

Lloyd Benton Miller - RE: Conference call: Pueblo of Zuni v USA CV 01-1046

From: "Rachel.Hines@usdoj.gov" <Rachel.Hines@usdoj.gov>
To: "Lloyd@sonosky.net" (Receipt Notification Requested) (IPM Return Requested) <Lloyd@sonosky.net>, "dick@sonoskyjuneau.com" (Receipt Notification Requested) (IPM Return Requested) <dick@sonoskyjuneau.com>, "Melanie@sonosky.net" (Receipt Notification Requested) (IPM Return Requested) <Melanie@sonosky.net>
Date: 5/8/2006 11:37 AM
Subject: RE: Conference call: Pueblo of Zuni v USA CV 01-1046
CC: "Julia.Yoo@usdoj.gov" (Receipt Notification Requested) (IPM Return Requested) <Julia.Yoo@usdoj.gov>

Counsel --

In advance of the call with the court at 5pm, I wanted to let you know our position on your letter about the self-governance conference. We do not intend to enforce the order against plaintiff's counsel for their presentations at the self-governance conference this week where represented parties are in the audience and where plaintiff's counsel discusses the litigation, as long as plaintiff's counsel adheres to the following: Counsel should fully identify themselves as counsel for tribal clients in litigation against IHS and instruct the audience that IHS employees should take care not to divulge privileged information as part of the presentation discussions. (This is along the lines of (a)-(f) in our proposed protective order). In addition, plaintiff's counsel should refrain from conducting any settlement discussions through public presentations. Although we cannot tell what the court will direct, I hope this will help alleviate your concerns.

Also, before the order was issued last Friday, IHS reminded a limited set of IHS employees (individuals that we likely would contend were represented parties) that they should not discuss matters in litigation with tribal attorneys at the conference. Out of an abundance of caution, we are updating that instruction with the exact text from the order, but are not certain whether it will be received by this limited group of individuals in advance of the conference.

Thanks, Rachel

-----Original Message-----

From: Lindy@sonosky.net [<mailto:Lindy@sonosky.net>]
Sent: Monday, May 08, 2006 1:04 PM
To: Yoo, Julia (CIV); Hines, Rachel (CIV)
Cc: elizabeth@sonosky.net; Lloyd@sonosky.net; Melanie@sonosky.net; paula@sonosky.net
Subject: Conference call: Pueblo of Zuni v USA CV 01-1046

This will confirm arrangements for the conference call with Judge Lynch in this matter. David at Judge Lynch's Chambers confirmed the call will take place today at 3 PM New Mexico time (1 pm Alaska time; 5 PM DC time). I have arranged for a conference operator to place the call.

Lindy Bockhorst
 Legal Assistant to Lloyd Benton Miller
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 99501-2029

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