

STATE OF NEW MEXICO
COUNTY OF SAN JUAN
ELEVENTH JUDICIAL DISTRICT COURT

STATE OF NEW MEXICO, *ex rel.*
State Engineer,

Plaintiff,

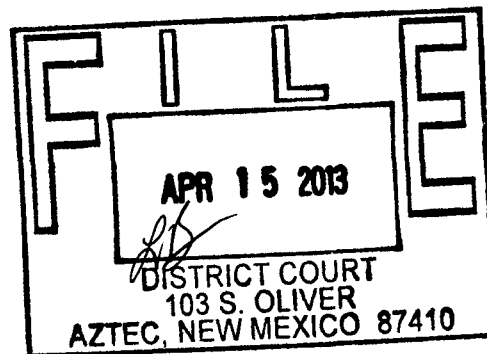
vs.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

JICARILLA APACHE TRIBE and the
NAVAJO NATION,

Defendant-Intervenor.



D-1116- CV 75-184
Hon. James J. Wechsler

AB-07-1
Claims of the Navajo Nation

ORDER DENYING MOTION FOR EXTENSION OF TIME

This matter comes before the Court on the motion of Defendant B Square Ranch, LLC, et al. for extension of time to close discovery and extend deadlines. The motion adopts by reference motions for extension of time for 120 days, filed September 13, 14, 21, and 24, 2012 and March 5, 2013,¹ to the deadlines currently set forth in the Court's third amended order granting motions to extend deadlines in part and setting schedule governing discovery and remaining proceedings, filed March 15, 2013.

In the prior motions for an extension filed March 1 and March 6, 2013, the Community Ditch Defendants and B Square Ranch, LLC raised as grounds for an extension (1) Defendant San Juan Water Commission's notice of settlement (February 12, 2013) and subsequent withdrawal of its participation in depositions, and (2) the notice filed by Defendants ConocoPhillips Company and Burlington Resources and Oil and Gas Company LP and El Paso Natural Gas, which indicated their

¹ See motions filed by various Non-Settling Parties September 13, 14, 21, and 24, 2012, and March 5, 2013.


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engagement in settlement negotiations with the Settling Parties and the withdrawal of their participation in depositions. The third amended order extending discovery deadlines for 30 days was entered on March 15, 2013.

In its current motion for extension of time, Defendant B Square Ranch outlines the discovery activities undertaken by the Non-Settling Parties during the last month. Nothing in the motion, however, provides the Court with new facts or circumstances that would warrant granting another extension of time. All parties to this proceeding have been on notice that “the time lines necessary to resolve these proceedings by December 31, 2013 are fairly inflexible” (Order Concerning the Objections of the Navajo Nation, the United States and the State of New Mexico to Discovery Requests, filed July 9, 2012).

Accordingly, the motion is DENIED.

IT IS SO ORDERED.


James J. Wechsler
Presiding Judge