

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

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PUEBLO OF ZUNI, on behalf of itself  
and all others similarly situated,

Plaintiff,

vs.

No. CV-01-1046 WJ/WPL


UNITED STATES OF AMERICA, et al.,

Defendants.

**ORDER DENYING MOTION FOR APPOINTMENT OF  
INTERIM CLASS COUNSEL**

THIS MATTER comes before the Court on the Motion of Plaintiff Pueblo of Zuni's Counsel Lloyd B. Miller for Appointment as Interim Class Counsel (Doc. 161). The Court, after reviewing said Motion, Defendant's Opposition to the Motion (Doc. 163) and the Reply Memorandum (Doc. 174), agrees with Defendants that there is absolutely no reason or basis for appointment of interim class counsel when the Court is about to consider whether a class should be certified. Moreover, the Court is of the opinion that appointment of interim class counsel at this stage of the proceedings, aside from being an absolute waste of the Court's and the parties' time and resources, would serve no purpose other than to further complicate what is already an extremely complicated case both from a legal and factual standpoint. Whether Lloyd B. Miller should serve as class counsel is a matter more appropriately addressed if the Court determines to certify this case as a class action case. The Motion (Doc. 161) is **DENIED**.

**IT IS SO ORDERED.**



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UNITED STATES DISTRICT JUDGE