

1 McGREGOR W. SCOTT
United States Attorney
2 Eastern District of California

3 DAVID T. SHELEDY
Assistant U.S. Attorney

4 RONALD J. TENPAS
5 Assistant Attorney General
Environment and Natural Resources Division
6 United States Department of Justice

7 CHARLES R. SHOCKEY (DC Bar # 914879)
Attorney, Natural Resources Section
8 Environment and Natural Resources Division
United States Department of Justice
9 501 "I" Street, Suite 9-700
Sacramento, CA 95814
10 Telephone: (916) 930-2203
Facsimile: (916) 930-2210
11 Email: charles.shockey@usdoj.gov

12 Attorneys for Plaintiff United States of America

13 IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
14 SACRAMENTO DIVISION

15 _____)
16 THE UNITED STATES OF AMERICA,)
17 Plaintiff,)
18 v.)
19 H.C. ANGLE, et al.,)
20 Defendants.)
21 _____)

Civil No. S-80-583-LKK [In Equity No. 30]

PLAINTIFF'S NOTICE OF REILING
OF BETTER IMAGE OF EXHIBITS
FOR DOC. 278

DATE: October 20, 2008
TIME: 10:00 a.m.
COURT: Courtroom 4, 15th Floor

23 The plaintiff United States of America gives notice to the court and the parties of the
24 refiling of two exhibits to the Declaration of Robert Colella (Doc. # 278). The plaintiff originally
25 filed the two exhibits on September 5, 2008. The Clerk's Office subsequently notified counsel
26 that two pages of the exhibits were unreadable. The two exhibits in question were filed as
27 Exhibit 7 to the Colella Declaration (example stock subscription) and Exhibit 13 (Notice of
28

1 Petition and Petition to Confirm Change in Place of Use of Certain Decreed Rights filed by
2 Donald Garlin in this action). The two pages that the Clerk identified as illegible are Doc. 278-7,
3 page 1 of 4, and Doc. 278-12, page 6 of 8. The plaintiff has obtained a more legible version of
4 the two pages and now refiles the two exhibits in question in their entirety, with copies attached.

5 Respectfully Submitted,

6 McGREGOR W. SCOTT
7 United States Attorney
8 Eastern District of California

9 DAVID T. SHELLY
10 Assistant U.S. Attorney

11 RONALD J. TENPAS
12 Assistant Attorney General
13 United States Department of Justice
14 Environment & Natural Resources Division

15 /s/ *Charles R. Shockey*

16 CHARLES R. SHOCKEY, Attorney
17 D.C. Bar # 914879
18 United States Department of Justice
19 Environment & Natural Resources Division
20 Natural Resources Section
21 501 "I" Street, Suite 9-700
22 Sacramento, CA 95814-2322
23 Telephone: (916) 930-2203
24 Facsimile: (916) 930-2210
25 Email: charles.shockey@usdoj.gov

26 Dated: September 25, 2008.

27 OF COUNSEL:

28 AMY AUFDEMBERGE
Assistant Regional Solicitor
U.S. Department of the Interior
Office of the Regional Solicitor
2800 Cottage Way, Room E-1712
Sacramento, CA 95825

CERTIFICATE OF SERVICE

The undersigned hereby certifies that: he is an employee in the Sacramento Field Office of the United States Department of Justice, Environment and Natural Resources Division, 501 "I" Street, Suite 9-700, Sacramento, California, 95814-2322; he is a person of such age and discretion to be competent to serve papers; and, on September 25, 2008, he served copies of the attached:

- Plaintiff's Notice of Refiling of Better Image of Exhibits for Doc. 278 on all counsel of record through the court's Electronic Case Filing system and, in addition, by causing copies to be placed in a prepaid envelope addressed to the person hereinafter named, at the place and address stated below, which are the last known place and addresses, and by depositing said envelope and contents in the United States Mail at Sacramento, California:

VIA U.S. MAIL:

George Wilson
Office of the Water Master
Stony Creek and Tributaries
828 Eighth Street
Orland, CA 95693

/s/ Charles R. Shockey

Charles R. Shockey