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11 Attorneys for Plaintiffs,
12 PRESERVATION OF LOS OLIVOS AND
13 PRESERVATION OF SANTA YNEZ

14 UNITED STATES DISTRICT COURT
15 CENTRAL DISTRICT OF CALIFORNIA
16 WESTERN DIVISION

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18 PRESERVATION OF LOS OLIVOS and
19 PRESERVATION OF SANTA YNEZ,

20 Plaintiffs,

21 v.

22 THE UNITED STATES
23 DEPARTMENT OF THE INTERIOR;
Acting Secretary of the Interior P. LYNN
24 SCARLETT, in her official capacity;
BUREAU OF INDIAN AFFAIRS, by
25 and through Pacific Regional Director,
CLAY GREGORY, in his official
26 capacity; and the INTERIOR BOARD OF
27 INDIAN APPEALS,

28 Defendants.

CASE NO. CV06-1502 AHM (CTx)

**STIPULATION AND PROPOSED
ORDER SETTING BRIEFING
SCHEDULE**

1 The parties, Plaintiffs Preservation of Los Olivos and Preservation of Santa
2 Ynez (collectively, "Plaintiffs"), Defendants the United States Department of the
3 Interior, Acting Secretary of the Interior P. Lynn Scarlett (in her official capacity),
4 the Bureau of Indian Affairs by and through Pacific Regional Director, Clay Gregory
5 (in his official capacity), and the Interior Board of Indian Appeals (collectively,
6 "Defendants"); and Intervenor the Santa Ynez Band of Mission Indians (the "Tribe"),
7 submit this stipulation setting forth a briefing schedule in this case.

8 Defendants agree to file the certified administrative record with this Court no
9 later than July 31, 2006. If Plaintiffs determine that the record filed with the Court is
10 incomplete and that a motion to supplement the record is required, the parties stipulate
11 that the following briefing schedule will apply:

12 August 28, 2006: Plaintiffs file their Motion to Supplement the Administrative
13 Record.

14 September 18, 2006: Defendants and Intervenor file their Response to
15 Plaintiff's Motion to Supplement the Administrative Record.

16 September 25, 2006: Plaintiffs file their Reply in Support of Motion to
17 Supplement the Administrative Record.

18 After this Court issues a ruling on Plaintiffs' Motion to Supplement the
19 Administrative Record, Plaintiffs will have three weeks to file their dispositive motion
20 for relief on the merits; Defendants and Intervenor will then have four weeks to file
21 their response to Plaintiffs' motion and/or a cross-motion; Plaintiffs will then have
22 three weeks to file a reply in support of their dispositive motion and/or an opposition
23 to any cross-motion filed by Defendants and Intervenor; if a cross-motion is filed,
24 Defendants and Intervenor will then have three weeks to file a reply in support of
25 their cross-motion.

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1 *Alternatively*, if Plaintiffs do not file a Motion to Supplement the
2 Administrative Record, the parties stipulate to the following briefing schedule:

3 September 11, 2006: Plaintiffs file their dispositive motion for relief on the
4 merits.

5 October 10, 2006: Defendants and Intervenor file their response to Plaintiffs'
6 motion and/or a cross-motion.

7 October 30, 2006: Plaintiffs file a reply in support of their dispositive motion
8 and/or an opposition to any cross-motion filed by Defendants and Intervenor.

9 November 20, 2006: If a cross-motion is filed, Defendants and Intervenor file
10 a reply in support of their cross-motion.

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15 DATED: May 26, 2006

16 THEODORE B. OLSON
17 SCOTT A. EDELMAN
18 AMIR C. TAYRANI
19 GIBSON, DUNN & CRUTCHER LLP

20 By: _____
21 Scott A. Edelman

22 Attorneys for Plaintiffs
23 PRESERVATION OF LOS OLIVOS
24 AND PRESERVATION OF SANTA
25 YNEZ
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DATED: May ____, 2006

JUDY RABINOWITZ
UNITED STATES DEPARTMENT
OF JUSTICE

By: _____
Judy Rabinowitz

Attorney for U.S. DEPARTMENT OF
JUSTICE

DATED: May ____, 2006

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SANTA YNEZ BAND OF MISSION
INDIANS

1 DATED: May ____, 2006

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4 By: _____
5 Brenda Tomaras

6 Attorneys for Defendant-Intervenor
7 SANTA YNEZ BAND OF MISSION
8 INDIANS
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1 **ORDER**

2 Pursuant to the stipulation of the parties, and good cause appearing therefor, the
3 Court sets the following briefing schedule in this case.

4 Defendants will file the certified administrative record with this Court no later
5 than July 31, 2006. If Plaintiffs determine that the record filed with the Court is
6 incomplete and that a motion to supplement the record is required, the parties stipulate
7 that the following briefing schedule will apply:

8 August 28, 2006: Plaintiffs file their Motion to Supplement the Administrative
9 Record.

10 September 18, 2006: Defendants and Intervenor file their Response to
11 Plaintiff's Motion to Supplement the Administrative Record.

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15 Administrative Record, Plaintiffs will have three weeks to file their dispositive motion
16 for relief on the merits; Defendants and Intervenor will then have four weeks to file
17 their response to Plaintiffs' motion and/or a cross-motion; Plaintiffs will then have
18 three weeks to file a reply in support of their dispositive motion and/or an opposition
19 to any cross-motion filed by Defendants and Intervenor; if a cross-motion is filed,
20 Defendants and Intervenor will then have three weeks to file a reply in support of
21 their cross-motion.

22 *Alternatively*, if Plaintiffs do not file a Motion to Supplement the
23 Administrative Record, the parties stipulate to the following briefing schedule:

24 September 11, 2006: Plaintiffs file their dispositive motion for relief on the
25 merits.

26 October 10, 2006: Defendants and Intervenor file their response to Plaintiffs'
27 motion and/or a cross-motion.

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1 October 30, 2006: Plaintiffs file a reply in support of their dispositive motion
2 and/or an opposition to any cross-motion filed by Defendants and Intervenor.

3 November 20, 2006: If a cross-motion is filed, Defendants and Intervenor file
4 a reply in support of their cross-motion.

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9 **IT IS SO ORDERED.**

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11 DATED: May ____, 2006

12 The Honorable A. Howard Matz
13 United States District Court Judge
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