

General Docket
United States Court of Appeals for the Federal Circuit

Court of Appeals Docket #: 18-1323**Docketed:** 12/21/2017**Nature of Suit:** 512 Taking - Realty

Baley v. US

Appeal From: United States Court of Federal Claims**Fee Status:** fee paid**Case Type Information:**

- 1) Civil US
- 2) -
- 3) -

Originating Court Information:**District:** --14-1 : [1:01-cv-00591-MBH](#)**Trial Judge:** Marian Blank Horn, Senior Judge**Date Filed:** 10/11/2001**Date NOA Filed:**

12/18/2017

Date Rec'd COA:

12/19/2017

District: --14-1 : [1:07-cv-00194-MBH](#)**Date Filed:** 03/23/2007**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19401-MBH](#)**Date Filed:** 05/30/2007**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19405-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19410-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19402-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19403-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19404-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19406-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19407-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19408-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19409-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19411-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19412-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19413-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19414-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19415-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19416-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19417-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19418-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19419-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**District:** --14-1 : [1:07-cv-19420-MBH](#)**Lead:** [1:01-cv-00591-MBH](#)**Prior Cases:**07-5115 **Date Filed:** 05/16/2007 **Date Disposed:** 02/17/2011 **Disposition:** Vacated and Remanded**Current Cases:**

	Lead	Member	Start	End
Consolidated	18-1323	18-1325	12/21/2017	

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LONNY E. BALEY, et al., JOHN ANDERSON FARMS, INC., et al.,

Plaintiffs - Appellants

v.

UNITED STATES, PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS,

Defendants - Appellees

- 12/21/2017 [1](#) Appeal docketed. Received: 12/19/2017. [484951]
72 pg, 1.26 MB Entry of Appearance due 01/04/2018. Certificate of Interest due 01/04/2018. Docketing Statement due 01/22/2018. Appellants' brief due 02/20/2018. [MJL] [Entered: 12/21/2017 03:56 PM]
- 12/21/2017 [2](#) Note to file: The following cases are consolidated: 18-1323 (Lead) with 18-1325 (Member). FURTHER ENTRIES WILL BE ADDED TO THE LEAD APPEAL ONLY. [484963] [18-1323, 18-1325] [MJL] [Entered: 12/21/2017 04:12 PM]
- 01/03/2018 [3](#) Official caption revised to consolidate listing of parties. The official caption is reflected on the electronic docket under the listing of the parties and counsel. Service as of this date by Clerk of Court. [486942] [MJL] [Entered: 01/03/2018 10:50 AM]
- 01/04/2018 [4](#) Entry of appearance for Nancie G. Marzulla as principal counsel for All Plaintiffs. Service: 01/04/2018 by email. [487427]--[Edited 01/10/2019 by MJL to consolidate text] [Nancie Marzulla] [Entered: 01/04/2018 04:17 PM]
2 pg, 102.4 KB
- 01/04/2018 [5](#) Entry of appearance for Roger J. Marzulla as of counsel for All Plaintiffs.. Service: 01/04/2018 by email. [487433]--[Edited 01/10/2019 by MJL to consolidate text] [Nancie Marzulla] [Entered: 01/04/2018 04:25 PM]
2 pg, 56.9 KB
- 01/04/2018 [6](#) Certificate of Interest for the Appellant All Plaintiffs. Service: 01/04/2018 by email. [487445] [Nancie Marzulla] [Entered: 01/04/2018 04:38 PM]
36 pg, 150.42 KB
- 01/05/2018 [7](#) Entry of appearance for Alan I. Saltman as of counsel for Appellants Eileen Buckingham, Keith Buckingham, Shelly Buckingham, Buckingham Family Trust, Constance Frank, John Frank, Hill Land And Cattle Co., Inc., Jeff Hunter, Sandra Hunter, John Anderson Farms, Inc., Barbara McVay, Matthew K. McVay, Michael McVay, Ronald McVay, Suzan McVay, Tatiana V. McVay, McVay Farms, Inc., Henry O'Keeffe, Patricia O'Keeffe, Shasta View Produce, Inc. and Edwin Stastny, Jr.. Service: 01/05/2017 by email. [487761] [Alan Saltman] [Entered: 01/05/2018 04:37 PM]
2 pg, 86.06 KB
- 01/05/2018 [8](#) Certificate of Interest for the Appellants Eileen Buckingham, Keith Buckingham, Shelly Buckingham, Buckingham Family Trust, Constance Frank, John Frank, Hill Land And Cattle Co., Inc., Jeff Hunter, Sandra Hunter, John Anderson Farms, Inc., Barbara McVay, Matthew K. McVay, Michael McVay, Ronald McVay, Suzan McVay, Tatiana V. McVay, McVay Farms, Inc., Henry O'Keeffe, Patricia O'Keeffe, Shasta View Produce, Inc. and Edwin Stastny, Jr.. Service: 01/05/2018 by email. [487764] [Alan Saltman] [Entered: 01/05/2018 04:41 PM]
4 pg, 199.83 KB
- 01/10/2018 [9](#) Amended Entry of appearance for Alan I. Saltman as of counsel for Appellants Eileen Buckingham, Keith Buckingham, Shelly Buckingham, Buckingham Family Trust, Constance Frank, John Frank, Hill Land And Cattle Co., Inc., Jeff Hunter, Sandra Hunter, John Anderson Farms, Inc., Barbara McVay, Matthew K. McVay, Michael McVay, Ronald McVay, Suzan McVay, Tatiana V. McVay, McVay Farms, Inc., Henry O'Keeffe, Patricia O'Keeffe, Shasta View Produce, Inc. and Edwin Stastny, Jr.. Service: 01/10/2018 by email. [488780] [Alan Saltman] [Entered: 01/10/2018 04:13 PM]
3 pg, 118.51 KB
- 01/11/2018 [10](#) Notice to counsel for Appellees: The record of this case indicates that no Entry of Appearance has been filed. Additionally, no Certificate of Interest has been filed for Pacific Coast Federation of Fishermen's Associations. Please file these documents promptly. Service as of this date by Clerk of Court. [488906] [MJL] [Entered: 01/11/2018 10:57 AM]
- 01/16/2018 [11](#) Entry of appearance for Todd D. True as principal counsel for Appellee Pacific Coast Federation of Fishermen's Associations. Service: 01/16/2018 by email. [490043] [Todd True] [Entered: 01/16/2018 06:43 PM]
- 01/16/2018 [12](#) Certificate of Interest for the Appellee Pacific Coast Federation of Fishermen's Associations. Service: 01/16/2018 by email. [490046] [Todd True] [Entered: 01/16/2018 06:49 PM]
3 pg, 156.98 KB
- 01/17/2018 [13](#) NOTICE OF DEFICIENCY: The entry of appearance for Todd D. True [11] filed by Appellee Pacific Coast Federation of Fishermen's Associations in 18-1323 is not signed and therefore cannot be accepted for filing at this time. You are being afforded the opportunity to correct the deficiency. At the discretion of the court, the corrected document may be accepted for filing if received before midnight (EST) on the date of this notice. [490214] [MJL] [Entered: 01/17/2018 10:26 AM]
- 01/17/2018 [14](#) Corrected Entry of appearance for Todd D. True as principal counsel for Appellee Pacific Coast Federation of Fishermen's Associations. Service: 01/17/2018 by email. [490310] [Todd True] [Entered: 01/17/2018 01:41 PM]
2 pg, 135.11 KB
- 01/19/2018 [15](#) Entry of appearance for John L. Smeltzer as principal counsel for Appellee US. Service: 01/19/2018 by email. [491119] [John Smeltzer] [Entered: 01/19/2018 04:38 PM]
2 pg, 76.64 KB
- 01/22/2018 [16](#) Docketing Statement for the Appellant All Plaintiffs. Service: 01/22/2018 by email. [491646] [Nancie Marzulla] [Entered: 01/22/2018 06:00 PM]
4 pg, 68.78 KB
- 01/22/2018 [17](#) Docketing Statement for the Appellee Pacific Coast Federation of Fishermen's Associations. Service: 01/22/2018 by email. [491660] [Todd True] [Entered: 01/22/2018 08:53 PM]
4 pg, 287.39 KB

