

# Bi-Weekly Navajo *Inter Se* Report February 4, 2013

DISTRICT COURT  
SAN JUAN COUNTY NM  
FILED  
2013 FEB -4 PM 3:40  
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## San Juan River Basin Adjudication Claims of the Navajo Nation CV-75-184; Case No. AB-07-1

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Eleventh Judicial District Court

103 S. Oliver

Aztec, NM 87410

aztdlab@nmcourts.gov

505-334-7805

<http://sjrba.11thjdc.com/Navajo%20Claim%20Subfiles>

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**PLEASE NOTE: SUMMARY REQUIRED:** As required by the **Order Mandating Alternative Method For Service of Orders, Motions, Notices and Other Court Papers** filed September 28, 2011, no motion or other request for relief will be considered by the Court unless it is accompanied by a separate written summary of the motion or other request for relief.

**This summary must include:**

1. The name of the party filing the pleading
2. The title of the pleading
3. A descriptive summary of the relief sought, **no longer than seventy-five (75) words**
4. The total number of pages in the pleading

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***PROCEDURAL AND SCHEDULING ORDERS CURRENTLY IN EFFECT***

<b>Date Filed:</b>	<b>Document Title</b>
November 19, 2012	Corrected Order Summarizing Discovery Activities Discussed at the November 6, 2012 Discovery Conference
November 6, 2012	Second Amended Order Setting Schedule Governing Discovery on The Non-Settling Parties and Remaining Proceedings
September 28, 2011	Order Mandating Alternative Method For Service of Orders, Motions, Notices and Other Court Papers
August 7, 2012	Amended Order Setting Schedule Governing Discovery on the Non-Settling Parties and Remaining Proceedings

***PENDING HEARINGS***

<b><u>DATE / TIME / TYPE OF HEARING</u></b>	<b><u>LOCATIONS</u></b>
<b>To Be announced</b>	N.M. Court of Appeals Supreme Court Building 237 Don Gaspar, Room 116 Santa Fe, NM 87501  And <b>VIDEO CONNECTION TO</b>  Aztec District Court 103 South Oliver Drive Aztec, NM 87410

***PENDING DEADLINES***

<b>March 1, 2013</b>	<b>Close of Discovery</b>
<b><u>Dispositive Motions</u></b>	
<b>March 15, 2013</b>	<b>Settling Parties' memorandum in support of the Settlement Motion of the United States, Navajo Nation and State of New Mexico for Entry of Partial Final Decrees, filed January 3, 2011</b>
<b>March 15, 2013</b>	<b>Non-Settling Parties to file dispositive motions</b>
<b>April 10, 2013</b>	<b>Responses to dispositive motions</b>
<b>April 24, 2013</b>	<b>Replies to responses to dispositive motions</b>
<b>Week of May 6, 2013</b>	<b>Hearing on dispositive motions</b>
<b>Week of June 10, 2013</b>	<b>Decision on the need for evidentiary hearing</b>
<b>June 24, 2013</b>	<b>Submittal of Witness Lists and Exchange of Exhibits</b>
<b>June 27, 2013</b>	<b>Parties Submit Proposed Pretrial Order</b>

<b>July 2, 2013</b>	<b>Pre-hearing Conference</b>
<b>July 22, 2013</b>	<b>Parties Submit Proposed pre-hearing findings of facts and conclusions of law</b>
<b>Weeks of July 29, August 5, and August 12, 2013:</b>	<b>Evidentiary Hearing</b>
<b>Post Hearing Briefing</b>	
<b>30 Days After Evidentiary Hearing</b>	<b>Proposed post-hearing findings of fact and conclusions of law and memorandum in support (Settling Parties and Non-Settling Parties)</b>
<b>10 Days After Proposed Findings of Facts and Conclusions of Law</b>	<b>Responses</b>
<b>December 31, 2013</b>	<b>Decision of Court</b>

***DOCUMENTS FILED January 21, 2013 through February 1, 2013***

<b>Date Filed</b>	<b>Document Title</b>
<b>1-22-2013</b>	Bi-Weekly Navajo Inter Se Report
<b>1-24-2013</b>	The United States' Response to the Motion to Disqualify Request for Expedited Decision <u>Summary:</u> Response to motion to disqualify attorneys for the United States
<b>1-25-2013</b>	ConocoPhillips and El Paso Natural Gas Company's Second Joint Requests for Admission Interrogatories and Requests for Prod of Documents to the Settling Parties <u>Summary:</u> ConocoPhillips and El Paso Natural Gas Company's Second Joint Requests for Admission Interrogatories and Requests for Prod of Documents to the Settling Parties
<b>1-25-2013</b>	Certificate of Service <u>Summary:</u> Certificate of service for ConocoPhillips and El Paso Natural Gas Company's Second Joint Requests for admission, Interrogatories, and Requests for Production of Documents to the Settling Parties
<b>1-28-2013</b>	The United States Reply in Support of Motion for Protective Order <u>Summary:</u> The United States' Reply in Support of Motion to Protective Order. The Community Ditch Defendants' Response to the Motion ignores this Court's Orders on Discovery and fails to demonstrate that the discovery those Defendants seek regarding the United States potential exercise of its regulatory authority and/or matters outside the San Juan Basin would be relevant to this proceeding or that it would not be unduly burdensome to respond to
<b>1-29-2013</b>	Order Regarding Motion to Disqualify
<b>1-31-2013</b>	BHP Navajo Coal Company and Enterprise Field Services LLC's Motion Requesting Permission to Appear Telephonically on February 4, 2013 Discovery Conference

	<u>Summary</u> : Motion Requesting Permission to Appear Telephonically at the Court's February 4, 2013 Discovery Conference
<b>2-1-2013</b>	The Navajo Nation's Notice of Discovery Dispute with The Community Ditch Defendants <u>Summary</u> : The Navajo Nation provides notice of a discovery dispute with the Community Ditch Defendants concerning the <i>Navajo Nations' Discovery Requests of the Marshall Interests</i>
<b>2-1-2013</b>	The United States' Notice of Discovery Disputes with Non-Settling Parties and Motion to Compel Discovery Responses <u>Summary</u> : United states' notice of discovery disputes with Non-Settling Parties
<b>2-1-2013</b>	Defendant B Square Ranch LLC et. al's Reply Brief to Motion to Disqualify Attorneys for United States of America from Participation in the Subject Action <u>Summary</u> Defendant B Square Ranch LLC et. al' reply to their motion for attorneys for United States of America to be disqualified from the subject action
<b>2-1-2013</b>	Certificate of Service by Richard T.C. Tully
<b>2-1-2013</b>	The Navajo Nations Second Supplemental Disclosure <u>Summary</u> : Supplemental disclosure concerning technical report
<b>2-1-2013</b>	Notice of Rule 30(B)(6) Deposition to United states Department of Justice <u>Summary</u> : ConocoPhillips and El Paso Natural Gas Company's Notice of Rule 30(B)(6) Deposition to the United states
<b>2-1-2013</b>	Notice of Rule 30(B)(6) Deposition to the State of New Mexico <u>Summary</u> : ConocoPhillips and El Paso Natural Gas Company's Notice of Rule 30(B)(6) Deposition to the State of New Mexico
<b>2-1-2013</b>	Notice of Rule 30(B)(6) Deposition to the Navajo Nation Department of Justice <u>Summary</u> : ConocoPhillips and El Paso Natural Gas Company's Notice of Rule 30(B)(6) Deposition to the Navajo Nation Department of Justice
<b>2-1-2013</b>	Notice of Deposition of John Whipple <u>Summary</u> : ConocoPhillips and El Paso Natural Gas Company's Notice of Deposition of John Whipple
<b>2-1-2013</b>	Notice of Rule 30(B)(6) Deposition of John Leeper <u>Summary</u> : ConocoPhillips and El Paso Natural Gas Company's Notice of Deposition of John Leeper

OBTAINING DOCUMENTS CONTAINED IN THIS REPORT:

Documents are available in their entirety on the Court website, at <http://sjrba.11thjdc.com/Navajo%20Claim%20Subfiles>. A paper copy may be obtained from the Court by requesting a hardcopy from the Court in writing addressed to:

Water Clerk Specialist  
Eleventh Judicial District Court  
103 So. Oliver Dr.  
Aztec, NM 87410

The request shall include a money order to cover copying costs, currently set at \$.35 per page. The request shall also include a self-addressed envelope of sufficient size and with sufficient postage for mailing the requested documents.

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