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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

RAYMOND D. YOWELL, Plaintiff, v. ROBERT ABBEY, HELEN HANKINS, DEPARTMENT OF THE TREASURY- FINANCIAL MANAGEMENT SERVICES, THE ALLIED INTERSTATE, INC., PIONEER CREDIT RECOVERY, INC., THE CBE INC., JIM CONNOLY, DENNIS JUROGIAN, JIM PITTS, MARK TORVINEN, and COOK OF UTAH, Defendants.	3:11-cv-518-RCJ-VPC MOTION TO EXTEND TIME FOR FILING RESPONSE TO COMPLAINT AND AMENDED COMPLAINT AND PROPOSED SECOND AMENDED COMPLAINT (First request)

Come now the defendants Robert Abbey, Helen Hankins, and the Department of the Treasury-Financial Management Services (hereinafter referred to as the "federal defendants"), through their undersigned counsel, and move this Court for an order extending the time for these federal defendants to respond to the various complaints and amended complaints filed/submitted by plaintiff Yowell. In support of the requested extension of time, these federal defendants aver as follows:

1. Yowell filed this pro se action in July 2011 against the three "federal" defendants named in the caption of the complaint as well as multiple private party defendants and State of Nevada officials. Federal defendant Robert Abbey is the former (now retired) National Director of the Bureau of Land Management (BLM). Federal defendant Helen Hankins is the former BLM Field Manager for the Elko Field Office. Federal defendant Department of the Treasury is a federal agency. Yowell recently has filed a motion (#41) to add another defendant; namely, the former Elko County Sheriff. That motion is now pending.

2. On February 21, 2012, this Court conducted a hearing on multiple dispositive motions filed by the various defendants. At that hearing, this Court acknowledged that Yowell had named the "wrong defendant in the Treasury" (see Transcript of Hearing, p.3), acknowledged that the Court was "going to have to dismiss that claim" - referencing the claims concerning the 2002 impoundment of Yowell's cattle - because of prior rulings in prior cases brought by Yowell (see Transcript of Hearing, p.14), plainly stated that the Court was "going to dismiss a substantial part of this lawsuit" (see Transcript of Hearing, p.18) but then failed to do so despite the acknowledged presence of claims which must be dismissed, and expressed its intention to preserve some aspect of this lawsuit "if there's any way I can find" to do so (see Transcript of Hearing, pp.2, 18). By subsequent Order (#37), the Court also granted Yowell leave to amend his complaint to include a claim of "individual aboriginal title" with respect to the grazing rights claimed by Yowell (see Order (#37)).

3. On June 26, 2012, Yowell filed his Amended Complaint (#42). The amended complaint again named Department of the Treasury as a defendant notwithstanding the Court's acknowledgment that Treasury was a "wrong defendant." The Amended Complaint also repeats the claims regarding the 2002 impoundment of Yowell's cattle notwithstanding the Court's acknowledgment that such claims had already been decided by this Court in prior cases.

4. On June 26, 2012, Yowell also filed a motion (#41) for leave to file a second amended complaint. The proposed second amended complaint repeats the multiple deficiencies of the

original complaint (and the first amended complaint).

5. It is apparent that the first amended complaint and the proposed second amended complaint will generate one or more dispositive motions by these federal defendants (and perhaps by other defendants as well).

6. In order to provide clarity regarding the time for responding to Yowell's claims, it is respectfully requested that the deadline for responding to such claims be extended and fixed to a date 30 days after the Court enters its Order regarding Yowell's pending motion (#41) for leave to file a second amended complaint. If the Court grants the motion, the defendants will respond to the second amended complaint. If the Court denies the motion, the defendants will respond to the first amended complaint.

Based on the foregoing, it is respectfully requested that the deadline for these federal defendants to respond to Yowell's claims be extended and fixed to a date 30 days after the Court enters its Order regarding Yowell's pending motion (#41) for leave to file a second amended complaint.

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing MOTION TO EXTEND TIME FOR FILING RESPONSE TO COMPLAINT AND AMENDED COMPLAINT AND PROPOSED SECOND AMENDED COMPLAINT (First request) was made through the Court's electronic filing and notice system or, as appropriate, by sending a copy of same by first class mail, addressed to the following addressee, on this 27th day of June, 2012.

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