

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

UNITED STATES OF AMERICA)	
and)	No. 01cv00072-MV-WPL
STATE OF NEW MEXICO, ex rel.)	
STATE ENGINEER,)	ZUNI RIVER BASIN
)	ADJUDICATION
Plaintiffs,)	
)	
v.)	
)	Subfile No. ZRB-2-0098
A & R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

NOTICE THAT BRIEFING IS NOT COMPLETE

This Notice informs the Court that briefing is not complete on *Defendants’ Objections to the Proposed Findings and Recommended Disposition of the Magistrate* (Doc. 3230) (“Defendants’ Objections”).

Pursuant to the Federal Rules of Civil Procedure and this Court’s order, Plaintiffs will timely file their response briefs on Monday, April 18, 2016.

- 1) On April 15, 2016, Defendants JAY Ltd. Co. and Yates Ranch Property (“Defendants”) filed their *Notice Pursuant to F.R.Civ. P. 59(b)(2)* (Doc. 3246) (“Defendants’ Notice”) asserting that briefing is complete with respect to Defendants’ Objections. Defendants’ Notice is in error.
- 2) On March 21, 2016, Defendants filed Defendants’ Objections. Pursuant to Fed. R. Civ. P. 72(b)(2), Plaintiffs were permitted 14 days to respond to the Objections.
- 3) On March 30, 2016, Plaintiffs submitted their *Joint Unopposed Motion for Extension of*

Time for Plaintiffs to Respond to Defendants' Objections Regarding Subfile ZRB-2-0098 (Doc. 3238) and moved for a 10-day extension of time to submit their response. This motion was granted. Amended *Order Granting Unopposed Motion for Extension of Time for Plaintiffs to Respond to Defendants' Objections* (Doc. 3243).

- 4) Pursuant to Fed. R. Civ. P. 72(b)(2) (14 day time period to respond), Amended *Order Granting Unopposed Motion for Extension of Time for Plaintiffs to Respond to Defendants' Objections* (10 day extension of time), Fed R. Civ. P. 6(d) (3 day time period added to matters served electronically), and Fed. R. Civ. P. 6(a)(1)(C) (last day of calculation that falls on a Sunday continues to run until next business day), Plaintiffs' response briefs are required to be filed and served no later than Monday, April 18, 2016.
- 5) Plaintiffs intend to file and serve their response briefs on Monday, April 18, 2016.

Respectfully submitted this 15th day of April, 2016.

/s/ Andrew "Guss" Guarino
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on April 15, 2016, I filed the foregoing electronically through the CM/ECF system, which caused the parties or counsel reflected on the Notice of Electronic Filing to be served by electronic means.

/s/ Andrew "Guss" Guarino