

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

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

Plaintiffs,

v.

**KEN SALAZAR, Secretary,
United States Department of the Interior,
et al.,**

Defendant,

and,

CALIFORNIA VALLEY MIWOK TRIBE

Defendant

Civil Action No. 11-00160 (BJR)

**ORDER DENYING DEFENDANT
CALIFORNIA VALLEY MIWOK
TRIBE'S MOTION FOR STAY OF
COURT'S ORDER DATED
SEPTEMBER 6, 2013**

Defendant California Valley Miwok Tribe, which the Court styled the Burley faction in its opinion issued September 6, 2013, moves for a stay of the accompanying order issued on that date. Intervenor-Defendant's Motion for Stay of Court's Order Dated September 6, 2013, Dkt. No. 79 (Sep. 20, 2013). "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. N. Am. Co.*, 299 U.S. 248, 255 (1936). The Court finds no stay warranted in this case. The first amended complaint was filed nearly two years ago and this case, like all cases, deserves prompt adjudication. Denying the motion for a stay will not limit the Court's ability to analyze the arguments presented in the Burley faction's motion for reconsideration; nor will it "force the [Burley faction] to address these very significant jurisdictional and other issues on two separate yet parallel tracks," Mot. at 6, because

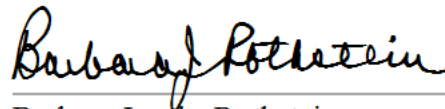
the Burley faction's brief on summary judgment will not reiterate, the Court expects, the arguments in its motion for reconsideration. To afford the Burley faction the utmost opportunity to advance its position on summary judgment, the Court will extend the briefing schedule by two weeks from September 20, 2013, when the Burley faction's brief was originally due.

It is, therefore, hereby

1. ORDERED that Defendant California Valley Miwok Tribe's Motion for Stay of Court's Order Dated September 6, 2013 is DENIED. It is, further
2. ORDERED that Defendant California Valley Miwok Tribe is granted leave to file any additional arguments in support of Federal Defendants' motion for summary judgment. The memorandum must be filed by October 4, 2013 and may not exceed 15 pages. Oppositions must be filed within 10 days of the memorandum and may not exceed 10 pages. No leave is granted to file a reply.

SO ORDERED.

September 23, 2013



Barbara Jacobs Rothstein
U.S. District Court Judge