

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

_____)
RAMAH NAVAJO CHAPTER,)
OGALA SIOUX TRIBE, and PUEBLO)
OF ZUNI, for)
themselves and on behalf of)
a Class of persons similarly situated,)
)
Plaintiffs,)
)
v.	Case No. Civ. 90-0957 LH/WWD)
)
GAIL NORTON, Secretary of the United)
States Department of Interior, et al.,)
)
Defendants)
)
_____)

JOINT MOTION TO LIFT STAY AND SET BRIEFING SCHEDULE

On August 13, 2002, this Court issued an Order staying the cross-motions for partial summary judgment until the Tenth Circuit Court of Appeals had ruled on the issues raised in Cherokee Nation of Oklahoma and Shoshone-Paiute Tribes, No. 01-7106 (10th Cir. Cir.). In light of the recent Supreme Court decision in that case, Cherokee Nation of Oklahoma, et al. v. Leavitt, ___ U.S. ___, 125 S. Ct. 1172 (2005), the parties, by and through their respective counsel, respectfully move for an order to lift the stay of proceedings currently in force and to set a briefing schedule (as set forth in the attached stipulated order) to allow the parties to file supplemental briefs on their cross-motions for summary judgment presently pending before the Court.

DATED this 12th day of April, 2005

Respectfully submitted,

For the Class:



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Class Counsel

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A handwritten signature in cursive script that reads "Karen Richardson". The signature is written in black ink and is positioned above the printed name.

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order.

- b. Defendants may file one opening brief forty-five (45) days after the Class has filed its opening brief.
 - c. The Class shall file its responsive brief fourteen (14) days after the defendants file their opening brief.
 - d. The defendants shall file their responsive brief fourteen (14) days after the Class files its responsive brief.
3. No party shall be allowed to file additional briefs in this case in support of or in opposition to the cross-motions for summary judgment without prior approval from the Court.

SO ORDERED.

UNITED STATES DISTRICT JUDGE

Submitted:


For the Class:



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For the Defendants:

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