- 01/24/2018 [18](#) Docketing Statement for the Appellee US. Service: 01/24/2018 by email. [492212] [John Smeltzer] [Entered: 01/24/2018 09:45 AM]
4 pg, 88.18 KB
- 01/25/2018 [19](#) MOTION of Appellant All Plaintiffs to extend the time to 04/23/2018 to file the appellant/petitioner's principal brief. *Any response is due within 10 days of service* [Consent: unopposed]. Service: 01/25/2018 by email. [492820] [Nancie Marzulla] [Entered: 01/25/2018 03:50 PM]
5 pg, 13.55 KB
- 01/25/2018 [20](#) Notice of Rejection to Appellants, the following document is REJECTED for filing: motion to extend time to file appellants' principal brief [[19](#)]. Reasons: see attached. Service: 01/25/2018 by clerk. [492833] [MJL] [Entered: 01/25/2018 04:01 PM]
1 pg, 16.63 KB
- 01/26/2018 [21](#) MOTION of Appellant All Plaintiffs to extend the time to 04/23/2018 to file the appellant/petitioner's principal brief. *Any response is due within 10 days of service* [Consent: unopposed]. Service: 01/26/2018 by email. [493191] [Nancie Marzulla] [Entered: 01/26/2018 09:27 PM]
42 pg, 190.73 KB
- 01/29/2018 22 **TEXT ONLY** ORDER granting motion to extend time to file appellants' opening brief [[21](#)] filed by Appellant All Plaintiffs. The brief is due 04/23/2018. Service as of this date by Clerk of Court. This order has been issued without an attached document and is official and binding. [493221] [MJL] [Entered: 01/29/2018 09:07 AM]
- 04/09/2018 [23](#) MOTION of Appellant All Plaintiffs to extend the time to 05/23/2018 to file the April 23, 2018.. *Any response is due within 10 days of service*. [Consent: unopposed]. Service: 04/09/2018 by email. [511685] [18-1323] [Nancie Marzulla] [Entered: 04/09/2018 01:28 PM]
40 pg, 141.69 KB
- 04/12/2018 [24](#) ORDER granting motion to extend time to file brief [[23](#)] filed by Appellant All Plaintiffs. No further extensions should be anticipated. Brief due 05/23/2018. Service as of this date by the Clerk of Court. [512791] --[Edited 04/12/2018 by CAB to correct docket text.] [CFT] [Entered: 04/12/2018 10:24 AM]
2 pg, 71.51 KB
- 05/17/2018 [25](#) MOTION of State of Oregon to extend the time to 06/29/2018 to file the brief of an amicus not supporting either party on appeal. [Consent: unopposed]. Service: 05/17/2018 by email. [522674] [18-1323] [Denise Fjordbeck] [Entered: 05/17/2018 06:03 PM]
12 pg, 354.52 KB
- 05/18/2018 [26](#) Entry of appearance for Denise G. Fjordbeck as principal counsel for State of Oregon. Service: 05/18/2018 by email. [523042] [18-1323] [Denise Fjordbeck] [Entered: 05/18/2018 06:00 PM]
2 pg, 416.83 KB
- 05/23/2018 [27](#) TENDERED from All Plaintiffs. Title: OPENING BRIEF. Service: 05/23/2018 by email. [524016] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [Nancie Marzulla] [Entered: 05/23/2018 03:11 PM]
171 pg, 3.09 MB
- 05/23/2018 [28](#) Entry of appearance for Douglas W. MacDougal as principal counsel for Oregon Farm Bureau Federation, California Farm Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation, Wyoming Farm Bureau Federation. Service: 05/23/2018 by email. [524089] [18-1323] [Douglas MacDougal] [Entered: 05/23/2018 07:22 PM]
3 pg, 198.43 KB
- 05/23/2018 [29](#) Entry of appearance for Sarah E. Peterson as of counsel for Oregon Farm Bureau Federation, California Farm Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation, Wyoming Farm Bureau Federation. Service: 05/23/2018 by email. [524091] [18-1323] [Sarah Peterson] [Entered: 05/23/2018 07:24 PM]
3 pg, 653.88 KB
- 05/23/2018 30 TENDERED from Oregon Farm Bureau Federation, California Farm Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation, Wyoming Farm Bureau Federation Title: AMICUS CURIAE BRIEF. Service: 05/23/2018 by email. [524092] [18-1323]. This brief has been corrected. See Doc. No. [[63](#)]. [Douglas MacDougal] [Entered: 05/23/2018 07:30 PM]
- 05/23/2018 [31](#) BRIEF FILED for Appellants Lonny E. Baley, Baley Trotman Farms, et al. [[27](#)]. Number of Pages: 60. Service: 05/23/2018 by email. The paper copies of the brief should be received by the court on or before 06/01/2018. Appellees' brief(s) due 07/02/2018. [524481] [MJL] [Entered: 05/24/2018 04:06 PM]
171 pg, 3.09 MB
- 05/24/2018 32 CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The caption included on the cover of Appellants' brief [[27](#)] did not match the official caption provided by the clerk. CORRECTION: Please ensure future covers use the official caption. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [524489] [MJL] [Entered: 05/24/2018 04:13 PM]
- 05/25/2018 [33](#) Entry of appearance for Craig A. Parton as principal counsel for Friant Water Users and Friant Water Authority. Service: 05/25/2018 by email. [524653] [18-1323] [Timothy Metzinger] [Entered: 05/25/2018 10:13 AM]
3 pg, 130.98 KB
- 05/25/2018 [34](#) TENDERED from Friant Water Users and Friant Water Authority Title: AMICUS CURIAE BRIEF. Service: 05/25/2018 by email. [524654] [18-1323] [Timothy Metzinger] [Entered: 05/25/2018 10:15 AM]
42 pg, 187.72 KB
- 05/25/2018 [60](#) AMICUS BRIEF FILED for Friant Water Users and Friant Water Authority [[34](#)]. Number of Pages: 29. Service: 05/25/2018 by email. The paper copies of the brief should be received by the court on or before 06/13/2018. [527196] [MJL] [Entered: 06/06/2018 08:39 AM]
42 pg, 187.72 KB

- 05/25/2018 [35](#)
2 pg, 71.7 KB ORDER granting motion to extend time to file amicus curiae brief [\[25\]](#) filed by State of Oregon. The brief is due 06/29/2018. Service as of this date by the Clerk of Court. [524687] [MJL] [Entered: 05/25/2018 11:25 AM]
- 05/25/2018 [36](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: Oregon's motion [\[25\]](#) and entry of appearance [\[26\]](#) were not fully text-searchable. CORRECTION: Pursuant to FCR 25(c)(1)(K), documents must be text-searchable. Please ensure future filings are text-searchable in their entirety. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [524694] [MJL] [Entered: 05/25/2018 11:36 AM]
- 05/25/2018 [37](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: Oregon's motion [\[25\]](#) did not include a certificate of compliance. CORRECTION: Pursuant to FRAP 32(g)(1), motions must contain a certificate of compliance with the word count. Please ensure future motions include the certificate of compliance. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [524698] [MJL] [Entered: 05/25/2018 11:52 AM]
- 05/29/2018 [38](#) 6 paper copies of the Opening Brief [\[31\]](#) received from Appellant All Plaintiffs. [524956] [CJF] [Entered: 05/29/2018 11:04 AM]
- 05/30/2018 [39](#)
3 pg, 354.04 KB Entry of appearance for James L. Huffman as principal counsel for Family Farm Alliance and National Water Resources Association. Service: 05/30/2018 by email. [525294] [18-1323] [James Huffman] [Entered: 05/30/2018 10:12 AM]
- 05/30/2018 [40](#)
32 pg, 343.45 KB TENDERED from Family Farm Alliance and National Water Resources Association Title: AMICUS CURIAE BRIEF. Service: 05/30/2018 by email. [525299] [18-1323] [James Huffman] [Entered: 05/30/2018 10:14 AM]
- 05/30/2018 [61](#)
32 pg, 343.45 KB AMICUS BRIEF FILED for Family Farm Alliance and National Water Resources Association [\[40\]](#). Number of Pages: 22. Service: 05/30/2018 by email. The paper copies of the brief should be received by the court on or before 06/13/2018. [527197] [MJL] [Entered: 06/06/2018 08:41 AM]
- 05/30/2018 [41](#)
2 pg, 101.16 KB Entry of appearance for Kirk B. Maag as of counsel for Oregon Water Resources Congress. Service: 05/30/2018 by email. [525381] [18-1323] [Kirk Maag] [Entered: 05/30/2018 12:38 PM]
- 05/30/2018 [42](#)
2 pg, 100.48 KB Entry of appearance for David E. Filippi as principal counsel for Oregon Water Resources Congress. Service: 05/30/2018 by email. [525407] [18-1323] [David Filippi] [Entered: 05/30/2018 01:25 PM]
- 05/30/2018 [43](#)
2 pg, 45.9 KB Entry of appearance for Steven L. Shropshire as of counsel for Oregon Water Resources Congress. Service: 05/30/2018 by email. [525501] [18-1323] [Steven Shropshire] [Entered: 05/30/2018 03:40 PM]
- 05/30/2018 [44](#)
42 pg, 450.05 KB TENDERED from Oregon Water Resources Congress Title: AMICUS CURIAE BRIEF. Service: 05/30/2018 by email. [525574] [18-1323] [David Filippi] [Entered: 05/30/2018 04:40 PM]
- 05/30/2018 [62](#)
42 pg, 450.05 KB AMICUS BRIEF FILED for Oregon Water Resources Congress [\[44\]](#). Number of Pages: 29. Service: 05/30/2018 by email. The paper copies of the brief should be received by the court on or before 06/13/2018. [527205] [MJL] [Entered: 06/06/2018 09:03 AM]
- 05/30/2018 [45](#)
1 pg, 173.51 KB Entry of appearance for Samuel E. Bivins as principal counsel for Association of California Water Agencies. Service: 05/30/2018 by email. [525603] [18-1323] [Samuel Bivins] [Entered: 05/30/2018 05:27 PM]
- 05/30/2018 [46](#) TENDERED from Association of California Water Agencies Title: AMICUS CURIAE BRIEF. Service: 05/30/2018 by email. [525606] [18-1323]. This brief has been corrected. See Doc. No. [\[64\]](#). [Samuel Bivins] [Entered: 05/30/2018 05:37 PM]
- 05/30/2018 [47](#) 
0 pg, 0 KB TENDERED from Amicus Curiae The Middle Rio Grande Conservancy District Title: AMICUS CURIAE BRIEF. Service: 05/30/2018 by email. [525647] [18-1323]. This brief has been rejected. See Doc. No. [\[67\]](#). [Charles DuMars] [Entered: 05/30/2018 06:33 PM]
- 05/30/2018 [48](#) Entry of appearance for Charles T. DuMars as principal counsel for Amicus Curiae The Middle Rio Grande Conservancy District. Service: 05/30/2018 by email. [525659] [18-1323] [Charles DuMars] [Entered: 05/30/2018 07:42 PM]
- 05/30/2018 [49](#) Entry of appearance for Tanya L. Scott as of counsel for Amicus Curiae The Middle Rio Grande Conservancy District. Service: 05/30/2018 by email. [525660] [18-1323] [Charles DuMars] [Entered: 05/30/2018 07:44 PM]
- 05/30/2018 [50](#) Entry of appearance for Lorna M. Wiggins as of counsel for Amicus Curiae The Middle Rio Grande Conservancy District. Service: 05/30/2018 by email. [525661] [18-1323] [Charles DuMars] [Entered: 05/30/2018 07:45 PM]
- 06/01/2018 [51](#)
38 pg, 449.15 KB TENDERED from Oregon Farm Bureau Federation, California Farm Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation, and Wyoming Farm Bureau Federation Title: CORRECTED AMICUS CURIAE BRIEF. Service: 06/01/2018 by email. [526442] [18-1323] [Douglas MacDougal] [Entered: 06/01/2018 06:03 PM]
- 06/01/2018 [52](#) Notice of Correction to the Brief Doc No. [\[30\]](#) from Oregon Farm Bureau Federation, California Farm

