

TYPE E APPEAL

U.S. District Court
USDC District of Columbia (Washington)

CIVIL DOCKET FOR CASE #: 94-CV-2624

Filed: 12/07/94

PUEBLO OF SANDIA v. BABBITT, et al
Assigned to: Judge Harold H. Greene
Demand: \$0,000
Lead Docket: None
Dkt# in other court: None

Nature of Suit: 890
Jurisdiction: US Defendant

Cause: 28:1361 Petition for Writ of Mandamus
Case type: 1. civil 2. null

PUEBLO OF SANDIA
plaintiff

Peter Thomas Grossi, Jr.
FTS 942-5670
[COR LD NTC ret]
ARNOLD & PORTER
555 12th Street, NW
Washington, DC 20004-1202
AREA CODE (202)

v.

BRUCE H. BABBITT, in his
Official Capacity as Secretary
of the Interior
defendant

Andrew M. Eschen
FTS 305-0237
[COR LD NTC gvt]
U.S. DEPARTMENT OF JUSTICE
ENRD, Ben Franklin Station
P.O. Box 561
Washington, DC 20044-0663
AREA CODE (202)

MIKE ESPY, in his Official
Capacity as Secretary of
Agriculture
defendant

Andrew M. Eschen
(See above)
[COR LD NTC gvt]

SANDIA PEAK TRAM COMPANY
movant

Richard Edward Schwartz
FTS 624-2905
202-628-5116 FAX
[COR LD NTC ret]
CROWELL & MORING, L.L.P.
1001 Pennsylvania Avenue, NW
Washington, DC 20004-2595

Proceedings include all events.

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TYPE E
APPEAL

AREA CODE (202)

ALVARADO REALTY COMPANY
movant

Richard Edward Schwartz
(See above)
[COR LD NTC ret]

SANDIA PEAK SKI COMPANY
movant

Richard Edward Schwartz
(See above)
[COR LD NTC ret]

v.

ANNE-CLAIRE VON HOYNINGEN-
HUENE
intervenor-defendant

Thomas R. Bartman
FTS 347-4111
202-347-8341 FAX
Suite 1050
[COR LD NTC ret]
SHAPIRO, LIFSCHITZ & SCHRAM,
P.C.
1101 Pennsylvania Avenue, NW
Washington, DC 20004
AREA CODE (202)

WILLIAM P. KIELY, JR.
intervenor-defendant

Thomas R. Bartman
(See above)
[COR LD NTC ret]

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SANDIA MOUNTAIN COALITION
intervenor-defendant

Thomas R. Bartman
FTS 347-4111
202-347-8341 FAX
Suite 1050
[COR LD NTC ret]
SHAPIRO, LIFSCHITZ & SCHRAM,
P.C.
1101 Pennsylvania Avenue, NW
Washington, DC 20004
AREA CODE (202)

ANITA P. MILLER
intervenor-defendant

Thomas R. Bartman
(See above)
[COR LD NTC ret]

NED A. MILLER

Thomas R. Bartman

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intervenor-defendant	(See above) [COR LD NTC ret]
JAMES D. DAVIS intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
ROBERT G. HEISER, Individually and as General Partner of Cibola Canyon, Ltd. intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
JIM CLARK intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
CONNIE A. CLARK intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
SHYAM H. GURBAXANI intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
SHANNON GURBAXANI intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
DAVID W. MCCARTY intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
LYNNE K. BEHNFIELD intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
LOUIS SANDERS intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]
TERESA SANDERS intervenor-defendant	Thomas R. Bartman (See above) [COR LD NTC ret]

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CHRISTIAN VON HOYNINGEN-HUENE
intervenor-defendant

Thomas R. Bartman
(See above)
[COR LD NTC ret]

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COUNTY OF BERNALILLO, NEW
MEXICO
movant

David Patrick Donovan
[term 07/01/97]
FTS 663-6409
202-663-6363 FAX
[COR LD NTC ret]
WILMER, CUTLER & PICKERING
2445 M Street, NW
Washington, DC 20037
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Thomas R. Bartman
FTS 347-4111
202-347-8341 FAX
Suite 1050
[COR LD NTC ret]
SHAPIRO, LIFSCHITZ & SCHRAM,
P.C.
1101 Pennsylvania Avenue, NW
Washington, DC 20004
AREA CODE (202)

Lyman G. Sandy
[term 07/01/97]
FTS 842-1950
Suite 1100
[COR NTC phv]
Marte D. Lightstone
FTS 842-1950
Suite 1100
[COR NTC phv]
Robin A. Goble
FTS 842-1950
Suite 1100
[COR NTC phv]
MILLER, STRATVERT, TORGERSON &
SCHLENKER, P.A.
500 Marquette Avenue, N.W.
Albuquerque, NM 87125
AREA CODE (505)

Proceedings include all events.

