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January 7, 2011

RECEIVED
MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAN 10 2011

FILED _____
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DATE INITIAL

Clerk of the Court
United States Court of Appeals for the Ninth Circuit
James R. Browning Courthouse
95 Seventh Street
San Francisco, California 94103

Re: *Water Wheel Camp Recreational Area, Inc., et al. v. Gary LaRance, et al.* --
Case Nos. 09-17349 & 09-17357 (CONSOLIDATED)

Dear Sir/Madam:

We have been advised, and have now confirmed, that Timothy Vollmann, counsel for Appellants/Cross-Appellees in the above-captioned matter, died only a few days ago.

At present, oral argument in this litigation is scheduled for February 17, 2011.

As of this date, we have not been informed that his clients even know of his death, let alone that they have retained new counsel. With oral argument only a few weeks away, we are uncertain that the February 17 hearing will or should take place. Accordingly, we are bringing this information to the Court's attention for such action is appropriate.

Very truly yours.

Dennis J. Whittlesey

DJW/nr

cc: (via Internet Transmission)
Eric Shepard, Esquire
Colorado River Indian Tribes

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