- 4 pg, 95.09 KB Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation, and Wyoming Farm Bureau Federation. Service: 06/01/2018 by email. [526444] [18-1323] [Douglas MacDougal] [Entered: 06/01/2018 06:05 PM]
- 06/01/2018 [63](#) CORRECTED AMICUS BRIEF FILED for Western Farm Bureaus [\[51\]](#). Number of Pages: 27. Service: 06/01/2018 by email. The paper copies of the brief should be received by the court on or before 06/13/2018. [527212] [MJL] [Entered: 06/06/2018 09:08 AM]
38 pg, 449.15 KB
- 06/05/2018 [53](#) Duplicate Entry of appearance for Samuel E. Bivins as of counsel for Association of California Water Agencies. Service: 06/05/2018 by email. [526942] [18-1323] [Samuel Bivins] [Entered: 06/05/2018 01:16 PM]
2 pg, 85.73 KB
- 06/05/2018 [54](#) Entry of appearance for David R.E. Aladjem as principal counsel for Association of California Water Agencies. Service: 06/05/2018 by email. [526947] [18-1323] [Samuel Bivins] [Entered: 06/05/2018 01:18 PM]
2 pg, 88.3 KB
- 06/05/2018 [55](#) Entry of appearance for Avalon J. Fitzgerald as of counsel for Association of California Water Agencies. Service: 06/05/2018 by email. [526950] [18-1323] [Samuel Bivins] [Entered: 06/05/2018 01:21 PM]
2 pg, 88.56 KB
- 06/05/2018 [56](#) Entry of appearance for Meredith E. Nikkel as of counsel for Association of California Water Agencies. Service: 06/05/2018 by email. [526952] [18-1323] [Samuel Bivins] [Entered: 06/05/2018 01:23 PM]
2 pg, 87.67 KB
- 06/05/2018 57 Entry of appearance for Kevin M. O'Brien as of counsel for Association of California Water Agencies. Service: 06/05/2018 by email. [526953] [18-1323]. This document has been rejected. See Doc. No. [\[68\]](#). [Samuel Bivins] [Entered: 06/05/2018 01:25 PM]
- 06/05/2018 [58](#) Notice of Correction to the Brief Doc No. [\[46\]](#) from Association of California Water Agencies. Service: 06/05/2018 by email. [526956] [18-1323] [Samuel Bivins] [Entered: 06/05/2018 01:28 PM]
6 pg, 9.61 KB
- 06/05/2018 59 TENDERED from Association of California Water Agencies Title: CORRECTED AMICUS CURIAE BRIEF. Service: 06/05/2018 by email. [527001] [18-1323]. This brief has been corrected. See Doc. No. [\[72\]](#). [Samuel Bivins] [Entered: 06/05/2018 02:26 PM]
- 06/05/2018 64 CORRECTED AMICUS BRIEF FILED for Association of California Water Agencies [\[59\]](#). Number of Pages: 26. Service: 06/05/2018 by email. The paper copies of the brief should be received by the court on or before 06/13/2018. [527215]. This brief has been corrected. See Doc. No. [\[72\]](#). [MJL] [Entered: 06/06/2018 09:11 AM]
- 06/06/2018 65 This entry was made in error and has been removed from the docket. CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The contact information included on the entry of appearance (EOA) for Kevin M. O'Brien [\[57\]](#) does not match the information in the attorney's user account. [527219]--[Edited 06/06/2018 by MJL to partially delete]. [MJL] [Entered: 06/06/2018 09:13 AM]
- 06/06/2018 66 CLERK'S OFFICE QUALITY CONTROL MESSAGE:The caption included on the cover of OWRC's brief [\[44\]](#) did not match the official caption provided by the clerk. CORRECTION: Please ensure future covers use the official caption. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [527223] [MJL] [Entered: 06/06/2018 09:15 AM]
- 06/06/2018 [67](#) NOTICE OF REJECTION: The Brief Amicus Curiae of The Middle Rio Grande Conservancy District [\[47\]](#) is not in compliance with the rules of this court and is therefore rejected for filing. Corrected brief due 06/20/2018. Service as of this date by the Clerk of Court. [527224] [MJL] [Entered: 06/06/2018 09:19 AM]
2 pg, 18.72 KB
- 06/06/2018 [68](#) Notice of Rejection to Amicus Curiae Association of California Water Agencies, the following document cannot be filed: entry of appearance [\[57\]](#). Reason: see attached. [527407] [MJL] [Entered: 06/06/2018 03:08 PM]
2 pg, 17.37 KB
- 06/06/2018 [69](#) TENDERED from Association of California Water Agencies Title: CORRECTED AMICUS CURIAE BRIEF. Service: 06/06/2018 by email. [527444] [18-1323] [Samuel Bivins] [Entered: 06/06/2018 04:10 PM]
35 pg, 159.5 KB
- 06/06/2018 [70](#) TENDERED from Amicus Curiae The Middle Rio Grande Conservancy District Title: CORRECTED AMICUS CURIAE BRIEF. Service: 06/06/2018 by email. [527462] [18-1323] [Charles DuMars] [Entered: 06/06/2018 04:41 PM]
43 pg, 806.27 KB
- 06/06/2018 [72](#) CORRECTED AMICUS BRIEF FILED for Association of California Water Agencies [\[69\]](#). Number of Pages: 26. Service: 06/06/2018 by email. The paper copies of the brief should be received by the court on or before 06/14/2018. [527792] [MJL] [Entered: 06/07/2018 04:25 PM]
35 pg, 159.5 KB
- 06/06/2018 [75](#) CORRECTED AMICUS BRIEF FILED for Middle Rio Grande Conservancy District [\[70\]](#). Number of Pages: 32. Service: 06/06/2018 by email. The paper copies of the brief should be received by the court on or before 06/18/2018. [528352] [MJL] [Entered: 06/11/2018 10:56 AM]
43 pg, 806.27 KB
- 06/07/2018 [71](#) Notice of Correction to the Brief Doc No. [\[69\]](#) from Association of California Water Agencies. Service: 06/07/2018 by email. [527735] [18-1323] [Samuel Bivins] [Entered: 06/07/2018 03:03 PM]
3 pg, 81.03 KB
- 06/08/2018 73 6 paper copies of the Amicus Brief [\[62\]](#) received from Amicus Curiae Oregon Water Resources Congress.

[527969] [CJF] [Entered: 06/08/2018 11:42 AM]