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APPEAL

12/7/94 1 COMPLAINT filed by plaintiff PUEBLO OF SANDIA; exhibits (7) (cjp) [Entry date 12/12/94]

12/7/94 -- SUMMONS (4) issued to federal party(s) defendant BRUCE H. BABBITT, defendant MIKE ESPY , and non-parties: U.S. Attorney and U.S. Attorney General. (cjp) [Entry date 12/12/94]

12/9/94 -- MAILED CJRA brochure, Meet and Confer list, and Notice regarding dismissal to plaintiff PUEBLO OF SANDIA . (lpp) [Entry date 12/13/94]

12/27/94 2 RETURN OF SERVICE/AFFIDAVIT executed on 12/8/94 upon defendant BRUCE H. BABBITT (ted) [Entry date 12/28/94]

12/27/94 3 RETURN OF SERVICE/AFFIDAVIT executed on 12/9/94 upon defendant MIKE ESPY (ted) [Entry date 12/28/94]

12/27/94 4 RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney General on 12/9/94 (ted) [Entry date 12/28/94]

12/27/94 5 RETURN OF SERVICE/AFFIDAVIT executed upon U. S. Attorney on 12/8/94 (ted) [Entry date 12/28/94]

1/18/95 6 MOTION filed for SANDIA MOUNTAIN CO., ANITA P. MILLER, NED A. MILLER, JAMES D. DAVIS, ROBERT G. HEISER, JIM CLARK, CONNIE A. CLARK, SHYAM H. GURBAXANI, SHANNON GURBAXANI, DAVID W. MCCARTY, LYNNE K. BEHNFIELD, LOUIS SANDERS, TERESA SANDERS, CHRISTIAN VON HOYNINGEN-HUENE, ANNE-CLAIRE VON HOYNINGEN-HUENE, WILLIAM P. KIELY to intervene; Exhibits(10); EXHIBIT(Answer) (ted) [Entry date 01/19/95] [Edit date 01/19/95]

1/24/95 7 MOTION filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to extend time to 2/20/95 to respond to motion to intervene (ted) [Entry date 01/25/95]

1/25/95 8 MOTION filed by plaintiff PUEBLO OF SANDIA to extend time to 2/20/95 to respond to motion to intervene (ted) [Entry date 01/26/95]

1/26/95 9 ORDER by Judge Harold H. Greene : granting motion to extend time to 2/20/95 to respond to motion to intervene [7-1] by MIKE ESPY, BRUCE H. BABBITT (N) (dcn) [Entry date 01/27/95]

2/17/95 10 JOINT MOTION by plaintiff, defendants, intervenor-defendants to extend time to 3/17/95 to respond to motion to intervene (ted) [Entry date 02/21/95]

3/15/95 11 AMENDED COMPLAINT by plaintiff PUEBLO OF SANDIA amending complaint [1-1]; Exhibits(7) (ted) [Entry date 03/16/95]

