

SUPREME COURT OF THE UNITED STATES

No. 128, Original

STATE OF ALASKA,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

CASE MANAGEMENT ORDER NO. 14

For the purposes of the proceedings before the Special Master, IT IS HEREBY ORDERED THAT:

(1) Amendment of the Comprehensive Case Management Order. The Parties' Joint Motion to Amend the Comprehensive Case Management Plan (CCMP), dated May 31, 2002, is granted. The proposed schedule in CCMP Appendix C, as updated in Case Management Order Nos. 11 and 13, is hereby amended. The new summary judgment briefing schedule is as follows: (i) summary judgment briefs must be filed by July 24, 2002; (ii) opposition briefs must be filed by October 10, 2002; and (iii) reply briefs must be filed by November 13, 2002.

(2) Amicus Participation. The Motion to Participate As Amici Curiae by Franklin H. James, the Shakan Kwaan Thling-Git Nation, Joseph K. Samuel, and the Taanta Kwaan Thling-Git Nation (hereinafter referred to as the "Native Alaskan Amici"), dated May 30, 2002, is granted under the following terms:

(a) The Special Master will serve all of his future orders, reports, rulings, and recommendations on the Native Alaskan Amici. The Special Master's orders will provide notice of scheduled hearings. (Past orders are available at <http://www.law.gwu.edu/facweb/gmaggs/128orig/docket.htm>.)

(b) The Native Alaskan Amici may attend the trial and all hearings in the case. They may not participate in these hearings unless the Special Master has granted specific permission in advance upon good cause shown.

(c) The Native Alaskan Amici may file written amicus curiae briefs addressing any subject to be decided by the Special Master. An amicus curiae brief that brings to the attention of the Special Master relevant matter not already brought to his attention by the parties may be of considerable help. An amicus curiae brief that does not serve this purpose burdens the Special Master, and its filing is not favored. See Supreme Court Rule 37.1.

(d) Unless an exception is granted for good cause shown, an amicus curiae brief shall be submitted within the time allowed for filing the brief for the party supported, or if in support of neither party, within the time allowed for filing the initial brief in connection with any matter. Cf. Supreme Court Rule 37.3(a).

(e) The Native Alaskan Amici will serve copies of any amicus curiae brief on all persons included in the Distribution List for Service of Documents.

(f) The parties will serve on the Native Alaskan Amici copies of their motions and briefs relating to (i) summary judgment, (ii) settlement, and (iii) the conclusions to be drawn from the evidence submitted at trial.

(g) The request of the Native Alaskan Amici to participate in the August 2002 site visit at their own expense is denied. The Special Master does not believe that the presence of additional persons will materially advance his understanding of the issues in the case.

(h) The parties will serve on the Native Alaskan Amici copies of the present itinerary for the August 2002 site visit and any future amendments to the itinerary. If the parties file written briefs or information papers concerning the itinerary, they also will serve copies on the Native Alaskans Amici. The Native Alaskan Amici may submit comments regarding the site visit.

(i) The Native Alaskans Amici must seek permission of the United States Supreme Court to file briefs regarding the Special Master's final and interim reports and recommendations. See Supreme Court Rule 37.

(j) The Distribution List for the Distribution of Documents is amended to include the following counsel for the Native Alaskan Amici:

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Dated: June 3, 2002

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Distribution List for Service of Documents
updated June 4, 2002

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(Copies of all orders are available at:
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