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6 *Attorney for Plaintiff-Intervenor*
Ramona Band of Cahuilla
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8 UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,
12 Plaintiff,

13 RAMONA BAND OF CAHUILLA,
14 CAHUILLA BAND OF INDIANS,

15 Plaintiff-Intervenors,
16 vs.

17 FALLBROOK PUBLIC UTILITY DISTRICT,
18 et al.,

19 Defendants.
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CIVIL NO.: 51-CV-01247-GPC-RBB

MOTION TO EXTEND STAY

Date: No hearing date set
Time:
Dept.: 9

Hon. Gonzalo P. Curiel

ORAL ARGUMENT NOT REQUIRED

1 Plaintiff-Intervenor Ramona Band of Cahuilla (Tribe) respectfully moves this Court for a
2 90-day extension of the stay of litigation until January 16, 2017. Under this Court's Order of
3 July 18, 2016 (Doc. 5528), the current stay expires on October 17, 2016. Counsel for the Tribe
4 is authorized to state that the United States, Cahuilla Band of Indians, State of California, County
5 of Riverside, Riverside County Flood Control and Water Conservation District, the Greenwald
6 Landowners, Hemet Unified School District and Agri-Empire do not oppose the Tribe's request
7 to extend the stay for 90 days. The Anza Basin Landowners Group opposes an extension of the
8 stay.
9

10
11 Since the last stay extension, the settlement parties have focused their settlement efforts
12 on enhancing their knowledge and understanding of the relationship between groundwater
13 recharge and production in the Anza Groundwater Basin and Cahuilla Groundwater Basin. This
14 technical understanding is necessary to enable the parties to assess the adequacy of the
15 provisions of the draft settlement agreement related to groundwater management under the
16 principle of Safe Yield, and to inform the development of a groundwater management plan that
17 meets sustainability goals. The settlement parties have also discussed certain proposed revisions
18 to the draft settlement agreement. Those discussions are continuing.
19

20 Since the last status report, the settlement parties took action or discussed outstanding
21 issues on the following dates:
22

23 July 28: Telephonic meeting among Ramona Band of Cahuilla, Cahuilla Band of
24 Indians and the United States.

25 August 10: Various settlement parties lodged settlement briefs with U.S. Magistrate
26 Judge Ruben B. Brooks.

27 In-person meeting among all settlement parties.
28

1 August 17: Telephonic settlement conference with U.S. Magistrate Judge Brooks.

2 September 14: Settlement parties' Technical Committee telephonic meeting to discuss
3 technical issues related to Safe Yield provisions of draft settlement
4 agreement.
5

6 September 28: Settlement parties' Technical Committee telephonic meeting on Safe
7 Yield issues.

8 October 5: Telephonic meeting of all settlement parties.

9 In addition, counsel for the parties have conducted teleconferences outside the larger
10 group meetings as necessary to continue progress toward resolving outstanding issues. Further,
11 the Ramona Band of Cahuilla, Cahuilla Band of Indians and the United States are scheduled to
12 meet with U.S. Magistrate Judge Brooks on October 18, 2016.
13

14 The settlement parties that concur in this motion are committed to continuing these
15 discussions. A 90-day extension of the stay will permit them to continue settlement efforts
16 without the cost or distraction of litigation.
17

18 For these reasons, the Ramona Band of Cahuilla respectfully requests that the stay of
19 litigation be extended to January 16, 2017.

20 Date: October 17, 2016

Respectfully submitted,

21 BERKEY WILLIAMS LLP
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23 By: s/Curtis G. Berkey

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