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APPEAL

- 3/17/95 12 ORDER by Judge Harold H. Greene : granting joint motion to extend time to 3/17/95 to respond to motion to intervene [10-1] by intervenor-defendant, defendant, plaintiff (N) (dcn)
- 3/17/95 13 ORDER by Judge Harold H. Greene : granting motion to extend time to 2/20/95 to respond to motion to intervene [8-1] by PUEBLO OF SANDIA (N) (dcn)
- 3/17/95 14 RESPONSE by defendant BRUCE H. BABBITT, defendant MIKE ESPY in opposition to motion for SANDIA MOUNTAIN CO., ANITA P. MILLER, NED A. MILLER, JAMES D. DAVIS, ROBERT G. HEISER, JIM CLARK, CONNIE A. CLARK, SHYAM H. GURBAXANI, SHANNON GURBAXANI, DAVID W. MCCARTY, LYNNE K. BEHNFIELD, LOUIS SANDERS, TERESA SANDERS, CHRISTIAN VON HOYNINGEN-HUENE, ANNE-CLAIRE VON HOYNINGEN-HUENE, WILLIAM P. KIELY to intervene [6-1] . (ted) [Entry date 03/20/95]
- 3/17/95 15 RESPONSE by plaintiff PUEBLO OF SANDIA to motion for "Sandia Mountain Coalition" to intervene [6-1]; Exhibits(5) (ted) [Entry date 03/20/95]
- 3/24/95 16 MOTION filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to dismiss complaint [1-1] (ted) [Entry date 03/27/95]
- 3/29/95 17 REPLY by intervenor-defendants to plaintiff PUEBLO OF SANDIA's response to motion for "Sandia Mountain Coalition" to intervene [6-1]; Exhibits(3) (ted) [Entry date 03/30/95]
- 4/3/95 18 MOTION filed by plaintiff PUEBLO OF SANDIA to extend time to 4/21/95, for plaintiff to respond to government defendants' motion to dismiss (lpp) [Entry date 04/04/95]
- 4/17/95 19 NOTICE OF CHANGE OF ADDRESS by Peter Thomas Grossi Jr. representing plaintiff PUEBLO OF SANDIA . New address: Arnold & Porter 555 Twelfth Street, NW Washington DC 20004-1202 (202)942-5670. (ted) [Entry date 04/18/95]
- 4/24/95 20 RESPONSE by plaintiff PUEBLO OF SANDIA in opposition to motion to dismiss complaint [1-1] [16-1] by MIKE ESPY, BRUCE H. BABBITT; Exhibits(3) (ted) [Entry date 04/25/95]
- 4/28/95 21 MOTION filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to extend time to 5/19/95 to reply to plaintiff's response to motion to dismiss (ted) [Entry date 05/01/95]
- 5/19/95 22 REPLY by defendant BRUCE H. BABBITT, defendant MIKE ESPY to plaintiff's opposition to defendants' motion to dismiss complaint [1-1] [16-1] (ted) [Entry date 05/22/95]
- 6/12/95 23 ORDER by Judge Harold H. Greene : granting motion to extend time to 4/21/95, for plaintiff to respond to government defendants' motion to dismiss [18-1] by PUEBLO OF SANDIA (N) (dcn) [Entry date 06/15/95]

Proceedings include all events.

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TYPE E

APPEAL

6/12/95 24 ORDER by Judge Harold H. Greene : granting motion to extend time to 5/19/95 to reply to plaintiff's response to motion to dismiss [21-1] by MIKE ESPY, BRUCE H. BABBITT (N) (dcn) [Entry date 06/15/95]

6/14/95 25 MOTION filed by plaintiff PUEBLO OF SANDIA for hearing (ted) [Entry date 06/16/95]

6/16/95 26 RESPONSE by defendant BRUCE H. BABBITT, defendant MIKE ESPY in opposition to motion for hearing [25-1] by PUEBLO OF SANDIA . (ted) [Entry date 06/19/95]

6/29/95 27 MOTION filed for COUNTY OF BERNALILLO to intervene as defendant; EXHIBIT(Answer) (ted) [Entry date 06/30/95]

6/29/95 28 MOTION filed by movant COUNTY OF BERNALILLO for Lyman G. Sandy, Marte D. Lightstone and Robin A. Goble to appear pro hac vice (Miller, Stratvert, Torgerson & Schlenker, P.A., 500 Marquette Ave, NW Suite 1100, Albuquerque, NM 87125, (505)842-1950) (ted) [Entry date 06/30/95]

7/5/95 29 RESPONSE by defendant BRUCE H. BABBITT, defendant MIKE ESPY in opposition to motion for COUNTY OF BERNALILLO to intervene as defendant [27-1] . (ted) [Entry date 07/06/95]

7/11/95 30 MOTION filed by plaintiff PUEBLO OF SANDIA to extend time to 7/21/95 to respond to motion to intervene (ted) [Entry date 07/12/95]

