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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:
Dept: 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 19,
3 2015. Under this Court's Order of April 21, 2015, (Doc. 5482), the current stay expires on July
4 20, 2015. Counsel for the Tribes are authorized to state that the United States, State of California,
5 County of Riverside, Riverside County Flood Control and Water Conservation District, the
6 Greenwald Landowners, Hemet Unified School District, Agri-Empire, and the Anza Basin
7 Landowners Group do not oppose the Tribes' request to extend the stay for an additional 90 days.
8 An extension of the stay will allow the parties to continue their progress toward a negotiated
9 settlement of the Tribes' water rights claims.

10 During the last 90-day stay period, the settlement parties made substantial progress
11 toward a negotiated resolution of the Tribes' claims that also addresses the concerns and interests
12 of the other settlement parties. The parties directed their efforts at ensuring that the language of
13 the draft settlement agreement accurately captures the concepts agreed upon and understandings
14 reached by the parties. There remain issues outstanding regarding the scope of the
15 Watermaster's responsibilities to administer the Final Decree and the allocation of costs for those
16 activities among the parties, among several others. The parties hope to complete the settlement
17 agreement by the end of the year.

18 The Tribes prepared a comprehensive revision of the draft settlement agreement that was
19 distributed to the settlement parties on July 1. A revised draft of the Watermaster Rules and
20 Regulations was distributed as well. The settlement parties met on July 13 to consider this most
21 recent draft, and additional revisions have been proposed and will be incorporated into the draft.
22 The settlement parties will meet with U.S. Magistrate Judge Ruben B. Brooks on July 22 to
23 report on their progress.

24 Since the last status report, the parties discussed outstanding issues at either in-person or
25 telephonic meetings on the following dates:

26 April 23: Telephonic meeting among the Tribes and the United States to revise draft
27 settlement agreement;
28

- 1 May 12: In-person meeting among all settlement parties to discuss revisions to draft
2 settlement agreement;
- 3 May 20: Telephonic meeting among Judge Brooks, the Cahuilla Band of Indians
4 and Agri-Empire;
- 5 May 21: In-person meeting among Judge Brooks and all settlement parties to
6 discuss progress of settlement discussions;
- 7 May 21: In-person meeting among the Tribes, the United States and State of
8 California regarding issues unique to those parties;
- 9 June 15: Telephonic meeting among the Tribes and the United States to revise
10 draft settlement agreement;
- 11 June 22: Telephonic meeting among the Tribes and the United States to revise
12 draft settlement agreement;
- 13 June 29: Telephonic meeting among the Tribes and the United States to revise
14 draft settlement agreement;
- 15 July 13: In-person meeting among all parties to review draft settlement agreement
16 and consider additional revisions.

17 The parties are committed to continuing these settlement discussions. A 90-day
18 extension of the stay will permit the parties to continue their settlement efforts without the cost
19 or distraction of litigation.

20 For these reasons, the Tribes respectfully request that the stay of litigation be extended to
21 October 19, 2015.

23 Date: July 20, 2015

Respectfully submitted,

25 BERKEY WILLIAMS LLP

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