

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA
Civil Division**

THE CALIFORNIA VALLEY MIWOK
TRIBE, *et al.*,

Plaintiffs,

v.

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

Defendants.

Case No. 1:11-cv-00160-RWR

Hon. Richard W. Roberts

**JOINT MOTION TO EXTEND TIME FOR PLAINTIFFS TO REQUEST
SUPPLEMENTATION OF THE ADMINISTRATIVE RECORD**

Plaintiffs and Federal Defendants hereby jointly move for an order which extends the time for Plaintiffs to request supplementation of the administrative record, as set forth below. In this case, the Plaintiffs challenge the August 31, 2011 final decision of the Assistant Secretary – Indian Affairs for the U.S. Department of Interior. On September 20, 2011, the Court entered an order which, *inter alia*, required Federal Defendants to lodge the administrative record by December 1, 2011 and granted Plaintiffs 30 days to review the administrative record and file requests for supplementation or discovery. On December 28, 2011, the parties jointly moved for an order setting a briefing schedule for cross motions for summary judgment, which would require Plaintiffs to file their motion for summary judgment by February 21, 2012.

Pursuant to the September 20, 2011 order, Federal Defendants filed the administrative record for this case on December 1, 2011. Plaintiffs have reviewed the administrative record and identified additional documents to Federal Defendants that they believe should be included in the record. The parties jointly propose that the Court extend the time for Plaintiffs to file requests for supplementation of the administrative record until February 21, 2012, the date on which Plaintiffs' motion for summary judgment is due. This extension allows Federal Defendants an adequate opportunity to review and respond to Plaintiffs' initial

request, and also allows Plaintiffs sufficient time to file a request with the Court should Federal Defendants not agree to Plaintiffs' requests for supplementation. A proposed order amending the September 20, 2011 order to set the new deadline is enclosed.

CONCLUSION

For the reasons set forth above, the parties respectfully request that the Court extend the time to request discovery or supplementation of the administrative record as requested herein.

Respectfully submitted this 3rd day of January, 2012.

Respectfully submitted,

/s/ M. Roy Goldberg

M. ROY GOLDBERG

(D.C. Bar No. 416953)

CHRISTOPHER M. LOVELAND

(D.C. Bar No. 473969)

ATTORNEYS FOR PLAINTIFFS

Sheppard Mullin Richter & Hampton LLP

1300 I Street, N.W., 11th Floor East

Washington, DC 20005-3314

Tel: (202) 218-0007

Fax: (202) 312-9425

Email: rgoldberg@sheppardmullin.com

cloveland@sheppardmullin.com

ROBERT J. URAM (*admitted pro hac vice*)

Sheppard Mullin Richter & Hampton LLP

Four Embarcadero Center, 17th Floor

San Francisco, California 94111-4109

Tel: (415) 434-9100

Fax: (415) 434-3947

Email: ruram@sheppardmullin.com

/s/ Kenneth D. Rooney
KENNETH D. ROONEY
United States Department of Justice
Environment & Natural Resources Division
Natural Resources Section
P.O. Box 663
Washington, D.C. 20044-0663
Phone: (202) 514-9269
Fax: (202) 305-0506
E-mail: kenneth.rooney@usdoj.gov

OF COUNSEL
James W. Porter
Attorney-Advisor
Branch of Tribal Government and Alaska
Division of Indian Affairs
Office of the Solicitor, Department of the Interior
1849 C Street, N.W. Washington, D.C. 20240
Mail stop 6518

CERTIFICATE OF SERVICE

I certify that on January 3, 2012, I caused the foregoing "Joint Motion To Extend Time For Plaintiffs To Request Supplementation Of The Administrative Record" to be filed with the Court pursuant to the electronic filing rules. All participants are registered CM/ECF users, and will be served by the CM/ECF system.

/s/ Roy Goldberg