

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

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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CLERK-SANTA FE

UNITED STATES OF AMERICA)
and)
STATE OF NEW MEXICO, ex rel. STATE)
ENGINEER,)
)
Plaintiffs,)
)
and)
)
ZUNI INDIAN TRIBE, NAVAJO NATION,)
)
Plaintiffs in Intervention,)
)
v.)
)
A & R PRODUCTIONS, et al.,)
)
Defendants.)

No. 01cv00072 BB/WDS

ZUNI RIVER BASIN
ADJUDICATION

CLERK'S CERTIFICATE OF DEFAULT

I, Matthew J. Dykman, Clerk of the United States District Court, District of New Mexico, certify that the records of my office indicate that the following defendants waived service of summons in this proceeding as follows:

<u>Defendant</u>	<u>Subfile No.</u>	<u>Waiver of Summons filed</u>
Marilyn O. Zug	ZRB-2-0111	August 26, 2008 (No. 1837)
Richard B. Zug	ZRB-2-0111	August 26, 2008 (No. 1837)
Beverly Brooks	ZRB-3-0018	June 14, 2006 (No. 727)
Richard Brooks	ZRB-3-0018	June 14, 2006 (No. 727)
David Swindle Trustee	ZRB-3-0175	January 18, 2007 (No. 958)
Linda Swindle Trustee	ZRB-3-0175	January 18, 2007 (No. 958)

I further certify that the records of my office indicate the following defendants

were served process by publication as follows:

<u>Defendant</u>	<u>Subfile No.</u>	<u>Proof of Service filed</u>
Tonia Montague	ZRB-4-0406	July 27, 2009 (No. 2379)
Kenneth Montague	ZRB-4-0406	July 27, 2009 (No. 2379)

And I further certify that the records of my office indicate the following defendants made a voluntary appearance via a pleading filed in this proceeding as follows:

<u>Defendant</u>	<u>Subfile No.</u>	<u>Voluntary Appearance</u>
Deborah Green Trustee for Tribal Trust	ZRB-2-0047	Subfile Answer filed August 9, 2006 (No. 789)
James Green Trustee for Tribal Trust	ZRB-2-0047	Subfile Answer filed August 9, 2006 (No. 789)
Jack L. Woods	ZRB-4-0351	Subfile Answer filed July 5, 2007 (No. 1152)
B. Elaine Woods	ZRB-4-0351	Subfile Answer filed July 5, 2007 (No. 1152)

It appears on the record that the above-named defendants failed to appear or otherwise defend in the indicated Subfiles as required by the *Order Setting Scheduling Conference* entered in this case on May 3, 2011 (No. 2654).

WHEREFORE, I hereby certify that the above-named defendants are in default.

DATED this 31st day of August, 2011.

MATTHEW J. DYKMAN
DISTRICT COURT CLERK

By: 
Deputy Clerk