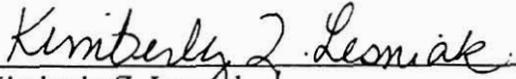


## CERTIFICATE OF CONFERENCE

Pursuant to Local Rule 108(m), I certify that, as attorney for Intervenor Sandia Mountain Coalition, et al., I had conferences by telephone with attorney for Plaintiff Pueblo of Sandia on January 13 and 17, 1995, and conferences by telephone with counsel for Defendants on January 11, 1995, and January 12, 1995, to determine whether either party would oppose this Motion to Intervene. Counsel for Plaintiff, Mr. Peter T. Grossi, indicated that the Pueblo of Sandia would oppose this Motion. Mr. Grossi stated that the Pueblo was not claiming title to private inholdings and suggested that the Pueblo would be willing to amend the complaint to this effect. However, because of statutory restrictions on the alienability of Pueblo land in the Pueblo Lands Act, 42 Stat. 641 (requiring Secretary of Interior approval of all conveyances of Pueblo land), Intervenor remain concerned that a mere statement in the Complaint that the Pueblo was not seeking title to Intervenor's land would not eliminate the potential impact of this litigation on Intervenor's title, particularly if the Pueblo reversed its position at a later date. Moreover, Intervenor have other interests in the outcome of this litigation as described more fully in the Motion to Intervene. Therefore, Intervenor still feel that this Intervention is necessary to protect their interests. Counsel for Defendants, Mr. Andrew Eschen, requested additional information and time to consult with representatives of Defendants. Counsel for Intervenor provided all requested information and asked to be advised of the Defendants' position on this Motion to Intervene by January 17, 1995. As of the close of business on January 17, 1995, Mr. Eschen had not advised counsel for Intervenor of

the Defendants' decision nor requested additional time to consider its position. Therefore, this Motion is opposed by Plaintiff Pueblo of Sandia. The Defendants' position on this Motion is unknown.

  
\_\_\_\_\_  
Kimberly Z. Lesniak