

John Walker

From: Daniel Galpern <galpern@westernlaw.org>
Sent: Friday, October 28, 2011 4:54 PM
To: John Walker; Chris Mixson; Dan Dunn; Tom Woodworth; Annette Bradley; tcoffing@maclaw.com; Rose Marie Reynolds
Subject: Appeal of Landfill Permit LF006-CMF-01, Moapa Band of Paiutes and Sierra Club v Southern Nevada Health District. Appeal hearing dates.

Oct. 28, 2011

John B Walker, Executive Secretary
State of Nevada
State Environmental Commission

By email

Dear John:

This is to follow up from my update earlier this week.

Counsel for the SNHD noted to me today that the Jan 31-Feb 2 period works for the District. Accordingly, all the parties have now blocked off this period for a hearing. My estimate is that a hearing of 2 days would suffice.

I will be available every day next week except for Monday, in the event you wish to discuss scheduling further.

Thank you,

Dan

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Dan Galpern, Attorney
Western Environmental Law Center
1216 Lincoln Street
Eugene, OR 97401
(541) 359-3243
galpern@westernlaw.org
www.westernlaw.org

On 10/26/11 2:54 PM, "Daniel Galpern" <galpern@westernlaw.org> wrote:

Oct. 26, 2011

John B Walker, Executive Secretary
State of Nevada
State Environmental Commission

By email

Dear John:

This is to apprise you of progress towards a hearing date before the SEC.

Petitioners were reasonably available for all of the dates we previously discussed, but in speaking with Intervenor-applicant NV Energy it appeared that only the Dec. 6-8 and Jan 31-Feb 2 periods were mutually feasible.

Yesterday, SNHD's outside counsel Terry Coffing noted that Dec 6-8 did not work for him, and he is checking with his client to be sure that Jan 31 to Feb 2 would work. Accordingly, I will let you know as soon as I can on that after hearing back from Terry.

In the meantime, in anticipation that it might work, would you please hold the Jan 31 to Feb 2, 2011 time period open for the purpose of a SEC hearing on the SNHD decisions to approve the NV Energy landfill permit application and to issue the permit?

Thank you,

Dan

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Dan Galpern, Attorney
Western Environmental Law Center
1216 Lincoln Street
Eugene, OR 97401
(541) 359-3243
galpern@westernlaw.org
www.westernlaw.org

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----- Forwarded Message

From: Daniel Galpern <galpern@westernlaw.org>

Date: Thu, 20 Oct 2011 17:51:04 -0700

To: John Walker <jwalker@ndep.nv.gov>

Cc: Chris Mixson <cmixson@wrslawyers.com>, Rose Marie Reynolds <RReynolds@ag.nv.gov>, Tom Woodworth <TWoodworth@nenergy.com>, Dennis Campbell <campbell@snhdmail.org>, "David T. Duncan" <DDuncan@maclaw.com>, Annette Bradley <bradley@snhdmail.org>, Dan Dunn <dan.dunn@hoganlovells.com>

Conversation: Appeal of Landfill Permit LF006-CMF-01, Moapa Band of Paiutes and Sierra Club v Southern Nevada Health District. A More Definite Statement of Matters for the Appeal.

Subject: Appeal of Landfill Permit LF006-CMF-01, Moapa Band of Paiutes and Sierra Club v Southern Nevada Health District. A More Definite Statement of Matters for the Appeal.

Oct. 20, 2011

John B Walker, Executive Secretary
State of Nevada
State Environmental Commission — SEC.nv.gov <<http://www.sec.nv.gov/index.htm>>

901 South Stewart Street, Suite 4001

Dear John:

As an aid to furthering this appeal, attached please find, on behalf of my clients -- Appellants Moapa Band of Paiutes and the Sierra Club -- a more definite statement of the issues for appeal.

This statement has been constructed to the extent that Appellants can discern the issues for appeal in the absence of the complete record.

We anticipate that the SNHD will soon produce that for the Commission and the parties. Appellants accordingly reserve the right, with the SEC's leave, to further amend or supplement this statement upon review of that forthcoming record.

Thank you very much for your able assistance in this matter.

On another front, I have secured potential dates for the SEC's hearing that would work for the appellants and for the intervenor, but I have yet to hear back from the SNHD or their attorneys on this.

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[Dan Galpern, Attorney](#)
[Western Environmental Law Center](#)
1216 Lincoln Street
Eugene, OR 97401
(541) 359-3243
galpern@westernlaw.org
www.westernlaw.org

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