

UNITED STATES DISTRICT COURT

for the

District of Columbia

THE CALIFORNIA VALLEY MIWOK TRIBE, et al.

Plaintiff

v.

KEN SALAZAR, in his official capacity as Secretary
of the United States Department of Interior, et al.

Defendant

Case: 1:11-cv-00160

Assigned To : Roberts, Richard W.

Assign. Date : 1/24/2011

Description: Admn Agency Review

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* KEN SALAZAR, in his official capacity as Secretary of the United States
Department of the Interior
United States Department of the Interior
1849 C Street, N.W.
Washington, D.C. 20240

A lawsuit has been filed against you.

Within ~~21~~ days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

M. Roy Goldberg
Christopher M. Loveland
Sheppard Mullin Richter & Hampton LLP
1300 I Street, NW, 11th Floor East
Washington, D.C. 20005-3314

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

1/24/2011

Da Nanan Scott
Signature of Clerk or Deputy Clerk

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

**UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA**

ANGELA D. CAESAR
Clerk of Court

**NOTICE OF RIGHT TO CONSENT TO TRIAL
BEFORE A UNITED STATES MAGISTRATE JUDGE**

The substantial criminal caseload in this Court and the requirements of the criminal Speedy Trial Act frequently result in the delay in the trial of civil cases. Aware of the hardship and expense to the parties, counsel, and witnesses caused by the delays which are beyond the control of the Court, this notice is to advise you of your right to trial of your case by a United States Magistrate Judge. By statute, 28 USC §636(c), Fed.R.Civ.P. 73 and Local Civil Rule 73.1, the parties, by consent, can try their case by means of a jury trial or bench trial before a United States Magistrate Judge. Appeals from judgments and final orders are taken directly to the United States Court of Appeals for the District of Columbia Circuit, in the same manner as an appeal from a judgment of a District Judge in a civil case.

WHAT IS THE PROCEDURE?

One of the matters you are required to discuss at the meet-and-confer conference mandated by Local Civil Rule 16.3 is whether the case should be assigned to a United States Magistrate Judge for all purposes, including trial

All parties must consent before the case is assigned to a Magistrate Judge for trial. You may consent at any time prior to trial. If you expressly decline to consent or simply fail to consent early in the case, you are not foreclosed from consenting later in the case. However, a prompt election to proceed before a Magistrate Judge is encouraged because it will facilitate a more orderly scheduling of the case.

Counsel for the plaintiff has been furnished a copy of the "Consent to Proceed Before a United States Magistrate Judge for all Purposes" form. If and when the form is executed, your response should be made to the Clerk of the United States District Court only.

WHAT IS THE ADVANTAGE?

The case will be resolved sooner and less expensively. The earlier the parties consent to assigning the case to a Magistrate Judge the earlier a firm and certain trial date can be established, even if the case is to be tried to a jury.

Upon the filing of the consent form and with the approval of the District Judge, the case will be assigned to all purposes to a Magistrate Judge.

UNITED STATES DISTRICT AND BANKRUPTCY COURTS
FOR THE DISTRICT OF COLUMBIA

INITIAL ELECTRONIC CASE FILING
ORDER

(Does not apply to pro se filers)

Subsequent filings in this case must be made electronically using the Court's Electronic Case Filing System (ECF) pursuant to Local Civil Rule 5.4.

ORDERED that counsel shall:

- Submit in paper, the original and copy of the complaint/notice of removal/petition for writ of habeas corpus and any accompanying papers (**not including summons and civil cover sheets**). Additionally, litigants are hereby required to provide those filings in PDF format on a floppy disk or CD-Rom compact disk. The disk should be clearly labeled with the case number (if known) and the name of the parties. If unable to deliver the filing on a disk at the time of the new case filing, counsel should e-mail the initiating document and accompanying papers to dcd_cmecl@dcd.uscourts.gov by the close of business the day the new case was filed. Failure to supply electronic copies of the new case in a timely manner, will result in the attorney's name being added to the attorney non-compliant list and shared with the Court's ECF Judge's Committee. Regardless of what option counsel chooses, the complaint/notice of removal/petition for writ of habeas corpus and accompanying papers must come to the Court as PDF documents. Each exhibit to the new case shall be in a separate PDF file. Failure to submit PDF versions of the initiating documents will delay the opening of the case in ECF.
- Register, if not previously registered, to become an electronic filer by completing and returning the enclosed ECF Registration form found on the Court's Website at www.dcd.uscourts.gov. The login and password are case specific and can be used for all cases.
- All subsequent filings **must** be made electronically.
- Have a PACER (Public Access to Court Electronic Records) account, in order to view dockets and documents. Call 800-676-6856 or visit www.pacer.psc.uscourts.gov for additional information.
- Schedule a training class at the Courthouse by going to the Court's ECF Internet Website www.dcd.uscourts.gov/ecf.html. Also, filing instructions and an interactive tutorial can be found at this Internet Website.
- Pursuant to Local Civil Rule 5.4(b)(2), a pro se litigant may file a motion requesting permission to file documents electronically. See the rule for specific directions and requirements.