- 06/08/2018 [74](#)
4 pg, 216.06 KB Certificate of Interest for the Amici Curiae Friant Water Authority, City of Fresno, Arvin-Edison Water Storage District, Chowchilla Water District, Delano-Earlimart Irrigation District, Exeter Irrigation District, Ivanhoe Irrigation District, Lindmore Irrigation District, Lindsay-Strathmore Irrigation District, Lower Tule River Irrigation District, Orange Cove Irrigation District and Porterville Irrigation District. Service: 06/08/2018 by email. [528187] [18-1323] [Timothy Metzinger] [Entered: 06/08/2018 05:28 PM]
- 06/11/2018 [76](#)
1 pg, 16.9 KB NOTICE OF DEFICIENCY: The entries of appearance for Charles T. DuMars [48], Tanya L. Scott [49], and Lorna M. Wiggins [50] filed by The Middle Rio Grande Conservancy cannot be accepted for filing at this time. Reasons: see attached. You are being afforded the opportunity to correct the deficiencies. At the discretion of the court, the corrected documents may be accepted for filing if received before midnight (EST) on the date of this notice. [528354] [MJL] [Entered: 06/11/2018 11:01 AM]
- 06/11/2018 77
Clerk's Note to the File: All amici must promptly file a certificate of interest as a separate docket entry in order to satisfy the requirements of Fed. Cir. R. 47.4(b). [Clerk's Note: this filing is in addition to the COI included in the brief]. [528360] [MJL] [Entered: 06/11/2018 11:11 AM]
- 06/11/2018 [78](#)
4 pg, 547.08 KB Certificate of Interest for the Amici Curiae Family Farm Alliance and National Water Resources Association. Service: 06/11/2018 by email. [528388] [18-1323] [James Huffman] [Entered: 06/11/2018 12:10 PM]
- 06/11/2018 79
6 paper copies of the Amicus Brief [\[61\]](#) received from Amici Curiae Family Farm Alliance and National Water Resources Association. [528410] [CJF] [Entered: 06/11/2018 01:32 PM]
- 06/11/2018 80
6 paper copies of the Amicus Brief [\[60\]](#) received from Amicus Curiae Friant Water Authority and Friant Water Users. [528413]--[Edited 06/14/2018 by MJL to add party filers]. [CJF] [Entered: 06/11/2018 01:41 PM]
- 06/11/2018 [81](#)
2 pg, 61.31 KB Certificate of Interest for the Amicus Curiae Association of California Water Agencies. Service: 06/11/2018 by email. [528422] [18-1323] [Samuel Bivins] [Entered: 06/11/2018 02:00 PM]
- 06/11/2018 [82](#)
2 pg, 18.73 KB Corrected Entry of appearance for Tanya L. Scott as of counsel for Amicus Curiae Middle Rio Grande Conservancy District. Service: 06/11/2018 by email. [528494] [18-1323] [Charles DuMars] [Entered: 06/11/2018 03:27 PM]
- 06/11/2018 [83](#)
2 pg, 18.8 KB Corrected Entry of appearance for Charles T. DuMars as principal counsel for Amicus Curiae Middle Rio Grande Conservancy District. Service: 06/11/2018 by email. [528495] [18-1323] [Charles DuMars] [Entered: 06/11/2018 03:29 PM]
- 06/11/2018 [84](#)
2 pg, 18.67 KB Corrected Entry of appearance for Lorna M. Wiggins as of counsel for Amicus Curiae Middle Rio Grande Conservancy District. Service: 06/11/2018 by email. [528497] [18-1323] [Charles DuMars] [Entered: 06/11/2018 03:32 PM]
- 06/11/2018 [85](#)
3 pg, 269.11 KB Duplicate Certificate of Interest for the Amicus Curiae Middle Rio Grande Conservancy District. Service: 06/11/2018 by email. [528498] [18-1323] [Charles DuMars] [Entered: 06/11/2018 03:35 PM]
- 06/11/2018 [86](#)
3 pg, 163.46 KB Certificate of Interest for the Amicus Curiae Oregon Water Resources Congress. Service: 06/11/2018 by email. [528536] [18-1323] [David Filippi] [Entered: 06/11/2018 05:00 PM]
- 06/11/2018 [87](#)
3 pg, 203.96 KB Certificate of Interest for the Amici Curiae Oregon Farm Bureau Federation, California Farm Bureau Federation, Idaho Farm Bureau Federation, New Mexico Farm and Livestock Bureau, Colorado Farm Bureau, Nevada Farm Bureau, Utah Farm Bureau Federation and Wyoming Farm Bureau Federation. Service: 06/11/2018 by email. [528546] [18-1323] [Douglas MacDougal] [Entered: 06/11/2018 05:39 PM]
- 06/12/2018 88
6 paper copies of the Corrected Amicus Brief [\[63\]](#) received from Amici Curiae California Farm Bureau Federation, Colorado Farm Bureau, Idaho Farm Bureau Federation, Nevada Farm Bureau, New Mexico Farm and Livestock Bureau, Oregon Farm Bureau Federation, Utah Farm Bureau Federation and Wyoming Farm Bureau Federation. [528695] [CJF] [Entered: 06/12/2018 10:42 AM]
- 06/13/2018 89
6 paper copies of the Corrected Amicus Brief [\[75\]](#) received from Amicus Curiae Middle Rio Grande Conservancy District. [528981] [CJF] [Entered: 06/13/2018 09:37 AM]
- 06/13/2018 90
6 paper copies of the Corrected Amicus Brief [\[72\]](#) received from Amicus Curiae Association of California Water Agencies. [529033] [CJF] [Entered: 06/13/2018 11:01 AM]
- 06/20/2018 [91](#)
9 pg, 37.14 KB MOTION of Appellee US to extend the time to 09/17/2018 to file the appellee briefs. [Consent: unopposed]. Service: 06/20/2018 by email. [530996] [18-1323] [John Smeltzer] [Entered: 06/20/2018 05:19 PM]
- 06/21/2018 [92](#)
2 pg, 71.76 KB ORDER granting motion to extend time to file appellees' response briefs [\[91\]](#) filed by Appellee US. No further extensions should be anticipated. The briefs are due 09/17/2018. Service as of this date by the Clerk of Court. [531104] [MJL] [Entered: 06/21/2018 09:47 AM]
- 06/29/2018 [93](#)
41 pg, 619.77 KB TENDERED from State of Oregon Title: AMICUS CURIAE BRIEF. Service: 06/29/2018 by email. [532954] [18-1323] [Denise Fjordbeck] [Entered: 06/29/2018 05:25 PM]
- 06/29/2018 [94](#)
AMICUS BRIEF FILED for State of Oregon [\[93\]](#). Number of Pages: 29. Service: 06/29/2018 by email. The

- 41 pg, 619.77 KB paper copies of the brief should be received by the court on or before 07/12/2018. [533684] [MJL] [Entered: 07/05/2018 10:41 AM]
- 07/05/2018 95 CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The cover of the brief for the State of Oregon [93] did not include the complete case number for this appeal. CORRECTION: For future filings that contain a cover page, please ensure the complete case number is included on the cover. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [533686] [MJL] [Entered: 07/05/2018 10:43 AM]
- 07/20/2018 96 Notice to counsel for Amicus Curiae State of Oregon: The record of this case indicates that the paper copies of the brief [94] have not been filed pursuant to FCR 25(c)(1)(A) and 32(b). Please file the paper copies promptly. Please also promptly submit the certificate of interest as a separate docket entry. Service as of this date by the Clerk of Court. [537170] [MJL] [Entered: 07/20/2018 09:11 AM]
- 07/20/2018 [97](#) Certificate of Interest for the Amicus Curiae State of Oregon. Service: 07/20/2018 by email, US mail. 3 pg, 132.95 KB [537345] [18-1323] [Denise Fjordbeck] [Entered: 07/20/2018 01:23 PM]
- 07/23/2018 98 6 paper copies of the Amicus Brief [94] received from Amicus Curiae State of Oregon. [537654] [CJF] [Entered: 07/23/2018 10:58 AM]
- 09/17/2018 [99](#) TENDERED from Appellee Pacific Coast Federation of Fishermen's Associations. Title: RESPONSE BRIEF. Service: 09/17/2018 by email, US mail. [550475] [18-1323] [Todd True] [Entered: 09/17/2018 04:24 PM] 70 pg, 440.32 KB
- 09/17/2018 [105](#) BRIEF FILED for Appellee Pacific Coast Federation of Fishermen's Associations [99]. Number of Pages: 54. Service: 09/17/2018 by US mail, email. The paper copies of the brief should be received by the court on or before 09/27/2018. [551453] [MJL] [Entered: 09/20/2018 03:22 PM] 70 pg, 440.32 KB
- 09/17/2018 [100](#) Entry of appearance for Elizabeth Ann Peterson as of counsel for Appellee US. Service: 09/17/2018 by email, US mail. [550493] [18-1323]--[Edited 09/18/2018 by MJL to add party filer]. [Elizabeth Peterson] [Entered: 09/17/2018 04:55 PM] 1 pg, 50.52 KB
- 09/17/2018 [101](#) TENDERED from Appellee US. Title: RESPONSE BRIEF. Service: 09/17/2018 by email, US mail. [550509] [18-1323] [John Smeltzer] [Entered: 09/17/2018 06:36 PM] 94 pg, 367.93 KB
- 09/17/2018 [102](#) CORRECTED ENTRY: MOTION of Appellee US to waive requirements to permit an extended brief (17,977 words) [Consent: unopposed]. Service: 09/17/2018 by email, US mail. [550513]--[Edited 09/18/2018 by MJL to correct relief]. [John Smeltzer] [Entered: 09/17/2018 06:40 PM] 8 pg, 36.5 KB
- 09/17/2018 [103](#) Entry of appearance for Stephanie K. Tsosie as of counsel for Appellee Pacific Coast Federation of Fishermen's Associations. Service: 09/17/2018 by email, US mail. [550517] [18-1323] [Todd True] [Entered: 09/17/2018 07:12 PM] 2 pg, 133.41 KB
- 09/18/2018 [104](#) MOTION of Appellant All Plaintiffs to extend the time to 10/31/2018 to file the reply brief. [Consent: unopposed]. Service: 09/18/2018 by email. [550830] [18-1323] [Nancie Marzulla] [Entered: 09/18/2018 05:19 PM] 42 pg, 144.37 KB
- 09/21/2018 [106](#) Entry of appearance for Thomas P. Schlosser as principal counsel for Hoopa Valley Tribe. Service: 09/21/2018 by email, US mail. [551671] [18-1323]. This document is non-compliant. See Doc. No. [148]. [Thomas Schlosser] [Entered: 09/21/2018 01:07 PM] 1 pg, 61.07 KB
- 09/21/2018 [107](#) Entry of appearance for Thane D. Somerville as of counsel for Hoopa Valley Tribe. Service: 09/21/2018 by email, US mail. [551673] [18-1323]. This document is non-compliant. See Doc. No. [148]. [Thomas Schlosser] [Entered: 09/21/2018 01:10 PM] 1 pg, 61.18 KB
- 09/21/2018 [108](#) MOTION of Hoopa Valley Tribe for leave to file an amicus curiae brief [Consent: partial consent]. Service: 09/21/2018 by email, US mail. [551675] [18-1323] [Thomas Schlosser] [Entered: 09/21/2018 01:19 PM] 49 pg, 559.14 KB
- 09/21/2018 [109](#) MOTION of Natural Resources Defense Council for leave to file an amicus curiae brief [Consent: not addressed]. Service: 09/21/2018 by email. [551795] [18-1323] [John Echeverria] [Entered: 09/21/2018 03:35 PM] 7 pg, 208.91 KB
- 09/21/2018 [110](#)  TENDERED from Natural Resources Defense Council Title: AMICUS CURIAE BRIEF. Service: 09/21/2018 by email. [551804] [18-1323]. This brief is non-compliant. See Doc. No. [174]. [John Echeverria] [Entered: 09/21/2018 03:39 PM] 0 pg, 0 KB
- 09/21/2018 [111](#) Entry of appearance for John D. Echeverria as principal counsel for Natural Resources Defense Council. Service: 09/21/2018 by email. [551826] [18-1323]. This document is non-compliant. See Doc. No. [148]. [John Echeverria] [Entered: 09/21/2018 03:55 PM] 2 pg, 77.65 KB
- 09/24/2018 [112](#) Entry of appearance for Robert T. Anderson as principal counsel for Law Professors Specializing in Indian Law and Water Law. Service: 09/24/2018 by email, US mail. [551984] [18-1323]. This document is non-compliant. See Doc. No. [148]. [Robert Anderson] [Entered: 09/24/2018 10:35 AM] 2 pg, 2.31 MB
- 09/24/2018 [113](#) MOTION of Law Professors Specializing in Indian Law and Water Law for leave to file an amicus curiae brief [Consent: partial consent]. Service: 09/24/2018 by email, US mail. [551986] [18-1323] [Robert Anderson] [Entered: 09/24/2018 10:38 AM] 10 pg, 3.87 MB

