

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**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**

**ORDER GRANTING DEFENDANTS'  
JOINT MOTION FOR EXTENSION  
OF TIME  
(NINTH REQUEST)**

On August 17, 2021, counsel for Defendant-Intervenor/Cross-Claimant Carlin/Hecla (Hecla) and Federal Defendants filed a their Eighth Joint Motion for Extension of Time extending deadlines 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 August 17, 2021 (ECF No. 151).

Under the Court’s August 17, 2021 Order, Hecla’s Opposition to Cross-Motion for Summary Judgment and Reply in Support of Motion for Summary Judgement are due December

1 1, 2021; and Federal Defendants' Reply in Support of Cross-Motion for Summary Judgment is  
2 due December 22, 2021.

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

11 The following deadlines would apply:

- 12 1. Hecla to file Opposition to Cross-Motion for Summary Judgment and Reply in Support  
13 of Motion for Summary Judgment: January 15, 2022.
- 14 2. Federal Defendants to file Reply in Support of Cross-Motion for Summary Judgment:  
15 February 05, 2022.

16 DATED this 15th day of November, 2021.

17  
18 By: /s/ Laura K. Granier

Laura K. Granier (Nevada Bar No. 7357)  
Erica K. Nannini (Nevada Bar No. 13922)  
Holland & Hart LLP  
5441 Kietzke Lane, Suite 200  
Reno, NV 89511-2094  
Tel: 775-327-3000  
lkgranier@hollandhart.com  
eknannini@hollandhart.com

19  
20  
21  
22 *Attorneys for Carlin Resources, LLC*

23  
24 TODD KIM  
Assistant Attorney General

25 /s/ Peter K. Dykema

Peter Kryn Dykema (DC Bar 419349)  
Natural Resources Section  
4 Constitution Square  
150 M Street, N.E.  
Washington, D.C. 20002  
[Peter.dykema@usdoj.gov](mailto:Peter.dykema@usdoj.gov)

*Attorney for Federal Defendants*

ORDER

IT IS SO ORDERED

DATED this 22nd day of November, 2021



---

LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28