

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

| | | |
|------------------------------------|---|---------------------------|
| UNITED STATES OF AMERICA |) | |
| and |) | 07cv00681-BB |
| ZUNI INDIAN TRIBE |) | |
| Plaintiffs, |) | ZUNI RIVER BASIN |
| |) | ADJUDICATION |
| -v- |) | |
| |) | |
| STATE OF NEW MEXICO, ex rel. State |) | Subproceeding 1 |
| ENGINEER, et al. |) | Zuni Indian Claims |
| Defendants |) | |
| _____ |) | |

Before Special Master Vickie L. Gabin

STATUS REPORT CONCERNING JOINT DOCUMENT DEPOSITORY

The Plaintiff United States of America (“United States”) via the undersigned counsel, hereby reports on the status of discussions concerning a Joint Document Depository (“JDD”), pursuant to Paragraph 3.3 of the Special Master’s January 3, 2008 *Initial Scheduling and Planning Order* (Doc. No. 151) and the February 19, 2008 *Order Granting Motion for Extension of Time* (Doc. No. 202).

As reported in the March 17, 2008 *Status Report Concerning Joint Document Depository* (Doc. No. 224), the United States and the Defendant State of New Mexico ex rel. State Engineer (“State”) are prepared to host, and make available to other parties, collections of documents pertinent to this Subproceeding at existing facilities located in Albuquerque. Use of these facilities, and of scanned documents made available in electronic format via the Internet or on writable storage media, will greatly simplify the storage of all materials mentioned in Paragraph 3.3 of the *Initial Scheduling and Planning Order* and will not require the negotiation of a cost-sharing agreement.

Counsel for the United States has made inquiries concerning the possibility of maintaining a third document depository in Gallup,¹ but does not believe the additional expense of such a facility can be justified on the current record in this case. Only two pro se parties, Cary Grinold and Lynne Grinold, have filed Answers as required by Paragraph 3.4 of the *Initial Scheduling and Planning Order*. The Grinolds are CM/ECF Participants and, if seriously prejudiced by the location of the document depositories in Albuquerque, can be provided other means of access to documents on an as-needed basis at much less cost than would be required for maintenance of a permanent collection in Gallup.

The March status report indicated a follow-up conference call would be scheduled in early April for those who previously participated in the Joint Document Depository (“JDD”) discussions. Counsel for the United States was unable to arrange a conference call during that period, due to personal travel. At the present time, the United States recommends that any remaining details concerning the document depositories be resolved in conjunction with the Discovery Conference scheduled for August 26, 2008, pursuant to Paragraph 3.6 of the *Initial Scheduling and Planning Order*. However, at the request of any of the JDD discussion participants, counsel for the United States will attempt to schedule an earlier conference call on the matter.

DATED: April 17, 2008

¹ Not to be confused with the pleading collection currently located at the University of New Mexico’s Zollinger Library in Gallup, New Mexico. The United States intends to continue sending copies of all pleadings to the Zollinger Library, but has no ability to control that facility’s maintenance of the collection.

Electronically Filed

/s/Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER

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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on April 17, 2008, I filed the foregoing *Status Report Concerning Joint Document Depository* electronically through the CM/ECF system, which caused CM/ECF Participants to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

AND I FURTHER CERTIFY that on such date I served the foregoing on the following non-CM/ECF Participants by first class mail, postage prepaid:

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