- 09/24/2018 [114](#)  TENDERED from Law Professors Specializing in Indian Law and Water Law Title: AMICUS CURIAE BRIEF. Service: 09/24/2018 by email, US mail. [551987] [18-1323]. This brief is non-compliant. See Doc. No. [151](#). [Robert Anderson] [Entered: 09/24/2018 10:41 AM]
0 pg, 0 KB
- 09/24/2018 [115](#) Amended Entry of appearance for Amy Cordalis as principal counsel for Yurok Tribe. Service: 09/24/2018 by email, US mail. [552162] [18-1323]. This document is non-compliant. See Doc. No. [148](#). [Amy Cordalis] [Entered: 09/24/2018 04:27 PM]
1 pg, 1.14 MB
- 09/24/2018 [116](#) MOTION of Hoopa Valley Tribe for leave to file an amicus curiae brief [Consent: partial consent]. Service: 09/24/2018 by email, US mail. [552185] [18-1323] [Thomas Schlosser] [Entered: 09/24/2018 05:14 PM]
9 pg, 104.47 KB
- 09/24/2018 [117](#) TENDERED from Hoopa Valley Tribe Title: AMICUS CURIAE BRIEF. Service: 09/24/2018 by email, US mail. [552186] [18-1323] [Thomas Schlosser] [Entered: 09/24/2018 05:17 PM]
40 pg, 454.5 KB
- 09/24/2018 [164](#) AMICUS BRIEF FILED for Hoopa Valley Tribe [117](#). Number of Pages: 30. Service: 09/24/2018 by email. The paper copies of the brief should be received by the court on or before 10/31/2018. [560168] [MJL] [Entered: 10/24/2018 06:04 PM]
40 pg, 485.97 KB
- 09/24/2018 [118](#) Entry of appearance for Daniel M. Lucas as principal counsel for California State Water Resources Control Board. Service: 09/24/2018 by email, US mail. [552194] [18-1323]. This document is non-compliant. See Doc. No. [148](#). [Daniel Lucas] [Entered: 09/24/2018 06:28 PM]
3 pg, 99.49 KB
- 09/24/2018 [119](#) MOTION of California State Water Resources Control Board for leave to file an amicus curiae brief [Consent: unopposed]. Service: 09/24/2018 by email, US mail. [552196] [18-1323] [Daniel Lucas] [Entered: 09/24/2018 06:34 PM]
42 pg, 266.77 KB
- 09/24/2018 [120](#) Entry of appearance for David R. Owen as principal counsel for Amicus Curiae Law Professors. Service: 09/24/2018 by email, US mail. [552200] [18-1323]. This document is non-compliant. See Doc. No. [148](#). [David Owen] [Entered: 09/24/2018 06:52 PM]
2 pg, 86.93 KB
- 09/24/2018 [121](#) MOTION of Amicus Curiae Law Professors for leave to file an amicus curiae brief [Consent: not addressed]. Service: 09/24/2018 by email, US mail. [552201] [18-1323] [David Owen] [Entered: 09/24/2018 06:55 PM]
5 pg, 292.16 KB
- 09/24/2018 [122](#)  TENDERED from Amicus Curiae Law Professors Title: AMICUS CURIAE BRIEF. Service: 09/24/2018 by email, US mail. [552202] [18-1323]. This brief is non-compliant. See Doc. No. [173](#). [David Owen] [Entered: 09/24/2018 06:57 PM]
0 pg, 0 KB
- 09/24/2018 [123](#) Entry of appearance for Joshua A. Klein as of counsel for California State Water Resources Control Board. Service: 09/24/2018 by email. [552203] [18-1323] [Joshua Klein] [Entered: 09/24/2018 07:05 PM]
1 pg, 431.54 KB
- 09/24/2018 [124](#) Entry of appearance for Melinda F. Pilling as of counsel for California State Water Resources Control Board. Service: 09/24/2018 by email, US mail. [552209] [18-1323]. This document is non-compliant. See Doc. No. [148](#). [Melinda Pilling] [Entered: 09/24/2018 08:37 PM]
1 pg, 354.66 KB
- 09/24/2018 [125](#) MOTION of Yurok Tribe for leave to file an amicus curiae brief [Consent: partial consent]. Service: 09/24/2018 by email, US mail. [552210] [18-1323] [Amy Cordalis] [Entered: 09/24/2018 08:59 PM]
10 pg, 111.05 KB
- 09/24/2018 [126](#)  TENDERED from Yurok Tribe Title: AMICUS CURIAE BRIEF. Service: 09/24/2018 by email, US mail. [552211] [18-1323]. This brief is non-compliant. See Doc. No. [175](#). [Amy Cordalis] [Entered: 09/24/2018 09:11 PM]
0 pg, 0 KB
- 09/24/2018 [127](#) Entry of appearance for Susan Y. Noe as principal counsel for Klamath Tribes. Service: 09/24/2018 by email, US mail. [552221] [18-1323] [Susan Noe] [Entered: 09/24/2018 11:44 PM]
4 pg, 112.33 KB
- 09/24/2018 [128](#) TENDERED from Klamath Tribes Title: AMICUS CURIAE BRIEF. Service: 09/24/2018 by email, US mail. [552222] [18-1323] [Susan Noe] [Entered: 09/24/2018 11:49 PM]
36 pg, 268.34 KB
- 09/24/2018 [135](#) AMICUS BRIEF FILED for Klamath Tribes [128](#). Number of Pages: 26. Service: 09/24/2018 by email. The paper copies of the brief should be received by the court on or before 10/18/2018. The certificate of interest must be submitted as a separate docket entry promptly. [556344] [MJL] [Entered: 10/11/2018 11:54 AM]
36 pg, 268.34 KB
- 09/25/2018 [129](#) Notice of Correction to the motion for leave to file an amicus curiae brief Doc No. [108](#) from Hoopa Valley Tribe. Service: 09/25/2018 by email, US mail. [552379] [18-1323] [Thomas Schlosser] [Entered: 09/25/2018 12:41 PM]
3 pg, 84.99 KB
- 09/26/2018 [130](#) ORDER filed. The briefing schedule is stayed pending the court's disposition of the United States' motion (ECF No. 102). The appellants' motion (ECF No. 104) [104](#) is denied as moot. Service: 09/26/2018 by clerk. [552576] [LS] [Entered: 09/26/2018 08:12 AM]
2 pg, 68.9 KB
- 09/26/2018 [131](#) ORDER filed. Any opposition to the motions [108](#) [109](#) [113](#) [116](#) [119](#) [121](#) [125](#) shall be filed no later than seven days from the date of issuance of this order. Any reply is due no later than three days from the filing of the response. Service: 09/26/2018 by clerk. [552591] [LS] [Entered: 09/26/2018 08:57 AM]
2 pg, 70.52 KB
- 09/27/2018 [132](#) 6 paper copies of the Opening Response Brief [105](#) received from Appellee Pacific Coast Federation of Fishermen's Associations. [552989] [CJF] [Entered: 09/27/2018 01:16 PM]

