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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

BATTLE MOUNTAIN BAND of the TE-MOAK TRIBE OF WESTERN SHOSHONE INDIANS,

Plaintiff,

v.

U.S. BUREAU OF LAND MANAGEMENT, and JILL SILVEY, in her official capacity as Bureau of Land Management Elko District Manager,

Defendant.

and

CARLIN RESOURCES, LLC,

Defendant-Intervenor and Crossclaimant.

Case No.: 3:16-cv-0268 LRH-WGC

DEFENDANTS' JOINT MOTION FOR EXTENSION OF TIME (FIFTH REQUEST)

AND ORDER THEREON

On November 10, 2020, counsel for Defendant-Intervenor/Cross-Claimant Carlin/Hecla (Hecla) and Federal Defendants filed a their fourth Joint Motion for Extension of Time extending deadlines for lodging of the administrative record and for summary judgment briefing in this case brought pursuant to the Administrative Procedure Act, 5 U.S.C. § 706 *et seq.* This Joint Motion for Extension of Time was granted by the Court on November 12, 2020 (ECF No. 142).

Under the Court's November 12, 2020 Order Federal Defendants filed their opening Motion for Summary Judgment on December 11, 2020; Federal Defendants' Opposition and

1 Hecla's Opposition to Cross-Motion for Summary Judgment and Reply in Support of Motion for
2 Summary Judgment are due January 22, 2021; and Federal Defendants' Reply in Support of
3 Cross-Motion for Summary Judgment is due February 12, 2021.

4 The Federal Defendants and Hecla have recently re-engaged in settlement discussions
5 and believe they may have a proposed settlement to submit for approval, subject to final client
6 approval. To allow the parties to focus on the potential settlement resolution, Hecla and Federal
7 Defendants hereby jointly move to extend the deadlines as indicated below. All such briefing
8 will be limited to Hecla's cross claims given that the joint status report and scheduling orders
9 submitted have only involved Hecla and the Federal Defendants.

10 The following deadlines would apply:

- 11 1. Hecla to file Opposition to Cross-Motion for Summary Judgment and Reply in Support
12 of Motion for Summary Judgment: April 5, 2021.
- 13 3. Federal Defendants to file Reply in Support of Cross-Motion for Summary Judgment:
14 April 26, 2021.

15 DATED this 20th day of January, 2021.

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17 By: /s/ Laura K. Granier

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/s/ Peter K. Dykema
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Attorney for Federal Defendants

ORDER

IT IS SO ORDERED

DATED this 22nd day of January, 2021.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE