

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
Plaintiffs,)	ADJUDICATION
v.)	
)	Subfile No. ZRB-2-0038
A & R PRODUCTIONS, et al.)	
Defendants.)	
_____)	

UNOPPOSED JOINT MOTION TO SET PRETRIAL CONFERENCE

Pursuant to Rule 16(a), Fed. R. Civ. P., Plaintiffs, the United States of America and the State of New Mexico ex rel. State Engineer, request that this Court schedule a pretrial conference in the near future to resolve existing differences between the parties and to expedite resolution of this sub-file action. The paragraphs below are provided in support of this motion.

Pursuant to Local Rule 7.1 for the District of New Mexico, undersigned counsel for the United States and the State of New Mexico consulted by phone and e-mail with Defendants Craig and Regina Fredrickson on several occasions concerning this motion and a proposed Status Report and Proposed Discovery Plan. The Parties have been able to resolve most but not all issues associated with their proposed Status Report and Proposed Discovery Plan. The proposed Status Report and Proposed Discovery Plan that the Parties have developed is attached to this Motion as Attachment A. To the extent the parties disagree over an aspect of the proposed Status

Report and Proposed Discovery Plan, the differences of the Plaintiffs and the Defendants have been identified. The points of difference are summarized as follows:

- a. Plaintiffs propose that interrogatories and requests for admission be limited to 25 each. Defendants propose that interrogatories and requests for admission be limited to 50 each; and
- b. Plaintiffs proposed that discovery occur over a 120-day period from the day that the Court's case management order issues. Defendants propose that discovery occur over a 180-day period from the day that the case management order issues.

WHEREFORE, pursuant to Fed. R. Civ. P. Rule 16(a), the Plaintiffs request that the Court schedule a Pretrial Conference in the near future to resolve the differences that exist between the Parties.

Dated January 12, 2016

/s/ Andrew "Guss" Guarino
Andrew "Guss" Guarino
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 12, 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. Also, this motion was served on the following:

Regina and Craig Fredrickson
2742 Veranda Rd. NW
Albuquerque, NM 87107

/s/ Andrew "Guss" Guarino