ROBERTS, J. RWR

UNITED STATES DISTRICT JUDGE

**United States District Court
For The District of Columbia**

**ELECTRONIC CASE FILES
ATTORNEY/PARTICIPANT REGISTRATION FORM**

LIVE SYSTEM

This form shall be used to register for an account on the Court's Electronic Case Files (ECF) system and to subscribe to the ECF email (Listserver) notification service. Registered attorneys and other participants will have privileges both to electronically submit documents, and to view and retrieve electronic docket sheets and documents for all cases assigned to the Electronic Case Files system. Listserver subscribers receive email messages whenever the Court wishes to electronically notify ECF registrants of pertinent ECF information.

The following information is required for registration:

If you are appointed pro bono or pro hac vice, please provide the case number:

First Name/Middle Initial/Last Name: _____

Last four digits of Social Security Number: _____

DC Bar ID#: _____

Firm Name: _____

Firm Address _____

Voice Phone Number: _____

FAX Phone Number: _____

Internet E-Mail Address: _____

By submitting this registration form, the undersigned agrees to abide by the following rules:

1. This system is for use only in cases permitted by the *U.S. District Court for the District of Columbia*. It may be used to file and view electronic documents, docket sheets, and notices. Please visit the Court's ECF Internet Website to schedule training.
2. Pursuant to Federal Rule of Civil Procedure 11, every pleading, motion, and other paper (except list, schedules, statements or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. An attorney's/participant's password issued by the court combined with the user's identification, serves as and constitutes the attorney's/participant's

signature. Therefore, an attorney/participant must protect and secure the password issued by the court. If there is any reason to suspect the password has been compromised in any way, it is the duty and responsibility of the attorney/participant to immediately notify the court. This should include the resignation or reassignment of the person with authority to use the password. The Court will immediately delete that password from the electronic filing system and issue a new password.

3. An attorney's/participant's registration will not waive conventional service of a summons and complaint, subpoena, or other judicial process; submit the client to the jurisdiction of the Court; or operate as a consent to accept service of pleadings, documents, and orders in actions in which such attorney/participant has not entered an appearance. An attorney's/participant's registration will constitute a waiver in law only of conventional service of other non-process pleadings, documents, and orders in the case. The attorney/participant agrees to accept, on behalf of the client, service of notice of the electronic filing by hand, facsimile or authorized e-mail.
4. Upon receipt of your login and password, you are strongly encouraged to change your password, which may be done through the Utilities function, to a name easily recalled. You may be subjected to a fee, should the Clerk's Office have to create a new password for you, or alternatively, you may be required to appear in person to receive your new password.
5. Attorneys must be active members of the bar of this Court, or government attorneys who are employed or retained by the United States, or who have been permitted to proceed pro hac vice, must file pleadings electronically.
6. Whenever a filer's e-mail address changes, the user agrees to update their ECF profile to show the new e-mail address. The system is robust enough to permit counsel to change their own e-mail address within the ECF System. Effective December 9, 2008, pursuant to the directions from the Court's Information Technology Committee, the Clerk's Office will no longer monitor bounced e-mails.

Please return this form to:

U.S. District Court for the District of Columbia
Attn: Attorney Admissions
333 Constitution Avenue NW, Room 1825
Washington, DC 20001

Or FAX to: *Peggy Trainum*
U.S. District Court for the District of Columbia
(202) 354-3067

Applicant's Signature: _____

Full Last Name

Initial of
First Name

Last 4 Digits SS#