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UNITED STATES COURT OF FEDERAL CLAIMS

JICARILLA APACHE NATION,)	
<i>formerly JICARILLA APACHE TRIBE,</i>)	
Plaintiff,)	Case No.
vs.)	02-25L
THE UNITED STATES OF AMERICA,)	
Defendant.)	

E X C E R P T

Suite 612
Howard T. Markey National Courts Building
717 Madison Place, N.W.
Washington, D.C.
Friday, October 9, 2015
11:00 a.m.
Telephonic Status Conference

BEFORE: THE HONORABLE MARY ELLEN COSTER WILLIAMS

Lisa L. Lewis, CERT, Digital Transcriber

1 APPEARANCES:

2

3 ON BEHALF OF THE PLAINTIFF:

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24 ALSO PRESENT:

25 Gladys Cojocari, Dept. of the Interior

P R O C E E D I N G S

E X C E R P T

(Proceedings called to order at 11:03 a.m.)

THE COURT: -- initiated by the Court in the matter of Jicarilla Apache Nation v. United States, number 02-25L. I'm Judge Williams. Let me ask counsel to please identify themselves for the record. For the Plaintiff?

MR. GORDON: Good morning, Your Honor. Steven Gordon on behalf of Plaintiff, and with me is Christine Walz.

THE COURT: Good morning to both of you. And for the Government?

MR. TERRELL: Good morning, Your Honor. Stephen Terrell, and with me is Barbara Marvin, M A R V I N, also with the Department of Justice. And also on the line is Gladys Cojocari, C O J O C A R I, with the Department of the Interior, Office of the Solicitor.

THE COURT: Well, thank you all for participating. The reason for the conference is logistics in the scheduling of your trial. The Court must postpone the November trial. I apologize. As you know, we're down now six judges, and we have to give priority, by statute, to our emergency cases, and we have a lot of them. It's the end of the fiscal year. So, you can't have the November two weeks. I talked -- I have a very, very full trial schedule myself in early 2016. My earliest trial date for two weeks is July 11th. And I can

1 give you that and reserve it.

2 I talked to two other colleagues who may be able to
3 give you an earlier trial date and would be happy to take the
4 case. I tried to get somebody to take it for you in November
5 because I know you've probably been doing preparation, but
6 the Court is so short-staffed right now that that just proved
7 impossible.

8 So, what I was going to propose -- and I'm happy to
9 hear whatever thoughts you have -- was to go ahead and
10 reserve for you that July 11th date as a, you know, just a
11 stop-gap measure so we have something on the books. And my
12 colleagues that said they might be able to do it earlier are
13 not available to have given me some actual dates yet, so what
14 I thought maybe we should do is have you all get together and
15 suggest a couple of alternatives when you and your witnesses
16 could be available in 2016. And we can do that and then see
17 if either of these two other judges can accommodate those
18 weeks, or we can just keep the July 11th date for you in
19 front of me.

20 I haven't issued my decisions on the motions *in*
21 *limine*. I know they're ripe; I've resolved them. We have
22 drafts, but I thought it best not to issue them in the event
23 that we transfer the case.

24 So, Mr. Gordon, any thoughts at the moment?

25 **(Whereupon, the requested excerpt was concluded.)**

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CERTIFICATE OF TRANSCRIBER

I, Lisa L. Lewis, court-approved transcriber,
certify that the foregoing is a correct transcript from the
official electronic sound recording of the proceedings in the
above-titled matter.

DATE: 10/26/2015

LISA L. LEWIS, CERT