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COUNSEL IDENTIFICATION ON FINAL PAGE

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NATURAL RESOURCES DEFENSE
COUNCIL, *et al.*,

Plaintiffs,

v.

RYAN ZINKE, in his official capacity as
Secretary of the Interior, *et al.*,

Defendants.

SAN LUIS & DELTA MENDOTA
WATER AUTHORITY, *et al.*,

Defendants-Intervenors.

ANDERSON-COTTONWOOD
IRRIGATION DISTRICT, *et al.*,

Joined Parties.

Case No. 1:05-cv-01207 LJO-EPG

**STIPULATION AND SCHEDULING
ORDER**

1 agreed to withdraw their request but do not waive any rights, objections, or responses that Federal
2 Defendants may have to Plaintiffs' propounded discovery;

3 AND WHEREAS, the Parties' agreed schedule seeks to balance the Parties' need for
4 adequate preparation time with the goal of resolving this case expeditiously and the Court's
5 previously expressed preference against bifurcation (Doc. 1027 at 3);

6 **STIPULATION**

7 NOW THEREFORE, counsel for Plaintiffs and Defendants hereby stipulate to the
8 following schedule regarding discovery, briefing, and trial deadlines. The Parties agree that the
9 proposed discovery schedule does not waive any rights, objections, or responses that Federal
10 Defendants may have to discovery propounded against the Federal Defendants as to Plaintiffs'
11 Sixth Claim against the SRS Contractors. For the Court's reference, the schedule set forth below
12 incorporates and italicizes the dates previously entered by the Court in response to the Parties' prior
13 stipulation (Dkt. 1073).

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Date	Event
April 12, 2017	<i>Federal Defendants distribute draft administrative record (“AR”) index.</i>
April 14, 2017	<i>Answers to Plaintiffs’ Fifth Supplemental Complaint shall be filed.</i>
April 19, 2017	<i>Comments on draft AR index are due to Federal Defendants.</i>
May 3, 2017	<i>Federal Defendants shall lodge the AR.</i>
May 10, 2017	<i>Plaintiffs and Federal Defendants shall meet and confer over the need for discovery on the Sixth Claim against Federal Defendants.</i>
May 15, 2017	Fact discovery begins for all parties regarding Plaintiffs’ Sixth Claim against SRS Contractors.
May 24, 2017	<i>Motions regarding the completeness of AR are due. Motions or stipulations to limit the Sixth Claim against Federal Defendants to the AR are due (Dkt. 1073 at 2). Notice to Court and parties regarding intent to seek discovery on the Sixth Claim against Federal Defendants due (Dkt. 1027 at 2).</i>
June 5, 2017	Plaintiffs and SRS Contractors shall serve initial disclosures.
7 days after Court’s ruling on completeness of AR	<i>Federal Defendants shall complete the AR to conform to the Court’s ruling.</i>
90 days after the AR is deemed complete, or September 15, 2017, whichever is later	Plaintiffs’ motion for summary judgment (“MSJ”) on all claims shall be filed.
30 days after Plaintiffs’ MSJ	Defendants’ oppositions and any MSJ shall be filed.
30 days after Defendants’ oppositions and MSJ	Plaintiffs’ reply and oppositions to Defendants’ MSJ shall be filed.
14 days after Plaintiffs’ opposition	Defendants’ replies to their MSJ shall be filed.
14 days after Defendants’ reply	Hearing on MSJ shall be held.
December 11, 2017	Fact discovery cutoff.
January 10, 2018	Expert disclosures shall be filed.
February 9, 2018	Rebuttal expert disclosures shall be filed.
February 28, 2018	Expert discovery cutoff.
March 6, 2018	Joint pretrial statement due.
March 13, 2018	Pretrial conference.
March 27, 2018	Proposed pretrial orders due.
April 3, 2018	Answering trial briefs due.
April 10, 2018	First day of trial.

1 DATED: April 12, 2017

Barbara J. Chisholm
Barbara J. Chisholm

2
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18 DATED: April 12, 2017

19 /s/ Nicole M. Smith (as authorized on April 12,
20 2017)
Nicole M. Smith

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26 capacity as Secretary of the Interior, et al.*

27 DATED: April 12, 2017

/s/ Meredith Nikkel (as authorized on April 12, 2017)
Meredith Nikkel

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Pleasant Grove-Verona Mutual Water Company,
Pelger Mutual Water Company, Meridian Farms
Water Company, Henry D. Richter, et al., Howald
Farms, Inc., Oji Brothers Farm, Inc., Oji Family
Partnership, Carter Mutual Water Company,
Windswept Land And Livestock Company, Maxwell
Irrigation District, and Tisdale Irrigation and
Drainage Company*

DATED: April 12, 2017

/s/ Andrew Hitchings (as authorized on April 12,
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Andrew Hitchings

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Ranch (Pacific Realty Associates), Reclamation
District No. 1004, Conaway Preservation Group,
LLC, and David and Alice te Velde Family Trust*

DATED: April 12, 2017

/s/ Daniel J. O'Hanlon (as authorized on April 12,
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Attorneys for Defendant-Intervenors and Joined Party Defendants, San Luis & Delta-Mendota Water Authority, Westlands Water District, Coelho Family Trust, Eagle Field Water District, Fresno Slough Water District, Mercy Springs Water District, Oro Loma Water District, and Tranquillity Irrigation District

1 **ORDER**

2 Pursuant to the Parties' Stipulation, the Court hereby ORDERS that the following schedule
3 for further proceedings in this case is established.

Date	Event
May 15, 2017	Fact discovery begins for all parties regarding Plaintiffs' Sixth Claim against SRS Contractors.
June 5, 2017	Plaintiffs and SRS Contractors shall serve initial disclosures.
90 days after the AR is deemed complete, or September 15, 2017, whichever is later	Plaintiffs' motion for summary judgment ("MSJ") on all claims shall be filed.
30 days after Plaintiffs' MSJ	Defendants' oppositions and any MSJ shall be filed.
30 days after Defendants' oppositions and MSJ	Plaintiffs' reply and oppositions to Defendants' MSJ shall be filed.
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March 13, 2018	Pretrial conference.
March 27, 2018	Proposed pretrial orders due.
April 3, 2018	Answering trial briefs due.
April 10, 2018	First day of trial.

22
23 IT IS SO ORDERED.

24 Dated: April 13, 2017

24 /s/ Lawrence J. O'Neill
25 UNITED STATES CHIEF DISTRICT JUDGE