- 09/28/2018 [133](#)  TENDERED from California State Water Resources Control Board Title: AMICUS CURIAE BRIEF. Service: 09/28/2018 by email, US mail. [553314] [18-1323]. This brief is non-compliant. See Doc. No. [\[166\]](#). [Daniel Lucas] [Entered: 09/28/2018 01:24 PM]
0 pg, 0 KB
- 10/02/2018 [134](#) 6 paper copies of the amicus brief [\[126\]](#) received from Yurok Tribe. [555666] [MJL] [Entered: 10/09/2018 03:00 PM]
- 10/11/2018 [136](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The cover of the amicus brief for Klamath Tribes [\[128\]](#) does not reflect the complete case number. CORRECTION: Please ensure future filings reflect the complete case number for this appeal (18-1323, -1325). THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [556345] [MJL] [Entered: 10/11/2018 11:56 AM]
- 10/11/2018 [137](#) Certificate of Interest for the Amicus Curiae Klamath Tribes. Service: 10/11/2018 by email, US mail. [556394] [18-1323]. This document is non-compliant. See Doc. No. [\[138\]](#) [Susan Noe] [Entered: 10/11/2018 02:21 PM]
2 pg, 82.96 KB
- 10/11/2018 [138](#) NOTICE OF NON-COMPLIANCE: The submission of Amicus Curiae Klamath Tribes, Certificate of Interest - Klamath Tribes [\[137\]](#), is not in compliance with the rules of this court (see attached). Compliant document due on 10/18/2018. Service as of this date by the Clerk of Court. [556412] [MMA] [Entered: 10/11/2018 03:14 PM]
1 pg, 65.71 KB
- 10/11/2018 [139](#) TENDERED from All Plaintiffs. Title: REPLY BRIEF. Service: 10/11/2018 by email, US mail. [556436] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [Nancie Marzulla] [Entered: 10/11/2018 03:46 PM]
44 pg, 327.7 KB
- 10/11/2018 [140](#) MOTION of Appellant All Plaintiffs to waive the requirements regarding the brief (request to file reply brief containing 8,346 words) [Consent: unopposed]. Service: 10/11/2018 by email. [556496] [18-1323] [Nancie Marzulla] [Entered: 10/11/2018 05:42 PM]
41 pg, 209.17 KB
- 10/12/2018 [141](#) 6 paper copies of the Amicus Brief [\[135\]](#) received from Amicus Curiae Klamath Tribes. [556624] [CJF] [Entered: 10/12/2018 11:05 AM]
- 10/15/2018 [142](#) Corrected Certificate of Interest for the Amicus Curiae Klamath Tribes. Service: 10/15/2018 by email. [557066] [18-1323] [Susan Noe] [Entered: 10/15/2018 12:51 PM]
3 pg, 97.78 KB
- 10/17/2018 [143](#) ORDER filed. The stay of the briefing schedule is lifted. The motions [\[102\]](#) [\[140\]](#) are granted. ECF No. 101 is accepted for filing as the United States' response brief. ECF No. 139 is accepted for filing as Appellants' reply brief. The joint appendix is due within 7 days of the date of filing of this order. Service: 10/17/2018 by clerk. [558161] [LS] [Entered: 10/17/2018 03:01 PM]
2 pg, 71.16 KB
- 10/17/2018 [144](#) ORDER filed. The motions [\[108\]](#) [\[109\]](#) [\[113\]](#) [\[116\]](#) [\[119\]](#) [\[121\]](#) [\[125\]](#) are granted. Service: 10/17/2018 by clerk. [558180] [LS] [Entered: 10/17/2018 03:31 PM]
2 pg, 71.32 KB
- 10/17/2018 [145](#) BRIEF FILED for Appellee US [\[101\]](#). Number of Pages: 77. Service: 09/17/2018 by email. The paper copies of the brief should be received by the court on or before 10/24/2018. [558200] [MJL] [Entered: 10/17/2018 03:53 PM]
94 pg, 367.93 KB
- 10/17/2018 [146](#) REPLY BRIEF FILED for Appellants Lonny E. Baley, Baley Trotman Farms, et al. [\[139\]](#). Number of Pages: 35. Service: 10/11/2018 by email, US mail. The paper copies of the brief should be received by the court on or before 10/24/2018. [558206] [MJL] [Entered: 10/17/2018 03:59 PM]
44 pg, 327.7 KB
- 10/18/2018 [147](#) 6 paper copies of the Opening Response Brief [\[145\]](#) received from Appellee US. [558515] [CJF] [Entered: 10/18/2018 02:34 PM]
- 10/19/2018 [172](#) 6 paper copies of the Reply Brief [\[146\]](#) received from Appellants Lonny E. Baley, Baley Trotman Farms, et al. [563762] [MJL] [Entered: 11/08/2018 06:49 PM]
- 10/22/2018 [148](#) NOTICE OF NON-COMPLIANCE: The following documents are non-compliant with the rules of this court (see attached): entries of appearance [\[106\]](#), [\[107\]](#), [\[111\]](#), [\[112\]](#), [\[115\]](#), and [\[124\]](#); certificate of interest [\[120\]](#); combined EOA and COI [\[118\]](#). Compliant documents due 10/29/2018. Service as of this date by the Clerk of Court. [559073] [MJL] [Entered: 10/22/2018 11:33 AM]
3 pg, 81.81 KB
- 10/22/2018 [149](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: Thane D. Somerville (Entry of Appearance [\[107\]](#)) is not a registered electronic filer with the Federal Circuit. CORRECTION: Pursuant to FCR 25(a)(2), attorneys who appear before this court must register for the court's CM/ECF system. Please register promptly. [559091] [MJL] [Entered: 10/22/2018 12:07 PM]
- 10/22/2018 [150](#) Corrected Entry of appearance for Robert T. Anderson as principal counsel for Amici Curiae Robert T. Anderson, Reed D. Benson, Michael C. Blumm, Barbara Cosens, Sarah Krakoff, John D. Leshy, Monte Mills, Joseph William Singer, A. Dan Tarlock, Charles F. Wilkinson and Jeanette Wolfley. Service: 10/22/2018 by email. [559163] [18-1323] [Robert Anderson] [Entered: 10/22/2018 01:49 PM]
4 pg, 189.13 KB
- 10/22/2018 [151](#) NOTICE OF NON-COMPLIANCE: The submission of Amici Curiae Law Professors Specializing in Indian Law and War Law, Amicus Brief [\[114\]](#), is not in compliance with the rules of this court (see attached). Compliant brief due 10/29/2018. Service as of this date by the Clerk of Court. [559185] [MJL] [Entered: 10/22/2018 02:16 PM]
2 pg, 68.09 KB

- 10/22/2018 [152](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The contact information included on the entry of appearance (EOA) for Robert T. Anderson [[150](#)] does not match the information in the attorney's user account. CORRECTION: Pursuant to FCR 47.3(c)(1), please update as needed to ensure the contact information on the EOA and in the user account matches. [559195] [MJL] [Entered: 10/22/2018 02:24 PM]
- 10/22/2018 [153](#)
2 pg, 601.48 KB Entry of appearance for Melinda Pilling as of counsel for Amicus Curiae California State Water Resources Control Board. Service: 10/22/2018 by email, US mail. [559308] [18-1323] [Melinda Pilling] [Entered: 10/22/2018 05:09 PM]
- 10/23/2018 [154](#)
34 pg, 377.04 KB TENDERED from Amici Curiae Robert T. Anderson, Reed D. Benson, Michael C. Blumm, Barbara Cosens, Sarah Krakoff, John D. Leshy, Monte Mills, Joseph William Singer, A. Dan Tarlock, Charles F. Wilkinson and Jeanette Wolfley. Title: CORRECTED AMICUS CURIAE BRIEF. Service: 10/23/2018 by email, US mail. [559461] [18-1323] [Robert Anderson] [Entered: 10/23/2018 11:14 AM]
- 10/23/2018 [163](#)
34 pg, 377.04 KB CORRECTED AMICUS BRIEF FILED for Law Professors Specializing in Indian Law and Water Law [[154](#)]. Number of Pages: 22. Service: 10/23/2018 by email. The paper copies of the brief should be received by the court on or before 10/31/2018. [560167] [MJL] [Entered: 10/24/2018 06:01 PM]
- 10/24/2018 [155](#)
2 pg, 105.85 KB Corrected Entry of appearance for Thomas P. Schlosser as principal counsel for Amicus Curiae Hoopa Valley Tribe. Service: 10/24/2018 by email, US mail. [560030] [18-1323] [Thomas Schlosser] [Entered: 10/24/2018 01:24 PM]
- 10/24/2018 [156](#)
2 pg, 105.8 KB Corrected Entry of appearance for Thane D. Somerville as of counsel for Amicus Curiae Hoopa Valley Tribe. Service: 10/24/2018 by email, US mail. [560031] [18-1323] [Thomas Schlosser] [Entered: 10/24/2018 01:27 PM]
- 10/24/2018 [157](#)
4 pg, 418.12 KB Corrected Certificate of Interest for the Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 10/24/2018 by email, US mail. [560122] [18-1323]. This document is non-compliant. See Doc. No. [[173](#)].--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 10/24/2018 04:19 PM]
- 10/24/2018 [158](#)
2 pg, 2.17 MB Corrected Entry of appearance for Daniel M. Lucas as principal counsel for Amicus Curiae California State Water Resources Control Board. Service: 10/24/2018 by email, US mail. [560125] [18-1323]--[Edited 10/24/2018 by MJL to reflect principal counsel] [Melinda Pilling] [Entered: 10/24/2018 04:22 PM]
- 10/24/2018 [159](#)
3 pg, 579.38 KB Corrected Certificate of Interest for the Amicus Curiae California State Water Resources Control Board. Service: 10/24/2018 by email, US mail. [560132] [18-1323] [Melinda Pilling] [Entered: 10/24/2018 04:29 PM]
- 10/24/2018 [160](#)
546 pg, 54.94 MB TENDERED from All Plaintiffs and Appellees Pacific Coast Federation of Fishermen's Associations and US. Title: JOINT APPENDIX. Service: 10/24/2018 by email, US mail. [560136] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [Nancie Marzulla] [Entered: 10/24/2018 04:32 PM]
- 10/24/2018 [171](#)
546 pg, 54.94 MB APPENDIX FILED for Appellants Lonny E. Baley, Baley Trotman Farms, et al. [[160](#)]. Number of Pages: 546. Service: 10/24/2018 by email. The paper copies of the appendix should be received by the court on or before 11/16/2018. [563761] [MJL] [Entered: 11/08/2018 06:47 PM]
- 10/24/2018 [161](#)
6 pg, 670.84 KB Corrected Certificate of Interest for the Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 10/24/2018 by email, US mail. [560143] [18-1323]. This document is non-compliant. See Doc. No. [[173](#)].--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 10/24/2018 04:45 PM]
- 10/24/2018 [162](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: The contact information included on the entry of appearance (EOA) for Thomas P. Schlosser [[155](#)] does not match the information in the attorney's user account. CORRECTION: Pursuant to FCR 47.3(c)(1), please update as needed to ensure the contact information on the EOA and in the user account matches. [Also note that Thane D. Somerville (EOA [[156](#)]) is still not a registered CM/ECF filer pursuant to FCR 25(a)(2)]. [560165] [MJL] [Entered: 10/24/2018 05:56 PM]
- 10/24/2018 [165](#) CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: Hoopa Valley Tribe's brief [[117](#)] did not properly format appendix references. CORRECTION: References to appendix pages must follow the requirements of FCR 28(f) and the court's Electronic Filing Procedures (established under FCR 25(c)(1)(K) and 25(d)). Please ensure future references are properly formatted. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [560169] [MJL] [Entered: 10/24/2018 06:09 PM]
- 10/24/2018 [166](#)
2 pg, 68.66 KB NOTICE OF NON-COMPLIANCE: The submission of Amicus Curiae California State Water Resources Control Board, Amicus Curiae Brief [[133](#)], is not in compliance with the rules of this court (see attached). Compliant brief due 10/31/2018. Service as of this date by the Clerk of Court. [560172] [MJL] [Entered: 10/24/2018 06:21 PM]
- 10/26/2018 [167](#)
39 pg, 602.96 KB TENDERED from Amicus Curiae California State Water Resources Control Board. Title: CORRECTED AMICUS CURIAE BRIEF. Service: 10/26/2018 by email, US mail. [560641] [18-1323] [Melinda Pilling] [Entered: 10/26/2018 12:26 PM]
- 10/26/2018 [170](#) CORRECTED AMICUS BRIEF FILED for California State Water Resources Control Board [[167](#)]. Number

