

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

UNITED STATES OF AMERICA,)	
and)	
STATE OF NEW MEXICO, <i>ex rel.</i> STATE)	
ENGINEER,)	
)	
Plaintiffs,)	
)	No. 01cv00072 BB
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	Subfile No. ZRB-3-0018
)	
v.)	
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
_____)	

MOTION TO WITHDRAW MOTION FOR DEFAULT JUDGMENT (NO. 2700)

The Plaintiffs United States of America (“United States”) and New Mexico ex rel. State Engineer (“State”) hereby move to withdraw their joint September 7, 2011 *Motion for Default Judgment* (No. 2700) as to Defendants RICHARD BROOKS & BEVERLY BROOKS for Subfile No. ZRB-3-0018. The Defendants have provided counsel for the United States with the written explanation of their failure to comply with the Special Master’s May 3, 2011 *Order Setting Scheduling Conference* (No. 2654) submitted herewith as Exhibit 1. Plaintiffs accept the Defendants’ explanation as sufficient and have exchanged communications with Defendants about pursuing other means of resolving their subfile.

DATED: September 19, 2011

Electronically Filed

/s/Bradley S. Bridgewater

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COUNSEL FOR THE UNITED STATES

 (approved 9/15/2011)
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COUNSEL FOR THE STATE OF NEW MEXICO
EX REL. STATE ENGINEER

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on September 19, 2011, I filed the foregoing *Motion To Withdraw Motion For Default Judgment (No. 2700)* 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.

AND I FURTHER CERTIFY that a copy of the foregoing was mailed to the following parties who are not CM/ECF Participants:

BEVERLY BROOKS
RICHARD BROOKS
HC 61 Box 1024
RAMAH, NM 87321

_____/s/_____
Bradley S. Bridgewater