

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

FILED

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UNITED STATES OF AMERICA,)
for itself and as Trustee for the)
Zuni Indian Tribe, Navajo Nation and)
Ramah Band of Navajos,)
and)
STATE OF NEW MEXICO, *ex rel.*)
STATE ENGINEER,)
Plaintiffs,)
and)
ZUNI INDIAN TRIBE and)
NAVAJO NATION,)
Plaintiffs-in-Intervention,)
v.)
STATE OF NEW MEXICO,)
COMMISSIONER OF PUBLIC LANDS)
and A & R PRODUCTIONS, *et al.*,)
Defendants.)

01-CV-00072-BDB/WDS (ACE)

ZUNI RIVER BASIN
ADJUDICATION

**ZUNI INDIAN TRIBE'S UNOPPOSED MOTION FOR ADDITIONAL
EXTENSION OF TIME TO RESPOND TO DEFENDANTS MALLERY, ET AL.'S
MOTION TO DISMISS OR STAY FILING OF LIS PENDENS**

The Zuni Indian Tribe, through undersigned counsel, respectfully moves the Court for an additional extension of time, up to and including November 26, 2003, in which to respond to Defendants Mallery, et al.'s Motion to Dismiss Without Prejudice Pursuant to Fed. R. Civ. P. 41(B) For Failure to Prosecute Or in the Alternative to Stay Filing of *Lis Pendens*.

As grounds for this Motion, counsel for the Zuni Indian Tribe states that she previously had sought and obtained an extension of time through October 28, 2003 for Zuni to file its response. Because of the nature of the Motion to Dismiss, Zuni desires to consult with its Trustee and to coordinate its response with that to be filed by the United States. However, counsel representing the United States, Mr. Charles O'Connell, has taken ill and was hospitalized. The United States,

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