- 39 pg, 602.96 KB of Pages: 30. Service: 10/26/2018 by email. The paper copies of the brief should be received by the court on or before 11/16/2018. [563756] [MJL] [Entered: 11/08/2018 06:29 PM]
- 10/29/2018 168 6 paper copies of the Amicus Brief [[164](#)] received from Amicus Curiae Hoopa Valley Tribe. [560964] [CJF] [Entered: 10/29/2018 02:21 PM]
- 10/30/2018 169 6 paper copies of the Corrected Amicus Brief [[163](#)] received from Amici Curiae Robert T. Anderson, Reed D. Benson, Michael C. Blumm, Barbara Cosens, Sarah Krakoff, John D. Leshy, Monte Mills, Joseph William Singer, A. Dan Tarlock, Charles F. Wilkinson and Jeanette Wolfley. [561375] [CJF] [Entered: 10/30/2018 02:37 PM]
- 11/08/2018 [173](#) 2 pg, 68.6 KB NOTICE OF NON-COMPLIANCE: The submissions of Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors), Amicus Brief [[122](#)] and Certificates of Interest (COI) [[157](#)] and [[161](#)], are not in compliance with the rules of this court (see attached). Compliant brief and COIs due 11/16/2018. Service as of this date by the Clerk of Court. [563763] [MJL] [Entered: 11/08/2018 07:05 PM]
- 11/08/2018 [174](#) 2 pg, 67.19 KB NOTICE OF NON-COMPLIANCE: The submission of Amicus Curiae Natural Resources Defense Council, Amicus Brief [[110](#)], is not in compliance with the rules of this court (see attached). Compliant brief due 11/16/2018. Service as of this date by the Clerk of Court. [563765] [MJL] [Entered: 11/08/2018 07:21 PM]
- 11/08/2018 [175](#) 2 pg, 70.72 KB NOTICE OF NON-COMPLIANCE: The submission of Amicus Curiae Yurok Tribe, Amicus Brief [[126](#)], is not in compliance with the rules of this court (see attached). Compliant brief due 11/16/2018. Service as of this date by the Clerk of Court. [563766] [MJL] [Entered: 11/08/2018 07:33 PM]
- 11/13/2018 176 6 paper copies of the Joint Appendix Brief [[171](#)] received from Appellant All Plaintiffs. [564363] [CJF] [Entered: 11/13/2018 12:30 PM]
- 11/14/2018 177 6 paper copies of the Corrected Amicus Brief [[170](#)] received from Amicus Curiae California State Water Resources Control Board. [564798]. These paper copies are non-compliant. See Doc. No. [[178](#)]. [CJF] [Entered: 11/14/2018 11:53 AM]
- 11/14/2018 [178](#) 1 pg, 64.97 KB NOTICE OF NON-COMPLIANCE: The submissions of Amicus Curiae California State Water Resources Control Board, paper copies of Amicus Curiae Brief [177], are not in compliance with the rules of this court (see attached). Compliant paper copies are due 11/21/2018. Service as of this date by the Clerk of Court. [565007] [MJL] [Entered: 11/14/2018 06:09 PM]
- 11/15/2018 [179](#) 1 pg, 472.92 KB Corrected Entry of appearance for Amy Cordalis as principal counsel for Amicus Curiae Yurok Tribe. Service: 11/15/2018 by email. [565588] [18-1323] [Amy Cordalis] [Entered: 11/15/2018 05:22 PM]
- 11/15/2018 [180](#) 33 pg, 242.21 KB MODIFIED ENTRY: CORRECTED AMICUS BRIEF FILED for Yurok Tribe. Number of Pages: 22. Service: 11/15/2018 by email. [565599]--[Edited 12/20/2018 by MJL - compliance review complete] [Amy Cordalis] [Entered: 11/15/2018 05:28 PM]
- 11/16/2018 [181](#) 2 pg, 783.69 KB Corrected Entry of appearance for Amy Cordalis as principal counsel for Amicus Curiae Yurok Tribe. Service: 11/16/2018 by email. [565786] [18-1323] [Amy Cordalis] [Entered: 11/16/2018 11:28 AM]
- 11/16/2018 [182](#) 3 pg, 972.42 KB Entry of appearance for David R. Owen as principal counsel for Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 11/16/2018 by email, US mail. [565816] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 11/16/2018 12:21 PM]
- 11/16/2018 [183](#) 39 pg, 272.06 KB TENDERED from Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Title: CORRECTED AMICUS CURIAE BRIEF. Service: 11/16/2018 by email, US mail. [565818] [18-1323]. This brief has been corrected. See Doc. No. [[193](#)].--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 11/16/2018 12:25 PM]
- 11/19/2018 [184](#) 40 pg, 1.09 MB TENDERED from Amicus Curiae Natural Resources Defense Council. Title: CORRECTED AMICUS CURIAE BRIEF. Service: 11/19/2018 by email, US mail. [566454] [18-1323] [John Echeverria] [Entered: 11/19/2018 04:38 PM]
- 11/19/2018 [185](#) 3 pg, 164.36 KB Notice of Correction to the Brief Doc No. [[184](#)] for Amicus Curiae Natural Resources Defense Council. Service: 11/19/2018 by email, US mail. [566458] [18-1323] [John Echeverria] [Entered: 11/19/2018 04:41 PM]
- 11/19/2018 [186](#) 3 pg, 243.83 KB Corrected Entry of appearance for John D. Echeverria as principal counsel for Amicus Curiae Natural Resources Defense Council. Service: 11/19/2018 by email, US mail. [566459] [18-1323] [John Echeverria] [Entered: 11/19/2018 04:44 PM]
- 11/19/2018 [187](#) 4 pg, 936.38 KB Corrected Certificate of Interest for the Amicus Curiae Natural Resources Defense Council. Service: 11/19/2018 by email, US mail. [566467] [18-1323] [John Echeverria] [Entered: 11/19/2018 04:51 PM]
- 11/20/2018 188 6 paper copies of the Corrected Amicus Brief [[170](#)] received from Amicus Curiae California State Water Resources Control Board. [566624] [CJF] [Entered: 11/20/2018 10:16 AM]
- 12/04/2018 [189](#) 4 pg, 73.09 KB Corrected Certificate of Interest for the Amicus Curiae Natural Resources Defense Council. Service: 12/04/2018 by email, US mail. [569543] [18-1323] [John Echeverria] [Entered: 12/04/2018 11:38 AM]
- 12/04/2018 [190](#) MODIFIED ENTRY: MOTION of Amicus Curiae Natural Resources Defense Council for leave to file the

- 5 pg, 214.19 KB amicus brief and entry of appearance out of time. [Consent: not addressed]. Service: 12/04/2018 by US mail, email. [569559]--[Edited 12/20/2018 by MJL to correct relief] [John Echeverria] [Entered: 12/04/2018 11:46 AM]
- 12/06/2018 [191](#) 5 pg, 38.18 KB MODIFIED ENTRY: MOTION of Amicus Curiae Yurok Tribe for leave to file entry of appearance out of time [Consent: not addressed]. Service: 12/05/2018 by email. [569716]--[Edited 12/20/2018 by MJL to reflect correct relief] [Amy Cordalis] [Entered: 12/05/2018 01:37 PM]
- 12/11/2018 [192](#) 4 pg, 170.67 KB Notice of Correction to the Brief Doc No. [\[183\]](#) for Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 12/11/2018 by email, US mail. [571014] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 12/11/2018 04:14 PM]
- 12/11/2018 [193](#) 39 pg, 329.79 KB MODIFIED ENTRY: CORRECTED AMICUS BRIEF FILED for Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Number of Pages: 27. Service: 12/11/2018 by email. [571017]--[Edited 12/20/2018 by MJL - compliance review complete] [David Owen] [Entered: 12/11/2018 04:19 PM]
- 12/11/2018 [194](#) 4 pg, 1.12 MB Entry of appearance for David R. Owen as principal counsel for Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 12/11/2018 by email, US mail. [571019] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 12/11/2018 04:22 PM]
- 12/20/2018 [195](#) 2 pg, 76.57 KB ORDER filed. The motions ([\[190\]](#), [\[191\]](#)) are granted. NRDC's certificate of interest [\[189\]](#) will be added to its corrected brief, which is accepted for filing. Service as of this date by the Clerk of Court. [573660]--[Edited 12/20/2018 by MJL to reference correct COI] [MJL] [Entered: 12/20/2018 03:40 PM]
- 12/20/2018 [196](#) 40 pg, 687.39 KB CORRECTED AMICUS BRIEF FILED for Natural Resources Defense Council. Number of Pages: 29. Service: 11/19/2018 by email. [573679] [MJL] [Entered: 12/20/2018 03:52 PM]
- 12/20/2018 197 Notice to counsel for Amici Curiae "Law Professors Specializing in Indian Law and Water Law": The record of this case indicates that the Certificate of Interest (COI) has not been filed as a separate docket entry. Please file the COI promptly. Service as of this date by the Clerk of Court. [573690] [MJL] [Entered: 12/20/2018 04:03 PM]
- 12/20/2018 198 Notice to counsel for Amici Curiae "Law Professors": The record of this case indicates that the corrected Certificate of Interest COI) has not been filed pursuant to the court's notice [\[173\]](#) as a separate docket entry. Including the corrected COI in the brief does not satisfy this requirement. Please promptly file the corrected COI. Service as of this date by the Clerk of Court. [573694] [MJL] [Entered: 12/20/2018 04:05 PM]
- 12/20/2018 [199](#) 3 pg, 192.52 KB Corrected Certificate of Interest for the Amici Curiae Robert T. Anderson, Reed D. Benson, Michael C. Blumm, Barbara Cosens, Sarah Krakoff, John D. Leshy, Monte Mills, Joseph William Singer, Charles F. Wilkinson, Jeanette Wolfley and A. Dan Tarlock. Service: 12/20/2018 by email, US mail. [573794] [18-1323] [Robert Anderson] [Entered: 12/20/2018 06:45 PM]
- 12/21/2018 200 CLERK'S OFFICE QUALITY CONTROL MESSAGE: ERROR: Motions [\[190\]](#) and [\[191\]](#) did not include a certificate of interest (COI) or statement of consent. CORRECTION: Pursuant to FCR 47.4(b), motions must include a COI. Pursuant to FCR 27(a)(5), a motion must state whether any party will object or file a response to the motion. Please ensure future motions include these items. THIS MESSAGE IS FOR INFORMATIONAL PURPOSES ONLY. [573927] [MJL] [Entered: 12/21/2018 10:34 AM]
- 12/21/2018 [201](#) 4 pg, 578.19 KB Corrected Certificate of Interest for the Amici Curiae Robert Abrams, Craig Anthony Arnold, et al. (Law Professors). Service: 12/21/2018 by email, US mail. [574074] [18-1323]--[Edited 01/10/2019 by MJL to consolidate text] [David Owen] [Entered: 12/21/2018 12:48 PM]
- 12/28/2018 202 6 paper copies of the Corrected Amicus Brief [\[196\]](#) received from Amicus Curiae Natural Resources Defense Council. [574871] [CJF] [Entered: 12/28/2018 08:52 AM]
- 01/10/2019 [203](#) 1 pg, 66.33 KB Notice to Advise of Scheduling Conflicts. Arguing counsel must advise of, and show good cause for, any scheduling conflicts during the upcoming court session months listed in the attached notice. The notice of conflict with oral argument is due on or before 01/17/2019. The Response to Notice to Advise of Scheduling Conflicts can be found [here](#). The Oral Argument Guide can be found [here](#). [577284] [MJL] [Entered: 01/10/2019 12:08 PM]
- 01/10/2019 204 Outstanding paper copies of all briefs and appendices must be submitted within five business days from the date of issuance of this notice. See Fed. Cir. R. 25(c)(1). The court has not received paper copies of the corrected amicus briefs for Yurok Tribe ([\[180\]](#)) and "Law Professors" ([\[193\]](#)). [577288] [MJL] [Entered: 01/10/2019 12:13 PM]
- 01/10/2019 [205](#) 2 pg, 289.13 KB Notice from Appellee Pacific Coast Federation of Fishermen's Associations regarding conflicts with oral argument. Service: 01/10/2019 by email, US mail. [577472] [18-1323] [Todd True] [Entered: 01/10/2019 07:26 PM]
- 01/15/2019 206 6 paper copies of the Corrected Amicus Brief [\[180\]](#) received from Amicus Curiae Yurok Tribe. [578044] [CJF] [Entered: 01/15/2019 10:33 AM]
- 01/15/2019 [207](#) 2 pg, 98.02 KB Notice from Appellee US regarding conflicts with oral argument. Service: 01/15/2019 by email. [578365] [18-1323] [John Smeltzer] [Entered: 01/15/2019 08:45 PM]

