

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

MUWEKMA OHLONE TRIBE,)	
)	
Plaintiff,)	
)	
v.)	
)	Civil Action No. 03-1231(RBW)
DIRK KEMPTHORNE, ¹)	
Secretary of the Interior, <u>et al.</u> ,)	
)	
Defendants.)	
)	

ORDER

In accordance with the Memorandum Opinion that accompanies this Order, it is hereby **ORDERED** that the plaintiff's motion for summary judgment is DENIED. It is further **ORDERED** that the defendants' cross-motion for summary judgment is DENIED. It is further

ORDERED that this matter is remanded to the Department of the Interior ("the Department") for the limited purpose of supplementing the administrative record in a manner consistent with the Memorandum Opinion. It is further

ORDERED that during the period in which this matter is remanded, the case shall be administratively closed. It is further

ORDERED that the Court shall retain jurisdiction over this matter and shall require the Department to complete its evaluation and submit a supplement to the administrative record by November 27, 2006. In light of the Department's past delays, and given the narrow purpose for

¹ Pursuant to Federal Rule of Civil Procedure 25(d)(1), the Court has substituted the Secretary of the Interior, Dirk Kempthorne, for the former Secretary, Gale Norton, as a defendant in this action.

which this matter is being remanded, the Court will look extremely skeptically on motions for extensions of time. Such motions will not be granted absent extraordinary circumstances. It is further

ORDERED that once the Department has filed its supplemental administrative record, the case will be automatically reopened, and a briefing schedule will be set for the expeditious filing of dispositive motions.

SO ORDERED this 21st day of September, 2006.

REGGIE B. WALTON
United States District Judge