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16 UNITED STATES DISTRICT COURT

17 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

19 UNITED STATES OF AMERICA,
20
21 Plaintiff,

22 RAMONA BAND OF CAHUILLA,
23 CAHUILLA BAND OF INDIANS,
24
25 Plaintiff-Intervenors,

26 vs.

27 FALLBROOK PUBLIC UTILITY DISTRICT,
28 et al.,
29
30 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 January 19,
3 2016. Under this Court's Order of July 21, 2015, (Doc. 5487), the current stay expires on
4 October 19, 2015. Counsel for the Tribes are authorized to state that the United States, State of
5 California, the Greenwald Landowners, Hemet Unified School District, Agri-Empire, and the
6 Anza Basin Landowners Group do not oppose the Tribes' request to extend the stay for an
7 additional 90 days. The County of Riverside and the Riverside County Flood Control and Water
8 Conservation District did not respond to the Tribes' request to support this joint motion. An
9 extension of the stay will allow the parties to continue their progress toward a negotiated
10 settlement of the Tribes' water rights claims

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

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

20 July 22: In-person meeting among Judge Brooks and all settlement parties to
21 discuss progress of settlement discussions;

22 August 7: Telephonic meeting among Judge Brooks and all settlement parties to
23 discuss progress of settlement discussions;

24 August 19: In-person meeting between the State and the Watermaster to determine
25 whether the Department of Water Resources is equipped to handle certain
26 tasks identified in the Watermaster's budget;
27

1 August 27: In-person meeting between the State and the Watermaster to determine
2 whether the Department of Water Resources is equipped to handle certain
3 tasks identified in the Watermaster's budget;

4 September 17: In-person meeting among the Tribes and the Represented Landowners
5 Group to discuss the Represented Landowners Group's remaining
6 concerns with the draft settlement agreement;

7 September 25: The settlement parties lodged a joint status report and joint discovery plan
8 with Magistrate Judge Brooks' chambers;

9 September 28: In-person meeting among the Cahuilla Tribe, Agri-Empire and the Federal
10 Team to discuss status of negotiations; and

11 September 29: In-person meeting among Judge Brooks and all settlement parties, except
12 the County of Riverside, to discuss progress of settlement discussions.

13 October 14: Telephonic meeting among Judge Brooks, the Cahuilla Tribe and Agri-
14 Empire to discuss status of negotiations;

15 In addition, the following meetings are currently scheduled:

16 October 19: In-person meeting among the Watermaster and the settlement parties to
17 discuss the Watermaster's revised budget;

18 October 20: In-person meeting among the County, the Tribes and the Represented
19 Landowners Group to discuss the County's role in the settlement; and

20 November 10: Telephonic meeting among Judge Books and all settlement parties to
21 discuss progress of settlement discussions.

22 The parties are committed to continuing these settlement discussions. A 90-day
23 extension of the stay will permit the parties to continue their settlement efforts without the cost
24 or distraction of litigation.
25

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1 For these reasons, the Tribes respectfully request that the stay of litigation be extended to
2 January 19, 2016.

3 Date: October 19, 2015

Respectfully submitted,

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