

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ELOUISE PEPION COBELL, et al.,)
on their own behalf and on behalf of)
all persons similarly situated,)
)
Plaintiffs,)
)
vs.)
)
DIRK KEMPTHORNE, Secretary of)
the Interior, et al.,)
)
Defendants.)
_____)

**Case No. 96CV1285
(Judge Robertson)**

**NOTICE OF PROTECTION OF ROBERT MCCARTHY UNDER MAY 21, 1999 ANTI-
RETALIATION ORDER**

By letter dated August 30, 2007, plaintiffs have notified government counsel that Robert McCarthy may be a witness in the upcoming trial set to commence on October 10, 2007.¹ Mr. McCarthy is a Field Solicitor, Palm Springs Field Office, U.S. Department of the Interior. With such notice, Mr. McCarthy, is within the scope of the May 21, 1999 Anti-Retaliation Order from this date forward.²

¹ See Plaintiffs' Exhibit 1 (Letter dated August 30, 2007 to Robert E. Kirschman from Keith M. Harper).

² See Plaintiffs' Exhibit 2 (May 21, 1999 Anti-Retaliation Order [Dkt. No. 277]).

Respectfully submitted,

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August 30, 2007

Attorneys for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing plaintiffs' NOTICE OF PROTECTION OF ROBERT MCCARTHY UNDER MAY 2, 1999 ANTI-RETALIATION ORDER was served on the following via facsimile, pursuant to agreement, on this day, August 30, 2007.

Earl Old Person (*Pro se*)
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/s/ Justin Guilder
Justin Guilder