

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

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

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

Plaintiff, )

v. )

UNITED STATES OF AMERICA; )  
MICHAEL O. LEAVITT, Secretary of the )  
United States Department of Health and )  
Human Services; and )

CHARLES W. GRIM, Interim Director of the )  
Indian Health Service, United States )  
Department of Health and Human Services, )

Defendants. )

MAR 17 2005

**MATTHEW J. DYKMAN**  
CLERK

Case No. CIV 01-1046LII/LFG

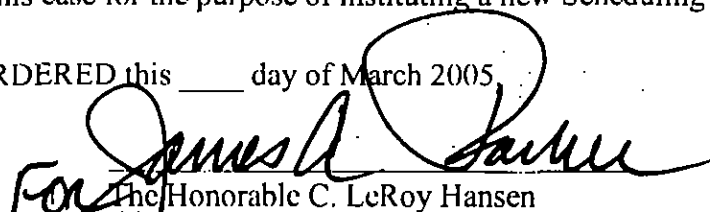
**ORDER [PROPOSED] LIFTING  
STAY OF CASE ENTERED  
DECEMBER 28, 2001**

Pursuant to the Plaintiff Pueblo of Zuni's motion to lift the stay of the case entered December 28, 2001, and having reviewed any opposition thereto, it is hereby Ordered as follows:

1. The Court finds that the United States Supreme Court's decision issued March 1, 2005, in *Cherokee Nation of Oklahoma v. Leavitt*, 543 U.S. \_\_\_, 2005 WL 464860 (March 1, 2005) (Nos. 02-1472, 03-853), constitutes good cause for lifting the stay of this case.

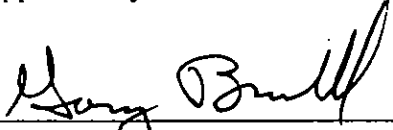
2. The parties shall confer with each other and the Court's clerk and propose a date for a status conference in this case for the purpose of instituting a new Scheduling Order.

SO ORDERED this \_\_\_ day of March 2005.

  
The Honorable C. LeRoy Hansen  
U.S. District Court Senior Judge

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Approved by:



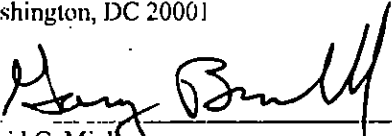
For: Lloyd B. Miller,  
Counsel for Plaintiff

/telephonically approved 03/09/05/

by Rachel J. Hines,  
Counsel for Defendants

I hereby certify that I mailed, or caused  
to be mailed, a true and correct copy  
of the foregoing document to the  
following attorneys or parties of record  
this 9th day of March 2005:

Rachel J. Hines  
Federal Programs Branch, Room 7314  
Civil Division  
20 Massachusetts Avenue, NW  
Washington, DC 20001



For David C. Mielke