

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 (TENTH REQUEST)

On November 15, 2021, counsel for Defendant-Intervenor/Cross-Claimant Carlin/Hecla (Hecla) and Federal Defendants filed a their Ninth 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 November 22, 2021 (ECF No. 153).

Under the Court's November 22, 2021 Order, Hecla's Opposition to Cross-Motion for Summary Judgment and Reply in Support of Motion for Summary Judgment are due January

1 15, 2022; and Federal Defendants' Reply in Support of Cross-Motion for Summary Judgment is
2 due February 05, 2022.

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: March 16, 2022.
- 14 2. Federal Defendants to file Reply in Support of Cross-Motion for Summary Judgment:
15 April 6, 2022.

16 DATED this 14th day of January, 2022.

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

26 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

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

Attorney for Federal Defendants

ORDER

IT IS SO ORDERED

DATED this 18th day of January, 2022



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

I hereby certify that on 14th day of January, 2022, I filed the foregoing using the United States District Court CM/ECF, which caused all counsel of record to be served electronically.

/s/ Laura K. Granier
Laura K. Granier, Esq. (SBN 7357)

18083435_v1

HOLLAND & HART LLP
5441 KIETZKE LANE, SUITE 200
RENO, NV 89511-2094

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