

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-ACE
and)	
)	ZUNI RIVER BASIN
ZUNI INDIAN TRIBE, NAVAJO NATION,)	ADJUDICATION
)	
Plaintiffs in Intervention,)	Subfile No. ZRB-4-0055
)	
v.)	
)	
A&R PRODUCTIONS, et al.)	
)	
Defendants.)	
)	

**ORDER GRANTING MOTION TO CORRECT DEFENDANT’S NAME, APPROVE
WAIVER OF SERVICE, AND DISMISS ERRONEOUSLY NAMED DEFENDANT**

This matter is before the Court upon the December 15, 2006, motion of the Plaintiff United States of America (“United States”) which seeks an order (1) correcting the name of the defendant “KATHLEEN M. BOLLER REVOCABLE LIVING TRUST” to “DANIEL W. BOLLER & KATHLEEN M. BOLLER REVOCABLE LIVING TRUST”, (2) approving the Waiver of Service of Summons bearing the printed name "Kathleen M. Boller Revocable Living Trust" but signed by Kathleen M. Boller in her capacity as Trustee for the "Daniel Winslip Boller and Kathleen Marlow Boller Revocable Living Trust U/A 1995" as an effective waiver of service of summons on behalf of the Daniel W. Boller & Kathleen M. Boller Revocable Living Trust; and

(3) dismissing DANIEL W. BOLLER, in his individual capacity, as a party defendant from this case. (Doc. No. 912)

The Court finds that the motion is well-taken and, for good cause shown, should be GRANTED.

IT IS THEREFORE ORDERED that the name of the defendant "KATHLEEN M. BOLLER REVOCABLE LIVING TRUST" be corrected to "DANIEL W. BOLLER & KATHLEEN M. BOLLER REVOCABLE LIVING TRUST."

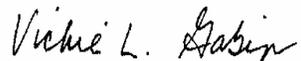
IT IS FURTHER ORDERED that the United States may file the Waiver of Service of Summons bearing the printed name "Kathleen M. Boller Revocable Living Trust" but signed by Kathleen M. Boller in her capacity as Trustee for the "Daniel Winslip Boller and Kathleen Marlow Boller Revocable Living Trust U/A 1995" and the same shall be deemed an effective waiver of service of summons on behalf of the Daniel W. Boller & Kathleen M. Boller Revocable Living Trust.

IT IS FURTHER ORDERED that DANIEL W. BOLLER, in his individual capacity, be, and hereby is, dismissed as a party defendant from this case.



BRUCE D. BLACK
UNITED STATES DISTRICT JUDGE

Approved:



VICKIE L. GABIN
SPECIAL MASTER