- 01/15/2019 208 6 paper copies of the Corrected Amicus Brief [193] received from Amici Curiae Robert Abrams, Craig Anthony Arnold, Michael C. Blumm, Karrigan Bork, Lee P. Breckenridge, Michelle Bryan, Robin K. Craig, Daniel A. Farber, Richard M. Frank, Eric Freyfogle, Robert L. Glicksman, Sean B. Hecht, Oliver A. Houck, Blake Hudson, Christine A. Klein, Rhett Larson, John D. Leshy, Timothy M. Mulvaney, David R. Owen, Michael Pappas, Patrick Parenteau, Justin Pidot, Antonio Rossmann, J.B. Ruhl, Erin Ryan, Mark Squillace, David Takacs, Gerald Torres and Sandra Zellmer. [578376] [CJF] [Entered: 01/16/2019 07:45 AM]
- 01/16/2019 209
3 pg, 197.26 KB Notice from Appellant All Plaintiffs regarding conflicts with oral argument. Service: 01/16/2019 by email. [578758] [18-1323] [Roger Marzulla] [Entered: 01/16/2019 06:34 PM]
- 02/05/2019 210
3 pg, 196.57 KB Notice from Appellants All Plaintiffs, Baley Trotman Farms, Lonny E. Baley, Buckingham Family Trust, Eileen Buckingham, Keith Buckingham, Shelly Buckingham, Byrne Brothers, Michael J. Byrne, Daniel G. Chin, Deloris D. Chin, Constance Frank, John Frank, Hill Land And Cattle Co., Inc., Jeff Hunter, Sandra Hunter, John Anderson Farms, Inc., McVay Farms, Inc., Barbara McVay, Matthew K. McVay, Michael McVay, Ronald McVay, Suzan McVay, Tatiana V. McVay, Cheryl L. Moore, James L. Moore, Henry O'Keefe, Patricia O'Keefe, Shasta View Produce, Inc., Edwin Stastny, Jr., Mark R. Trotman and Wong Potatoes, Inc. regarding conflicts with oral argument. None. Service: 02/05/2019 by email. [583638] [18-1323] [Roger Marzulla] [Entered: 02/05/2019 07:29 PM]
- 05/21/2019 212
2 pg, 146.38 KB NOTICE OF ORAL ARGUMENT. Panel: 1907B. Case scheduled Jul 08, 2019 10:00 a.m. at the United States Court of Appeals for the Federal Circuit (Howard T. Markey National Courts Building, 717 Madison Place, NW Washington, DC 20439), Courtroom 402. Response to Notice of Oral Argument due: 06/17/2019. Please review the attached Notice. The response to notice of oral argument form can be found [here](#). The Oral Argument Guide can be found [here](#). [608610] [JAB] [Entered: 05/21/2019 11:10 AM]
- 06/03/2019 213
36 pg, 172.54 KB Response to notice of oral argument from the Appellant All Plaintiffs. [611132] [18-1323] This document is non-compliant. See Doc. No. [214]. [Nancie Marzulla] [Entered: 06/03/2019 05:55 PM]
- 06/04/2019 214
1 pg, 98.13 KB NOTICE OF NON-COMPLIANCE: The submission of Appellant All Plaintiffs, Response to Notice of Oral Argument [213], is not in compliance with the rules of this court (see attached). Compliant document due on 06/11/2019. Service as of this date by the Clerk of Court. [611257] [JAB] [Entered: 06/04/2019 10:44 AM]
- 06/05/2019 215
10 pg, 241.31 KB MOTION of Amicus Curiae Middle Rio Grande Conservancy District Amicus Curiae MRGCD requests leave to participate at oral argument [Consent: partial consent]. Service: 06/05/2019 by email, US mail. [611882] [18-1323] [Charles DuMars] [Entered: 06/05/2019 06:19 PM]
- 06/05/2019 216
3 pg, 157.26 KB Response to notice of oral argument from the Appellee Pacific Coast Federation of Fishermen's Associations. [611895] [18-1323] [Todd True] [Entered: 06/05/2019 07:21 PM]
- 06/06/2019 217
2 pg, 93.26 KB Response to notice of oral argument from the Appellee US. [611957] [18-1323] [John Smeltzer] [Entered: 06/06/2019 09:11 AM]
- 06/10/2019 218
25 pg, 2.31 MB Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellant All Plaintiffs. Service: 06/10/2019 by email. [612782] [18-1323] [Nancie Marzulla] [Entered: 06/10/2019 01:59 PM]
- 06/11/2019 219
36 pg, 187.63 KB CORRECTED Response to notice of oral argument from the Appellant All Plaintiffs. [613312] [18-1323] [Nancie Marzulla] [Entered: 06/11/2019 06:20 PM]
- 06/12/2019 220
3 pg, 80.71 KB RESPONSE of Appellee US to the supplemental authority [218] filed by Appellant All Plaintiffs. Service: 06/12/2019 by email. [613374] [18-1323] [John Smeltzer] [Entered: 06/12/2019 09:14 AM]
- 06/12/2019 221
36 pg, 173.26 KB CORRECTED Response to notice of oral argument from the Appellant All Plaintiffs and Amicus Curiae Middle Rio Grande Conservancy District. [613401] [18-1323]--[Edited 06/12/2019 by JAB to correct filers] [Nancie Marzulla] [Entered: 06/12/2019 09:55 AM]
- 06/21/2019 222
2 pg, 76.33 KB ORDER filed. The Middle Rio Grande Conservancy District's motion for leave to participate at argument [215] is granted. The parties should adjust their responses to the court's notice of oral argument as needed. By: Merits Panel (Per Curiam). Service as of this date by the Clerk of Court. [616015] [MJL] [Entered: 06/21/2019 11:57 AM]
- 07/08/2019 223 Submitted after ORAL ARGUMENT by Mr. Charles T. DuMars, Esq. for Middle Rio Grande Conservancy District, Nancie Gail Marzulla for Daniel G. Chin, Deloris D. Chin, Michael J. Byrne, Byrne Brothers, Lonny E. Baley, Baley Trotman Farms, James L. Moore, Cheryl L. Moore, Wong Potatoes, Inc., Mark R. Trotman, All Plaintiffs, John Anderson Farms, Inc., Buckingham Family Trust, Eileen Buckingham, Keith Buckingham, Shelly Buckingham, Constance Frank, John Frank, Hill Land And Cattle Co., Inc., Jeff Hunter, Sandra Hunter, McVay Farms, Inc., Barbara McVay, Matthew K. McVay, Michael McVay, Ronald McVay, Suzan McVay, Tatiana V. McVay, Henry O'Keefe, Patricia O'Keefe, Shasta View Produce, Inc. and Edwin Stastny, Jr., Mr. John Luther Smeltzer for US and Mr. Todd D. True for Pacific Coast Federation of Fishermen's Associations. Panel: Judge: Newman , Judge: Schall , Judge: Chen. [619420] [JCP] [Entered: 07/08/2019 10:30 AM]
- 07/09/2019 224
3 pg, 1.94 MB Citation of Supplemental Authority pursuant to Fed. R. App. P. 28(j) for Appellant All Plaintiffs. Service: 07/09/2019 by email. [619804] [18-1323] [Nancie Marzulla] [Entered: 07/09/2019 01:32 PM]

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