

10/16/00



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS

Hearings Division

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Salt Lake City, Utah 84111
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October 16, 2000

ORDER

HAMMOND RANCHES, INC., aka	:	NV-010-2000-01
ORO VACA, INC.,	:	
	:	Appeal of Assistant Field Manager's
Appellant	:	Decision dated December 10, 1999,
	:	involving the Little Humboldt Allotment,
v.	:	Elko District, Nevada
	:	
BUREAU OF LAND MANAGEMENT,	:	
	:	
Respondent	:	

RESPONDENT'S MOTION TO POSTPONE GRANTED

APPELLANT'S MOTION TO CHANGE NAME GRANTED

On October 4, 2000, counsel of record for the Bureau of Land Management (BLM) filed a Motion to Postpone Hearing. Therein it is stated that because of "pre-existing obligations," the counsel designated by the Field Solicitor's Office must request a postponement of the hearing currently scheduled for October 31, 2000, for an additional period of "at least 30 days."

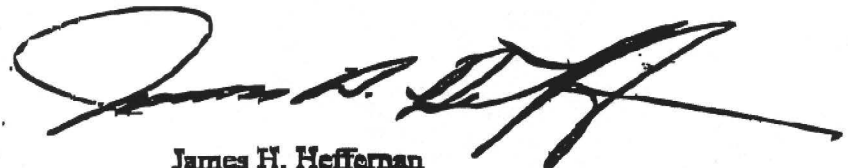
Subsequently, on October 6, 2000, counsel of record for the Appellant filed Appellant's Motion To Consolidate, Appellant's Response To BLM's Motion To Postpone Hearing, and Appellant's Motion To Change Name. Therein, in footnote 1, it is stated that, "Appellant would not object to a brief postponement of the hearing, so as to consolidate all matters and so as to give the Respondent time to prepare ... , so long as the hearing, the post hearing briefing, and the final decision can be issued before May 31, 2001."

In its October 6th filing, Appellant moves for the consolidation of the instant docket with other appeals currently pending before the U.S. District Court, District of Nevada, in the matter of ORO VACA, Inc., aka Hammond Ranches, Inc. v. Bruce Babbitt, Case No. CV-N-00-0313-HDM-VFC. Appellant has attached a copy of its Motion For Consolidated Hearing, or Alternative Relief, which was also filed with the District Court on October 6, 2000. The undersigned, of course, has no jurisdiction to review the procedural issue of consolidation of matters pending before the Federal District Court until that tribunal takes action with respect to Appellant's referenced motion. Therefore, I am **STAYING** any action with respect to

Appellant's Motion To Consolidate, until Appellant notifies me of the action of the District Court with respect to the consolidation issue.

Appellant has also moved the undersigned to amend/change its name for purposes of the caption in this docket. Appellant has stated in the alternative that changing the caption to "aka ORO VACA, INC." will suffice for purposes of this motion. Because the Hearings Division now indexes this appeal under the caption "Hammond Ranches, Inc.," it is my determination to **GRANT** this motion in its alternative form, and the caption for this docket will be amended to include "aka ORO VACA, INC."

For good cause shown in the Respondent's Motion To Postpone, and for the related procedural reasons reiterated above, the hearing currently scheduled to commence on October 31, 2000, in Elko, Nevada, is hereby **TEMPORARILY POSTPONED**. The parties are requested to notify the undersigned in writing when the District Court has taken action with respect to the consolidation issue and to also provide the undersigned in said writing with suggested, alternative hearing dates of mutual convenience to the parties.



James H. Heffernan
Administrative Law Judge

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