

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. )  
) )  
Defendants. )  
\_\_\_\_\_ )

No. 01cv00072 BB-ACE  
ZUNI RIVER BASIN  
ADJUDICATION

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**MOTION TO DISMISS DEFENDANT JANIS MCDORMAN**

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The Plaintiff United States of America (“United States”) hereby moves the Court to dismiss JANIS MCDORMAN as a party defendant from these proceedings. As grounds for this motion, the United States asserts the following:

1. Based upon data obtained from Cibola County for the Hydrographic Survey of Sub-areas 4 and 8, the United States, on November 4, 2005 (Doc. No. 397) moved the Court to join Janis McDorman as a defendant in this matter. The United States’ motion was granted by the Court’s November 22, 2005 Order Granting Motion to Join Additional Parties Defendant (Doc. No. 403).

2. Counsel for the United States has subsequently learned that Janis McDorman is deceased, and was deceased at the time of her joinder in this action, as evidenced by the Certificate of Death submitted herewith as Exhibit A.

WHEREFORE, the United States respectfully moves the Court to enter its order dismissing JANIS MCDORMAN as a party defendant from these proceedings.

DATED: July 30, 2007

Electronically Filed

/s/ Bradley S. Bridgewater

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COUNSEL FOR THE UNITED STATES

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on July 30, 2007, I filed the foregoing *Motion to Dismiss Defendant Janis McDorman* electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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