

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

PUEBLO of ZUNI,

Plaintiff,

v.

CIV. NO. 01-1046 WPJ/WPL

UNITED STATES of AMERICA;  
MICHAEL O. LEAVITT, Secretary of the  
United States Department of Health and  
Human Services; and CHARLES W. GRIM,  
Director of the Indian Health Service,  
United States Department of Health and  
Human Services,

Defendants.

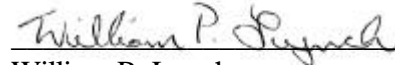
**ORDER GRANTING DEFENDANTS'  
MOTION FOR MODIFICATION OF DISCOVERY SCHEDULE**

Defendants filed a Motion for Modification of the Discovery Schedule which seeks (1) to extend the deposition discovery schedule until November 4, 2005; (2) to permit third-party discovery until November 4, 2005; and (3) additional time within which Defendants may file motions to compel the third-party discovery. [Doc. 125] Plaintiff concurs with Defendants' first request, but opposes the second two requests. [Doc. 129]

I will grant the request of the parties to extend the discovery schedule until November 4, 2005. Because Plaintiff supplemented its initial disclosures on August 10, 2005 by adding Bruce Bleakman, Nesbitt Hagood, Brian Deveau and W. Ron Allen as possible non-party witnesses for purposes of class certification, I will grant Defendants' request to be permitted to pursue discovery concerning the testimony of these witnesses until November 4, 2005. Finally, I will require Defendants to file any motions to compel concerning subpoenaed documents within twenty days of

the date the objections are filed. To the extent that the objections involve similar and overlapping assertions, Defendants may incorporate by reference any arguments or issues that are addressed in a motion or motions already filed that covers the same issues.

IT IS SO ORDERED.

  
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William P. Lynch  
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any *pro se* party as they are shown on the Court's docket.