7/13/95 31 ORDER by Judge Harold H. Greene : granting motion for Lyman G. Sandy, Marte D. Lightstone and Robin A. Goble to appear pro hac vice (Miller, Stratvert, Torgerson & Schlenker, P.A., 500 Marquette Ave, NW Suite 1100, Albuquerque, NM 87125, (505)842-1950) [28-1] by COUNTY OF BERNALILLO (N) (dcn)

7/13/95 32 ORDER by Judge Harold H. Greene : granting motion to extend time to 7/21/95 to respond to motion to intervene [30-1] by PUEBLO OF SANDIA (N) (dcn)

7/27/95 33 RESPONSE by plaintiff PUEBLO OF SANDIA to motion for COUNTY OF BERNALILLO to intervene as defendant [27-1] ; affidavits (1). (jmf) [Entry date 07/28/95] [Edit date 07/28/95]

7/27/95 34 MOTION filed by movant COUNTY OF BERNALILLO to extend time to 8/10/95 to reply to plaintiff's opposition to Bernalillo County's motion to intervene (jmf) [Entry date 07/28/95]

8/10/95 35 REPLY by movant COUNTY OF BERNALILLO in support of their motion to intervene as defendant [27-1]; exhibits (1). (jmf) [Entry date 08/11/95]

Proceedings include all events.

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TYPE E

APPEAL

- 8/14/95 36 ORDER by Judge Harold H. Greene : granting motion to extend time to 8/10/95 to reply to plaintiff's opposition to Bernalillo County's motion to intervene [34-1] by COUNTY OF BERNALILLO (N) (ted) [Entry date 08/15/95]
- 6/25/96 37 MOTION filed by intervenor-defendant SANDIA MOUNTAIN CO. for status conference. (lkn) [Entry date 06/26/96]
- 6/26/96 38 MOTION filed by plaintiff PUEBLO OF SANDIA for summary judgment; Affidavits (3). (lkn) [Entry date 06/27/96]
- 6/28/96 39 ERRATA by intervenor-defendant SANDIA MOUNTAIN CO., to supplement the motion for a status conference filed by intervenor-defendant SANDIA MOUNTAIN CO., on June 25, 1996, Intervenor state that they have conferred with plaintiff PUEBLO OF SANDIA, which intends to file a response to the motion within the time provided by the local rules and with defendant UNITED STATES, which does not object to this motion. (lkn) [Entry date 07/03/96]
- 7/1/96 40 RESPONSE by plaintiff PUEBLO OF SANDIA to motion for status conference. [37-1] by SANDIA MOUNTAIN CO. (lkn) [Entry date 07/03/96]
- 7/5/96 41 MOTION filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to stay briefing and consideration of plaintiffs' motion for summary judgment pending resolution of federal defendants' motion to dismiss for lack of jurisdiction. (lkn) [Entry date 07/09/96]
- 7/5/96 43 MEMORANDUM by defendant BRUCE H. BABBITT, defendant MIKE ESPY in support of motion to stay briefing and consideration of plaintiffs' motion for summary judgment pending resolution of federal defendants' motion to dismiss for lack of jurisdiction. [41-1] by MIKE ESPY, BRUCE H. BABBITT (lkn) [Entry date 07/18/96]
- 7/12/96 42 MEMORANDUM by plaintiff PUEBLO OF SANDIA in opposition to motion to stay briefing and consideration of plaintiffs' motion for summary judgment pending resolution of federal defendants' motion to dismiss for lack of jurisdiction. [41-1] by MIKE ESPY, BRUCE H. BABBITT (lkn) [Entry date 07/15/96]
- 7/19/96 44 REPLY by defendant BRUCE H. BABBITT, defendant MIKE ESPY to plaintiff's memorandum in opposition to motion to stay briefing and consideration of plaintiffs' motion for summary judgment pending resolution of federal defendants' motion to dismiss for lack of jurisdiction. [41-1] (jmf) [Entry date 07/22/96]

Proceedings include all events.

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TYPE E

APPEAL

- 8/19/96 45 ORDER by Judge Harold H. Greene : granting motion to stay briefing and consideration of plaintiffs' motion for summary judgment pending resolution of federal defendants' motion to dismiss for lack of jurisdiction. [41-1] by MIKE ESPY, BRUCE H. BABBITT (N) (dcn)
- 9/16/96 46 (RENEWED)MOTION filed by plaintiff PUEBLO OF SANDIA for special hearing on the government's pending motion to dismiss (lkn) [Entry date 09/17/96]
- 10/17/96 47 ORDER by Judge Harold H. Greene : granting motion for special hearing on the government's pending motion to dismiss [46-1] by PUEBLO OF SANDIA motion hearing set for 10:00 11/4/96 ; (N) (dcn)
- 11/4/96 -- MOTION HEARING before Judge Harold H. Greene taken under advisement motion for SANDIA MOUNTAIN CO., ANITA P. MILLER, NED A. MILLER, JAMES D. DAVIS, ROBERT G. HEISER, JIM CLARK, CONNIE A. CLARK, SHYAM H. GURBAXANI, SHANNON GURBAXANI, DAVID W. MCCARTY, LYNNE K. BEHNFIELD, LOUIS SANDERS, TERESA SANDERS, CHRISTIAN VON HOYNINGEN-HUENE, ANNE-CLAIRE VON HOYNINGEN-HUENE, WILLIAM P. KIELY to intervene [6-1], taken under advisement by MIKE ESPY, BRUCE H. BABBITT motion to dismiss complaint [1-1] [16-1] Reporter: Elizabeth Telson (Miller Reporting) (dcn) [Entry date 11/05/96]
- 11/25/96 48 TRANSCRIPT filed for date(s) of November 4, 1996. Reporter: Elizabeth Hudson Telson, Miller Reporting Company, Inc. (lkn) [Entry date 11/26/96]
- 12/10/96 49 OPINION by Judge Harold H. Greene (N) (dcn) [Entry date 12/13/96]
- 12/10/96 50 ORDER by Judge Harold H. Greene : denying motion to dismiss complaint [1-1] [16-1] by MIKE ESPY, BRUCE H. BABBITT (N) (dcn) [Entry date 12/13/96]
- 12/24/96 51 MOTION (UNOPPOSED) filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to extend time to 02/03/97 to answer amended complaint [11-1] (lkn) [Entry date 12/26/96]
- 2/18/97 52 STIPULATION filed and fiated by Judge Harold H. Greene regarding extension of time to answer complaint to 2/21/97. (N) (dcn) [Entry date 02/20/97]
- 2/21/97 53 ANSWER TO AMENDED COMPLAINT [11-1] by defendant BRUCE H. BABBITT, defendant MIKE ESPY (lkn) [Entry date 02/24/97]
- 2/21/97 54 ORDER by Judge Harold H. Greene : granting motion to extend time to 02/03/97 to answer amended complaint [11-1] [51-1] by MIKE ESPY, BRUCE H. BABBITT ; Answer extended to 2/3/97 for MIKE ESPY, for BRUCE H. BABBITT (N) (dcn) [Entry date 02/25/97]

Proceedings include all events.

1:94cv2624 PUEBLO OF SANDIA v. BABBITT, et al

TYPE E

APPEAL

- 2/21/97 55 ORDER by Judge Harold H. Greene : granting motion for COUNTY OF BERNALILLO to intervene as defendant [27-1], granting motion for SANDIA MOUNTAIN CO., ANITA P. MILLER, NED A. MILLER, JAMES D. DAVIS, ROBERT G. HEISER, JIM CLARK, CONNIE A. CLARK, SHYAM H. GURBAXANI, SHANNON GURBAXANI, DAVID W. MCCARTY, LYNNE K. BEHNFIELD, LOUIS SANDERS, TERESA SANDERS, CHRISTIAN VON HOYNINGEN-HUENE, ANNE-CLAIRE VON HOYNINGEN-HUENE, WILLIAM P. KIELY to intervene [6-1] (N) (dcn) [Entry date 02/25/97]
- 3/13/97 56 ANSWER TO AMENDED COMPLAINT [11-1] by intervenor-defendant SANDIA MOUNTAIN CO., intervenor-defendant ANITA P. MILLER, intervenor-defendant NED A. MILLER, intervenor-defendant JIM CLARK, intervenor-defendant CONNIE A. CLARK, intervenor-defendant SHYAM H. GURBAXANI, intervenor-defendant SHANNON GURBAXANI, intervenor-defendant DAVID W. MCCARTY, intervenor-defendant LYNNE K. BEHNFIELD, intervenor-defendant LOUIS SANDERS, intervenor-defendant TERESA SANDERS, intervenor-defendant CHRISTIAN VON HOYNINGEN-HUENE, intervenor-defendant ANNE-CLAIRE VON HOYNINGEN-HUENE, intervenor-defendant WILLIAM P. KIELY JR. (lkn) [Entry date 03/20/97]
- 3/27/97 57 NOTICE by defendant BRUCE H. BABBITT, defendant MIKE ESPY, of intent to file administrative record and to oppose plaintiff's motion for summary judgment. (lkn) [Entry date 03/28/97]
- 6/27/97 58 CROSS MOTIONS by defendant BRUCE H. BABBITT, defendant MIKE ESPY for summary judgment; attachments, exhibits. (mlp) [Entry date 07/01/97]
- 6/27/97 59 ADMINISTRATIVE RECORD by defendant BRUCE H. BABBITT, defendant MIKE ESPY consisting of Eight (8) bound volumes. (mlp) [Entry date 07/01/97]
- 7/1/97 60 SUBSTITUTION OF COUNSEL for intervenor-defendant SANDIA MOUNTAIN CO., movant COUNTY OF BERNALILLO, substituting Thomas R. Bartman for attorney Lyman G. Sandy for COUNTY OF BERNALILLO, attorney David Patrick Donovan for COUNTY OF BERNALILLO (mlp) [Entry date 07/02/97]
- 7/11/97 61 MOTION filed by plaintiff PUEBLO OF SANDIA to extend time to 8/22/97 in which to (1) reply to the Government's response to the Pueblo's motion for summary judgment and (2) respond to the Government's cross-motion for summary judgment (bm) [Entry date 07/15/97]
- 8/8/97 62 NOTICE OF WITHDRAWAL of attorney appearance by David P. Donovan. (dam) [Entry date 08/11/97]
- 8/27/97 63 RESPONSE by plaintiff PUEBLO OF SANDIA to Federal Defendants' proposed uncontroverted facts. (dam)

Proceedings include all events.

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TYPE E

APPEAL

[Entry date 08/28/97]

- 8/27/97 64 REPLY by plaintiff PUEBLO OF SANDIA to response to motion for summary judgment [38-1] by PUEBLO OF SANDIA (dam) [Entry date 08/28/97]
- 8/27/97 65 RESPONSE by plaintiff PUEBLO OF SANDIA to cross motion for summary judgment [58-1] by MIKE ESPY, BRUCE H. BABBITT (dam) [Entry date 08/28/97]
- 9/4/97 66 MOTION filed by defendant BRUCE H. BABBITT, defendant MIKE ESPY to extend time to 9/12/97 to file their reply to plaintiff's response to defendants' cross-motion for summary judgment (dam) [Entry date 09/05/97]
- 9/12/97 67 REPLY by defendant BRUCE H. BABBITT, defendant MIKE ESPY to response to cross motion for summary judgment [58-1] by MIKE ESPY, BRUCE H. BABBITT (dam) [Entry date 09/15/97]
- 9/12/97 69 ORDER by Judge Harold H. Greene : granting motion to extend time to 9/12/97 to file their reply to plaintiff's response to defendants' cross-motion for summary judgment [66-1] by MIKE ESPY, BRUCE H. BABBITT (N) (dcn) [Entry date 09/22/97]
- 9/16/97 68 CROSS MOTION by movant COUNTY OF BERNALILLO for summary judgment; exhibits (3) (dam) [Entry date 09/19/97]
- 9/29/97 70 ERRATA by movant COUNTY OF BERNALILLO in re: corrected copy of Exhibit 1 to movant's opposition to plaintiff's motion for summary judgment and in support of cross-motion for summary judgment; attachment. (mlp) [Entry date 09/30/97]
- 10/3/97 71 REPLY by plaintiff PUEBLO OF SANDIA to intervenor-defendants' memorandum in opposition to motion for summary judgment [38-1] by PUEBLO OF SANDIA; exhibit (A). (adc) [Entry date 10/07/97]
- 10/3/97 72 RESPONSE by plaintiff PUEBLO OF SANDIA in opposition to cross motion for summary judgment [68-1] by COUNTY OF BERNALILLO; exhibit (A) . (adc) [Entry date 10/07/97]
- 10/9/97 73 ORDER by Judge Harold H. Greene : granting motion of intervenor-defendants Bernalillo Coubty's motion for an extension of time (N) (dcn) [Entry date 10/15/97]
- 10/14/97 74 REPLY by movant COUNTY OF BERNALILLO to response to cross motion for summary judgment [68-1] by COUNTY OF BERNALILLO (dam) [Entry date 10/16/97]
- 11/7/97 75 MOTION filed by movant SANDIA PEAK TRAM CO., movant ALVARADO REALTY CO., movant SANDIA PEAK SKI CO for leave to file Brief Amici Curiae; EXHIBIT (BRIEF AMICI CURIAE) (dcn)

Proceedings include all events.

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TYPE E

APPEAL

[Entry date 11/12/97] [Edit date 11/12/97]

- 11/14/97 76 RESPONSE by defendant BRUCE H. BABBITT, defendant MIKE ESPY to motion for leave to file Brief Amici Curiae [75-1] by SANDIA PEAK SKI CO, ALVARADO REALTY CO., SANDIA PEAK TRAM CO. (lkn) [Entry date 11/17/97]
- 2/2/98 77 REQUEST by plaintiff PUEBLO OF SANDIA for oral argument (tth) [Entry date 02/03/98]
- 2/6/98 78 RESPONSE by defendant BRUCE H. BABBITT, defendant MIKE ESPY to request for oral argument [77-1] by PUEBLO OF SANDIA (tth) [Entry date 02/09/98]
- 5/27/98 79 NOTICE OF CHANGE OF ADDRESS by Thomas R. Bartman representing intervenor-defendant SANDIA MOUNTAIN CO., movant COUNTY OF BERNALILLO . New address: SHAPIRO, LIFSCHITZ & SCHRAM, P.C. 1101 Pennsylvania Avenue, NW Suite 1050, Washington DC 20004 (202) 347-4111. (tb) [Entry date 05/28/98]
- 7/20/98 80 OPINION by Judge Harold H. Greene. (N) (gdf) [Entry date 07/27/98]
- 7/20/98 81 ORDER by Judge Harold H. Greene: denying Defendants' cross motion for summary judgment [58-1] by MIKE ESPY, BRUCE H. BABBITT, granting Plaintiff's motion for summary judgment [38-1] by PUEBLO OF SANDIA; ORDERED that the Department of Interior Memorandum written by Solicitor Ralph Tarr and accepted by Secretary Donald Hodel on December 13, 1988 be and it is hereby VACATED; FURTHER ORDERED that the above-captioned case be and it is hereby remanded to the Department of the Interior for action consistent with the attached Opinion and this Order. (N) (gdf) [Entry date 07/27/98]
- 8/13/98 82 NOTICE OF APPEAL by intervenor-defendants, movant from order [81-1] , entered on: 07/20/98; \$105 FILING FEE PAID; copies mailed to Peter T. Grossi, Jr, Andrew M. Eschen, Thomas R. Bartman, Marte D. Lightstone, Robin A. Goble & Richard E. Schwartz (tb) [Entry date 08/14/98]
- 8/14/98 -- TRANSMITTED PRELIMINARY RECORD on appeal [82-1] by movant, intervenor-defend to U.S. Court of Appeals (tb)
- 8/24/98 -- USCA # 98-5428 assigned for appeal [82-1] by movant, intervenor-defend (tb) [Entry date 08/25/98]
- 9/15/98 83 NOTICE OF APPEAL by defendant BRUCE H. BABBITT, defendant MIKE ESPY from memorandum order [80-1], entered on: 07/20/98; (GOV'T) NO FEES PAID; copies mailed to Peter T. Gross, Jr., Andrew M. Eschen, Thomas R. Bartman, Marte D. Lightstone, Robin A. Goble, & Richard E. Schwartz (tb) [Entry date 09/16/98]

Proceedings include all events.

1:94cv2624 PUEBLO OF SANDIA v. BABBITT, et al

TYPE E

APPEAL

9/16/98 -- TRANSMITTED PRELIMINARY RECORD on appeal [83-1] by MIKE
ESPY, BRUCE H. BABBITT to U.S. Court of Appeals (tb)

9/21/98 -- USCA # 98-5451 assigned for appeal [83-1] by MIKE ESPY,
BRUCE H. BABBITT (ks) [Entry date 09/22/98]