

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)	
_____)	

**NOTICE RE: DISCOVERY CONFERENCE AND PROPOSED SCHEDULING
ORDER**

The Plaintiff United States of America (“United States”) hereby gives notice to parties and counsel of record that the Discovery Conference to be held pursuant to Fed.R.Civ.P. 26(f) and Section 3.6 of the Special Master’s January 3, 2008 *Initial Scheduling and Planning Order* will be held at the Office of the State Engineer, Water Resources Allocation Program, Water Rights Division District 1, Springer Square Building, 121 Tijeras NE, Suite 2000, Albuquerque, New Mexico,¹ beginning at 3:00 p.m. on August 26, 2008. Parties who prefer to participate in the conference via teleconference must so notify counsel for the United States, and provide a telephone number where they can be reached, no later than the close of business on August 22, 2008.

The United States further notifies the parties and counsel that the draft *[Proposed] Scheduling Order* filed herewith as Exhibit 1 will be completed following the Discovery Conference for submission to the Special Master at the Scheduling and Case

¹ Parties needing directions may contact the District 1 Office at (505) 764-3888.

Management Conference now set for August 27, 2008. The United States requests that all parties who have filed Answers pursuant to Section 3.4, and have made Initial Disclosures pursuant to Section 3.5 of the *Initial Scheduling and Planning Order*, provide the following to counsel for the United States no later than the close of business on August 22, 2008:

1. A concise summary statement of the party's claims or defenses in this Subproceeding, to be inserted under Heading II in the *[Proposed] Scheduling Order*. For the sake of simplifying the structure of the proposed order, parties who are represented by common counsel – and who have not plead substantially different positions with respect to the claims asserted in this Subproceeding by the United States and the Zuni Indian Tribe – are requested, but not required, to provide a consolidated statement to be included in the proposed order under a subheading in the form “Parties Represented by [name of the common counsel].” Please email the insert to bradley.s.bridgewater@usdoj.gov in a common word processor format: Microsoft Word (.doc), WordPerfect (.wpd), or plain text (.txt).
2. Any objections or other comments concerning the draft *[Proposed] Scheduling Order*. In particular, discovery subjects now listed in Sections IV.A.1 and IV.B.1., and anticipated fields of expert testimony now listed Sections IV.A.2.a) and IV.B.2.a), of the draft order are offered as examples and are intended to be altered or supplemented by input from the parties. Parties are requested to make reference to the pagination in the PDF version of the draft order filed herewith when making comments on the document.

Dated: August 14, 2008

Electronically Filed

/s/Bradley S. Bridgewater

BRADLEY S. BRIDGEWATER

U.S. Department of Justice

1961 Stout Street – 8th Floor

Denver, CO 80294

(303) 844-1359

COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on , I filed the foregoing *Notice Re: Discovery Conference And Proposed Scheduling Order* 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.

_____/s/_____
Bradley S. Bridgewater