

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

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.,

Defendant.

No. 01-cv-0072 MV/WPL

ZUNI RIVER BASIN
ADJUDICATION

Subfile No. ZRB-2-0098

**ORDER SETTING PRETRIAL DEADLINES
AND ADOPTING JOINT STATUS REPORT**

This case came before me for a scheduling conference. This subfile action is hereby assigned to a standard case-management track. Additionally, the Joint Status Report filed by the parties is adopted as an order of the Court, except to the extent that it conflicts with the following case-management provisions.

The scope of discovery will be limited to those factual matters associated with establishing the water right attributes of water rights associated with land owned by Subfile Defendants. Initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) are due **October 6, 2014**. All expert witnesses must be disclosed by the parties, even if the expert is not required to submit an expert report. *See* FED. R. CIV. P. 26(a)(2)(B) & (C); D.N.M.LR-Civ. 26.3(b). Defendants' written expert reports pursuant to Rule 26(a)(2) are due **December 4, 2014**.

Plaintiffs' written expert reports pursuant to Rule 26(a)(2) are due **January 5, 2015**. A maximum of **30 interrogatories, 25 requests for admission, and 25 requests for production** are allowed by each party to any other party. A maximum of **10 depositions** are allowed by Plaintiff(s), and a maximum of **10 depositions** are allowed by Defendant(s). Each deposition is limited to a maximum of 8 hours.

The termination date for discovery is **March 4, 2015**, and discovery shall not be reopened, except by an order of the Court upon a showing of good cause. This deadline shall be construed to require that discovery be completed on or before the above date. Service of interrogatories or requests for production shall be considered timely only if the responses are due prior to the deadline. A notice to take deposition shall be considered timely only if the deposition takes place prior to the deadline. The pendency of dispositive motions shall not stay discovery.

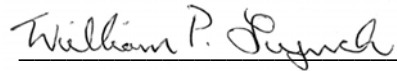
Motions relating to discovery (including, but not limited to, motions to compel and motions for protective order) shall be filed with the Court and served on opposing parties by **March 24, 2015**. See D.N.M.LR-Civ. 7 for motion practice requirements and timing of responses and replies. This deadline shall not be construed to extend the twenty-one-day time limit in D.N.M.LR-Civ. 26.6.

Defendants shall file and serve any motion for summary judgment by **April 17, 2015**. Plaintiffs shall file and serve a combined brief featuring any response to Defendants' summary judgment motion and any cross-motion for summary judgment by **May 19, 2015**. Defendants shall file a combined brief featuring their reply as to their summary judgment motion and any response to Plaintiffs' cross-motion for summary judgment by **June 2, 2015**. Plaintiffs shall file

a final reply as to their cross-motion for summary judgment by **June 16, 2015**. Any pretrial motions filed after the above dates shall be considered untimely in the discretion of the Court.

If documents are attached as exhibits to motions, affidavits, or briefs, those parts of the exhibits that counsel want to bring to the attention of the Court must be highlighted in accordance with D.N.M.LR-Civ. 10.6.

IT IS SO ORDERED.



William P. Lynch
United States Magistrate Judge

A true copy of this order was served on the date of entry--via mail or electronic means--to counsel of record and any pro se party as they are shown on the Court's docket.