that Plaintiff's motion to postpone the February 1, 2017, hearing (ECF No. 109) and Defendants' motion to postpone the hearing (ECF No. 117) are denied.

DATED THIS 26th day of January 2017.

MIRANDA M. DU
UNITED STATES DISTRICT JUDGE

[2]Plaintiffs' motion for summary judgment was filed on April 1, 2016. (ECF No. 67.)