

DISTRICT COURT
SAN JUAN COUNTY NM
FILED

2013 JUN -4 PM 4: 54

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

STATE OF NEW MEXICO, *ex rel.* STATE ENGINEER,

Plaintiff,

vs.

THE UNITED STATES OF AMERICA, *et al.*,

Defendants.

D-1116 CV-75-184
HON. JAMES J. WECHSLER
Presiding Judge

SAN JUAN RIVER
GENERAL STREAM
ADJUDICATION

Claims of the Navajo Nation
Case No. AB-07-1

NAME OF PARTY: The Navajo Nation.

DESCRIPTIVE SUMMARY: The Navajo Nation submits a proposed schedule and allocation of time for oral argument for the hearing on June 11 and 12, 2013.

NUMBER OF PAGES: 3, including one page exhibit.

DATE OF FILING: Fax filed on June 4, 2013.

**PROPOSED SCHEDULE AND ALLOCATION OF TIME
FOR HEARING ON DISPOSITIVE MOTIONS**

The Navajo Nation respectfully submits a proposed schedule for the oral argument on dispositive motions on June 11 and 12, 2013, including an allocation of time among the parties. *See* Exhibit A, attached. The Navajo Nation proposes the Court allocate one half day for argument to address each of the four prongs of the legal standard.¹ The Navajo Nation's proposal allocates the time on each prong equally between the Settlement Proponents (Settling Parties and other parties supporting the settlement) and the Objectors to the settlement. Objections raised by way of summary judgment or other dispositive motions, can be addressed within the context of the argument on the four prongs of the legal standard.

¹ The "four prongs of the legal standard" refers to the four prongs identified in the *Amended Order Establishing the Legal Standards for Evaluating the Proposed Decrees and Respective Burdens of Proof* (Apr. 19, 2012).

Respectfully submitted this 4th day of June, 2013.

NAVAJO NATION



Stanley M. Pollack
M. Kathryn Hoover
Navajo Nation Department of Justice
Post Office Drawer 2010
Window Rock, Navajo Nation (AZ) 86515
(928) 871-7510

Samuel D. Gollis
Samuel D. Gollis, Attorney at Law, P.C.
901 Rio Grande Boulevard, Suite F-144
Albuquerque, New Mexico 87104
(505) 883-4696

Attorneys for the Navajo Nation

CERTIFICATE OF SERVICE

I certify that on this 4th day of June, an electronic version of *Proposed Schedule and Allocation of Time for Hearing on Dispositive Motions* was served by electronic mail to: wrtavajointerse@nmcourts.gov and aoccaj@nmcourts.gov and to the list of parties identified on the *Notice of Amended Service List* (filed Feb. 25, 2013).



Stanley M. Pollack

PROPOSED SCHEDULE FOR ORAL ARGUMENT ON DISPOSITIVE MOTIONS**Tuesday, June 11**

- 8:30 – 8:50 Housekeeping matters – phone roll call, introduction of counsel, etc.
- 8:50 – 9:10 Introduction by Settlement Proponents
- 9:10 – 9:30 Introduction by Objectors

- 9:30 – 12:00 Argument on Prong 1
 - Settlement Proponents' Argument in support of Settlement Motion (1 ¼ hours divided between Argument and Reply)
 - Objectors' Response (1 ¼ hours)
 - Settlement Proponents' Reply

LUNCH BREAK (12:00 – 1:30)

- 1:30 – 4:45 Argument on Prong 2
 - Settlement Proponents' Argument in support of Settlement Motion (1 ½ hours divided between Argument and Reply)
 - 3:00 – 3:15 BREAK
 - Objectors' Response (1 ½ hours)
 - Settlement Proponents' Reply

Wednesday, June 12

- 8:30 – 8:45 Housekeeping matters
- 8:45 – 11:45 Argument on Prong 3
 - Settlement Proponents' Argument in support of Settlement Motion (1 ½ hours divided between Argument and Reply)
 - Objectors' Response (1 ½ hours)
 - Settlement Proponents' Reply

LUNCH BREAK (11:45 – 1:15)

- 1:15 – 4:30 Argument on Prong 4
 - Settlement Proponents' Argument in support of Settlement Motion (1 ½ hours divided between Argument and Reply)
 - 2:45 – 3:00 BREAK
 - Objectors' Response (1 ½ hours)
 - Settlement Proponents' Reply
- 4:30 – 5:00 CLOSING (Settlement Proponents ¼ hour; Objectors ¼ hour)

Exhibit A