

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 MOTION  
FOR THIRTY (30) DAY  
EXTENSION [SECOND  
REQUEST]**

Plaintiffs, the Battle Mountain Band of Te-Moak Tribe of Western Shoshone Indians (“the Band”), Federal Defendants, U.S. Bureau of Land Management, et.al., and Defendant-Intervenor/Cross Claimant Carlin/Hecla file this joint status report on settlement and motion for one final extension by 30 days of the deadlines set by this Court on March 31, 2023.

On March 3, 2023 the Court issued a notice that if no action was taken by the Plaintiff within 30 days, the Court would dismiss this matter for want of prosecution. On that same date,

1 the Court issued an order denying the Federal Defendant and Carlin/Hecla's motions for summary  
2 judgment, subject to reinstatement upon submission of good cause.

3 On March 30, 2023 the parties jointly moved to extend both deadlines for an additional 30  
4 days, until May 3, 2023. On March 31, 2023, an Order was entered, granting the additional 30-day  
5 extension to May 3, 2023.

6 Carlin Resources has reached agreement with BLM that it is willing to dismiss its claims  
7 if the Band is willing to dismiss its claims. However, the Band requires an additional thirty (30)  
8 days to June 2, 2023, time for the Band's governing body to consider the proposal.

9 Dated this 3 May 2023.

10 By: /s/ Laura K. Granier

11 Laura K. Granier (Nevada Bar No. 7357)  
12 Erica K. Nannini (Nevada Bar No. 13922)  
13 Holland & Hart LLP  
14 5441 Kietzke Lane, Suite 200  
15 Reno, NV 89511-2094  
16 Tel: 775-327-3000  
17 lkgranier@hollandhart.com  
18 eknannini@hollandhart.com  
19 *Attorneys for Carlin Resources, LLC*

20 TODD KIM  
21 Assistant Attorney General

22 /s/ Peter K. Dykema

23 Peter Kryn Dykema (DC Bar 419349)  
24 Senior Trial Attorney  
25 U.S. Department of Justice  
26 Environmental and Natural Resources Division  
27 Natural Resources Section  
28 Telephone: (202)305-0436  
Facsimile: (202)305-0506

Standard Mail and Express Mail:  
4 Constitution Square  
150 M Street, N.E.  
Washington, D.C. 20002

Peter.dykema@usdoj.gov  
*Attorney for Federal Defendants*

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

PATTERSON EARNHART REAL BIRD &  
WILSON LLP

/s/ Jeffrey S. Rasmussen  
Jeffrey S. Rasmussen  
1900 Plaza Drive  
Louisville, Colorado 80027  
Telephone: 303-926-5292  
Facsimile: 303-926-5293  
Email Address:  
jasmussen@nativelawgroup.com  
*Attorneys for Plaintiff*

**ORDER**

IT IS SO ORDERED.

DATED this 8<sup>th</sup> day of May, 2023.

  
\_\_\_\_\_  
LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE