

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ELOUISE PEPION COBELL, *et al.*, :
 :
 Plaintiffs, :
 :
 v. : Civil Action No. 96-1285 (JR)
 :
 DIRK KEMPTHORNE, Secretary of :
 the Interior, *et al.*, :
 :
 Defendants. :

ORDER

This case was assigned to me on December 7, 2006 [3278]. On December 19, 2006, the plaintiffs filed petitions for *certiorari*, seeking Supreme Court review of the Court of Appeals decisions removing Judge Lamberth from the case, 455 F.3d 317, and vacating Judge Lamberth's IT injunction, 455 F.3d 301. Notwithstanding the pendency of the *cert.* petitions, plaintiffs' counsel urged in open court on the following day that I not wait for a ruling by the Supreme Court and that I set a July 2007 "trial date." Government counsel objected to the setting of a "trial," in July or ever, essentially taking the position that the completion of its accounting is nowhere in sight. Neither position is sustainable, or acceptable. It is

ORDERED that the following motions are **granted**: 3195, 3257. It is

FURTHER ORDERED that the following motions are **denied**: 2778, 2846, 2875, 2945, 3044, 3097, 3168, 3186, 3187, 3188, 3192, 3197, 3200, 3227, 3248, 3259, 3265, 3269. And it is

FURTHER ORDERED that a chambers conference is set for **Friday, February 2, 2007, at 10 a.m.**, Room 4903, U.S. Courthouse Annex.

JAMES ROBERTSON
United States District Judge