

Kamala D. Harris  
*Attorney General of California*  
Sara J. Drake (CA SBN 102565)  
*Senior Assistant Attorney General*  
Timothy M. Muscat (CA SBN 148944)  
*Deputy Attorney General*  
William P. Tornngren (CA SBN 58493)  
*Deputy Attorney General*  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, CA 94244-2550  
Telephone: 916-323-3033  
Fax: 916-323-2319  
E-mail: William.Tornngren@doj.ca.gov  
*Attorneys for Plaintiff*

Richard J. Armstrong (CA SBN 225191)  
Alex A. Lozada (CA SBN 275416)  
Robert A. Rosette (CA SBN 224437)  
ROSETTE, LLP  
ATTORNEYS AT LAW  
193 Blue Ravine Rd., Suite 255  
Folsom, California 95630  
(916) 353-1084 (Office)  
(916) 353-1085 (Fax)  
armstrong@rosettela.com  
alozada@rosettela.com  
rosette@rosettela.com

*Attorneys for Defendant*  
*Paskenta Band of Nomlaki Indians*

MCGREGOR W. SCOTT (STATE BAR NO. 142413)  
mcgregor.scott@orrick.com  
J.R. RIDDELL (STATE BAR NO. 225004)  
jriddell@orrick.com  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
400 Capitol Mall, Suite 3000  
Sacramento, CA 95814-4497  
(916) 447-9200 (Office)  
(916) 329-4900 (Fax)  
Mcgregor.scott@orrick.com

*Attorneys for Defendant*  
*Paskenta Band of Nomlaki Indians*

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE EASTERN DISTRICT OF CALIFORNIA**

STATE OF CALIFORNIA,

Plaintiff,

vs.

PASKENTA BAND OF NOMLAKI  
INDIANS, a federally recognized Indian  
tribe;

Defendant.

Case No.: 2:14-cv-01449-KJM/CMK

**JOINT STIPULATION AND  
[PROPOSED] ORDER FOR  
CONTINUANCE OF TEMPORARY  
RESTRAINING ORDER AND  
RELATED BRIEFING AND  
HEARING SCHEDULE**

CASE NO. 2:14-cv-01449-KJM/CMK

JOINT STIPULATION & [PROPOSED] ORDER

**JOINT STIPULATION FOR CONTINUANCE OF TEMPORARY RESTRAINING ORDER, RELATED HEARING AND BRIEFING SCHEDULE**

**WHEREAS** the Court has set a briefing and hearing schedule as set forth in its Order Granting Plaintiff's Motion for Temporary Restraining Order on June 18, 2014 (the "Order"), enjoining and restraining the parties from the conduct stated therein, which Order is to remain in effect until 6 p.m. on July 2, 2014 unless modified by the Court before then or extended by the Court to continue in effect thereafter; and

**WHEREAS** the Court set a preliminary injunction hearing for June 30, 2014, at which time the Court will hear further argument regarding whether the Court should enter a broader injunction preventing any Class III gaming activity on Paskenta lands; and

**WHEREAS** any supplemental briefing in support of the position to issue such broader injunction shall be filed by June 23, 2014, with any opposition to be filed by June 27, 2014; and

**WHEREAS** the parties believe that it is in the public interest as well as the interest of the parties and their efforts toward successful resolution of the various disputes now at issue to extend the Order as well as the hearing and supplemental briefing schedule stated therein as set forth below.

**NOW THEREFORE**, the parties to this action, by and through their attorneys of record, hereby stipulate that good cause exists for the following:

1. The current Order shall be extended to remain in effect pursuant to its terms, from 6 p.m. on July 2, 2014 to 6 p.m. on July 8, 2014, unless modified by the Court before then or extended by the Court to continue in effect thereafter;
2. Any supplemental briefing in support of the position to issue a broader injunction preventing any Class III gaming activity on Paskenta lands shall be filed by June 26, 2014, with any opposition to be filed by June 30, 2014;

...

3. The preliminary injunction hearing shall be continued from June 30, 2014, to July 6, 2014, or as soon thereafter as the Court is available;

**IT IS SO STIPULATED.**

Dated: June 23, 2014

STATE OF CALIFORNIA  
DEPARTMENT OF JUSTICE

\_\_\_\_\_  
KAMALA D. HARRIS  
Attorney General of California  
SARA J. DRAKE  
Senior Assistant Attorney General  
TIMOTHY M. MUSCAT  
Deputy Attorney General

/s/ WILLIAM P. TORNGREN

WILLIAM P. TORNGREN  
Deputy Attorney General  
*Attorneys for Plaintiff*

Dated: June 23, 2014

ROSETTE, LLP

\_\_\_\_\_  
/s/ Alex Lozada  
ALEX LOZADA  
*Attorneys for Defendant*

Dated: June 23, 2014

ORRICK, HERRINGTON & SUTCLIFFE  
LLP

\_\_\_\_\_  
/s/ MCGREGOR W. SCOTT  
MCGREGOR W. SCOTT  
*Attorneys for Defendant*

**ORDER**

The Court, having considered the Joint Stipulation, filed on June \_\_\_\_, 2014, and being satisfied that good cause therefore exists:

Now, therefore, it is hereby ordered that:

1. The current Order shall be extended to remain in effect pursuant to its terms, except as expressly stated below, from 6 p.m. on July 2, 2014 to 6 p.m. on July 8, 2014 unless modified by the Court before then or extended by the Court to continue in effect thereafter;
2. Supplemental briefing in support of the position to issue a broader injunction preventing any Class III gaming activity on Paskenta lands shall be filed by June 26, 2014, with any opposition to that position to be filed by June 30, 2014;
3. The preliminary injunction hearing shall be continued from June 30, 2014 to July 6, 2014.

IT IS SO ORDERED.

Dated: June \_\_\_\_, 2014

\_\_\_\_\_  
UNITED STATES DISTRICT COURT JUDGE  
Honorable Kimberly J. Mueller

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of June 2014, I electronically transmitted the foregoing document to the Clerk of the Court using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

McGregor W. Scott  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
400 Capitol Mall, Suite 3000  
Sacramento, CA 95814-4497  
Mcgregor.scott@orrick.com

William Torngren  
DEPUTY ATTORNEY GENERAL  
1300 I Street, Suite 125  
P.O. Box 944255  
Sacramento, CA 94244-2550  
William.torngren@doj.ca.gov

/s/ Alex Lozada  
Alex Lozada (SBN 275416)  
ROSETTE, LLP  
193 Blue Ravine Rd, Suite 255  
Folsom, CA 95630  
(916) 353-1084 (voice)  
(916) 353-1085 (fax)