

of Local Civil Rule 16.3, and for Continuance of Initial Scheduling Conference. (Doc. # 32). This Joint Motion, *inter alia*, requested that the initial scheduling conference, which at that time was set for June 12, 2007, be continued to “a date and time after July 30, 2007, that the Court deems appropriate.” (Doc. # 32).

Before the Joint Motion in this action was granted, the action and all other tribal trust claims actions in this Court were stayed temporarily pending resolution of Defendants’ intended Remand Motions, Order of July 2, 2007 (Doc. # 33), which Motions subsequently were filed on August 10, 2007. (Doc. # 37). This Court’s December 19, 2007 Order denied the Remand Motions and lifted the temporary stays. (Doc. # 43). Accordingly, Plaintiffs propose that the proceedings in this action resume as contemplated before the Remand Motion interruption with the rescheduling of the LCvR 16.3 process requirements.

Proposed schedule

Plaintiffs propose that the LCvR 16.3(a) “Meet and Confer” Conference between Counsel (not the initial scheduling conference with the Court) take place no later than Friday, February 22, 2008. In particular, since this action was filed as a class action under Fed R. Civ. P. 23, Plaintiffs are anxious to confer on the “appropriate procedures for dealing with Rule 23 proceedings” encompassed by LCvR 16.3(c)(10). Once the “Meet and Confer” Conference between Counsel has occurred, the parties can proceed to comply with the other requirements of LCvR 16.3. Counsel for Plaintiffs has initiated discussions with Counsel for Defendant regarding this proposed schedule, and Counsel for Plaintiffs hopes that such discussions continue productively.

DATED this 18th day of January, 2008

Respectfully submitted,

/s/ Melody L. McCoy
MELODY L. MCCOY, USDC Bar. No. CO0043
DONALD R. WHARTON
DAVID L. GOVER
DAWN S. BAUM
MARK C. TILDEN
JOHN E. ECHOHAWK
WALTER R. ECHO-HAWK, JR.
Native American Rights Fund
1506 Broadway
Boulder, CO 80302
Tel (303) 447-8760
Fax (303) 443-7776
E-mail mmccoy@narf.org

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I certify that on this 18th day of January, 2008, a true and correct copy of the foregoing PLAINTIFFS' STATUS REPORT was served by Electronic Case Filing or by regular first class U.S. mail, postage pre-paid, on the following counsel:

E. KENNETH STEGBEY
ANTHONY P. HOANG
KEVIN J. LARSEN
MAUREEN RUDOLPH
U.S. Department of Justice
Environment and Natural Resources Division
P.O. Box 663
Washington, DC 20044-0663
Tel (202) 616-4119
Tel (202) 305-0241
Tel (202) 305-0479
Fax (202) 353-2021

JOHN H. MARTIN
U.S. Department of Justice
Natural Resources Section
1961 Stout St., Eighth Floor
Denver, CO 80294
john.h.martin@usdoj.gov
Tel: (303) 844-1383
Fax (303) 844-1350

Attorneys for Defendants

OF COUNSEL:

PAUL SMYTH
ELISABETH BRANDON
THOMAS BARTMAN
GLADYS I. COHOCARI
SHANI N. WALKER
Office of the Solicitor
U.S. Department of the Interior
Washington, DC 20240

TERESA DAWSON
Office of the Chief Counsel
Financial Management Service
U.S. Department of the Treasury
Washington, DC 20227

/s/ Melody L. McCoy
MELODY L. MCCOY, USDC Bar No. CO0043