

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

FILED
U.S. DISTRICT COURT
DISTRICT OF NEW MEXICO
07 OCT 26 PM 2:25
CLERK-SANTA FE

UNITED STATES OF AMERICA)
and)
ZUNI INDIAN TRIBE)
Plaintiffs,)
-v-)
STATE OF NEW MEXICO, *ex rel.* State)
ENGINEER, *et al.*)
Defendants)

07cv00681-BB
ZUNI RIVER BASIN
ADJUDICATION
Subproceeding 1
Zuni Indian Claims

NOTICE OF INTENT TO PARTICIPATE IN SUBPROCEEDING 1

The party named below claims water rights in the Zuni River stream system and intends to participate in the adjudication of the water rights claimed on behalf of the Zuni Indian Tribe, or on behalf of the beneficiaries of federal allotments to Zuni Indians, in this subproceeding.

PLEASE TYPE OR PRINT:

FULL NAME OF PARTY: CARY GRINHOLD

MAILING ADDRESS: Box 828
Ramah N.M. 87321

TELEPHONE NUMBER: 505783 4093 E-MAIL: cary farp@hotmail

Is this notice filed by an attorney on behalf of the party? Yes No

If the answer to the preceding question is "Yes," NO LATER THAN OCTOBER 26, 2007, the attorney must enter an appearance electronically pursuant to D.N.M.LR-Civ. 83.4, and the CM/ECF Administrative Procedures Manual, and attach this notice completely filled out and signed by the client party.

I understand that I (or my attorney) must also attend the scheduling conference to be held on November 27, 2007, at a time and place to be announced, in order to be allowed to participate in Subproceeding 1.

Signed: [Signature]
PARTY

Dated: 10/17/07

If you are not represented by an attorney, the Court must receive this Notice by mail or hand-delivery NO LATER THAN OCTOBER 26, 2007 at: Clerk's Office, U.S. District Court, 106 S. Federal Place, Santa Fe, NM 87501.

October 17, 2007
Ms. Vickie Gabin
Special Master
Clerk's Office
U.S. District Court
106 S. Federal Place
Santa Fe, N.M. 87501

Dear Ms. Gabin:

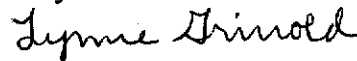
We received "Notice of Subproceedings 1" and intend to participate. However we are parties in another federal lawsuit CIV-06-1079 BRB/RHS. Judge Scott has scheduled our settlement conference for November 27 and we cannot attend the meeting. Let us know if you would like a copy of the Order for your files. William Stripp, while not formally representing us, will be attending the meeting. He has told us he is willing to assist us with anything regarding this meeting.

Feel free to contact us at any time regarding this, or any other matter.

Sincerely,



Cary Grinold



Lynne Grinold

Box 828

Ramah, N.M. 87321

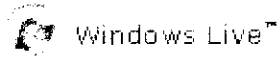
505-783-4093

xc: file

Stripp

Bridgewater

Bagley



Re: Subproceeding 1 Zuni

From: **Vickie Gabin** (vlgabin@nm.net)
Sent: Thu 10/18/07 11:39 PM
To: cary fnp (caryfnp@hotmail.com)

Dear Cary and Lynne Grinold:

Thank you for letting me know about your scheduling dilemma. Please file your completed Notice of Intent to Participate as instructed, and attach a copy of your letter to me and the order setting your settlement conference. In that way, we'll have your filed intent and conflict problem on the record.

Vickie Gabin

----- Original Message -----

From: cary fnp
To: vlgabin@nm.net
Sent: Thursday, October 18, 2007 4:37 PM
Subject: Subproceeding 1 Zuni

Dear Ms. Gabin,

Please see the enclosed. letter that will be coming to you regarding our participation in the subproceeding meeting 11/27/7. Please let us know what else we would need to do to document this.

Thank you
Cary and Lynne Grinold

Peek-a-boo FREE Tricks & Treats for You! Get 'em!

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

CARY GRINOLD, LYNNE GRINOLD, Individually
and as Next Friends on Behalf of Their Minor Sons,
HANK GRINOLD, KYLE GRINOLD, and GALEN
GRINOLD, and KENDALL GRINOLD,

Plaintiffs,

vs.

Civ. No. 06-1079 BRB/RHS

THE BOARD OF COUNTY COMMISSIONERS
OF CIBOLA COUNTY, THE BOARD OF COUNTY
COMMISSIONERS OF MCKINLEY COUNTY,
COLTEN P. WHITE, SHERIFF MANUEL LUJAN,
and SHERIFF FELIX BEGAY,

Defendants.

ORDER SETTING SETTLEMENT CONFERENCE

THIS MATTER has been referred to the Honorable Robert Hayes Scott, United States Magistrate Judge for a settlement conference. Pursuant to that referral, all parties and counsel of record are hereby notified that the Settlement Conference is scheduled for **TUESDAY, NOVEMBER 27, 2007, at 9:00 P.M., in Chambers 620, 6th Floor, Pete V. Domenici United States District Courthouse, 333 Lomas Boulevard, N.W., Albuquerque, New Mexico.**

The following persons shall attend and must be personally present during the entire conference:

1. All parties of record including those parties who are represented by counsel.
2. All counsel of record.
3. All persons with complete settlement authority including but not limited to insurance

company representatives and guardians ad litem. The Court will not approve excusals or telephonic appearances of persons with settlement authority without the filing of a timely motion for excusal. The Court may refuse the motion to waive attendance and/or telephonic appearance even if all parties agree to the motion.

4. An uninsured corporation shall appear by a designated representative who is authorized to discuss and make recommendations relating to settlement.

Before arriving at the Settlement Conference, counsel of record and *pro se* litigants must make a good faith effort to settle the case without the involvement of the Court.

On or before **November 19, 2007**, each party shall provide the undersigned United States Magistrate Judge with a concise statement of the relief the party is seeking, the evidence the party expects to produce at trial and a summary of negotiations to date. These settlement statements shall be in letter form and kept in confidence by the Court for the purposes of the settlement conference. The Court will also keep in confidence all matters communicated during the course of the settlement conference and all that will be disclosed to the assigned trial judge is a verification that the parties and all persons with settlement authority appeared, participated in good faith and either did or did not settle the case.

The Court reserves jurisdiction to impose sanctions, as may be appropriate, in the event any party, counsel of record, or person with settlement authority fails or refuses to attend the settlement conference or does not participate in good faith.

Any request for changes of the date and/or hour of the Settlement Conference must be addressed to the undersigned either by written motion or letter with copies provided to all persons and counsel entitled to notice.

IT IS SO ORDERED.

Robert Hayes Scott
UNITED STATES MAGISTRATE JUDGE

To The Clerk, U.S. District Court

Please file stamp the copies in the self-addressed, stamped envelope and mail them back to us. Thanks in advance for your attention to this.

Sincerely,

Lynne & Cary Grinold