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25 UNITED STATES DISTRICT COURT  
26 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

27 UNITED STATES OF AMERICA,  
28 Plaintiff,

RAMONA BAND OF CAHUILLA,  
CAHUILLA BAND OF INDIANS,

Plaintiff-Intervenors,

vs.

FALLBROOK PUBLIC UTILITY DISTRICT,  
et al.,

Defendants.

CIVIL NO.: 51-CV-1247-GPC-RBB

**JOINT MOTION TO EXTEND STAY**

Date: No hearing date set

Time:

Courtroom: 9

Hon. Gonzalo P. Curiel

**ORAL ARGUMENT NOT REQUIRED**

1 Plaintiff-Intervenors Ramona Band of Cahuilla and Cahuilla Band of Indians (“Tribes”)  
2 respectfully move this Court for a 90-day extension of the stay of litigation until October 20,  
3 2014, in order to allow the parties to continue settlement discussions. Under this Court’s Order  
4 of April 21, 2014 (Document 5448), the current stay expires on July 21, 2014. Counsel for the  
5 Tribes are authorized to state that the United States, State of California, County of Riverside,  
6 Riverside County Flood Control and Water Conservation District, the Greenwald Landowners,  
7 Hemet Unified School District, Agri-Empire, and the Anza Basin Landowners Group do not  
8 oppose the Tribes’ request to extend the stay for an additional 90 days. U.S. Magistrate Judge  
9 Brooks stated at a settlement conference on June 18, 2014, that he concurs in the Tribes’ request  
10 to extend the stay.  
11

12 Since the last status report, the parties’ efforts have focused on resolving outstanding  
13 issues with regard to an appropriate allocation of water among the parties, the legal attributes of  
14 the Tribes’ water rights to be recognized in the Settlement Agreement, measures to ensure the  
15 Tribes’ water supplies are protected, and administration of the water rights to be held by the  
16 parties. Discussions with regard to water allocation are nearly complete. Settlement provisions  
17 designed to implement the parties’ understandings with regard to these and other issues have  
18 been revised.  
19

20 Settlement discussions were conducted at an in-person meeting on June 3, 2014, and in  
21 telephonic meetings on June 6 and July 8, 2014. In addition, various parties have conducted  
22 discussions to address certain issues of particular concern to them when convening the entire  
23 group of represented parties was not necessary or efficient. These discussions have facilitated  
24 progress of the negotiations as a whole.  
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1 As to those issues on which there continues to be disagreement, U.S. Magistrate Judge  
2 Brooks held a settlement conference on June 4 with the Cahuilla Band of Indians, Agri-Empire  
3 and the United States, and on June 18, 2014, with the settlement parties as a whole to discuss  
4 possible resolution of these issues. The parties lodged confidential settlement briefs with Judge  
5 Brooks on February 19, March 5 and June 11 to elucidate their perspectives on these issues.

6 The parties are committed to continuing these settlement discussions and have scheduled  
7 another telephonic meeting on August 8, 2014. In addition, U.S. Magistrate Judge Brooks has  
8 scheduled a settlement conference for August 20, 2014 with the settlement parties to ascertain if  
9 the parties have reached resolution of the issues on which there continues to be disagreement.  
10 Judge Brooks has indicated that the Tribes, the United States, Agri-Empire, the State of  
11 California and the Anza Basin Landowners Group lodge a confidential settlement conference  
12 brief with the chambers of Judge Brooks on or before August 18, 2014. For the remaining  
13 parties, settlement conference briefs are optional.  
14  
15

16 A 90-day extension of the stay will allow the settlement parties to continue the settlement  
17 discussions without the cost or distraction of litigation.

18 For these reasons, the Tribes respectfully request that the stay be continued to October  
19 20, 2014.  
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1 Date: July 17, 2014

Respectfully submitted,

2 BERKEY WILLIAMS LLP

3 /s/ Curtis G. Berkey

4 By: \_\_\_\_\_

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