

COUNSEL IDENTIFICATION ON FINAL PAGE

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

NATURAL RESOURCES DEFENSE
COUNCIL, *et al.*,

Plaintiffs,

v.

SALLY JEWELL, U.S. Department 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-GSA

**STIPULATION AND ORDER TO EXTEND
FILING DEADLINES**

(ECF No. 963)

RECITALS

WHEREAS, on March 23, 2015, the Court issued a *Limited Scheduling Order* providing a briefing schedule for motions by Federal Defendants, Defendant-Intervenors and Joined Party Defendants San Luis & Delta-Mendota Water Authority, et al. (“DMC Contractors”) and Glenn-Colusa Irrigation District, et al. (“SRS Contractors”), to stay and motions to bifurcate this matter, Doc. 953;

WHEREAS, under the *Limited Scheduling Order*, the deadline to file those motions was April 10, 2015; the deadline to file oppositions to the pending motions is April 29, 2015; and the deadline to file reply briefs is May 8, 2015;

WHEREAS, Federal Defendants, Defendant-Intervenors and Joined Party Defendants filed motions to stay and to bifurcate on April 10, 2015;

WHEREAS, counsel for Federal Defendants is also attorney of record for the United States in another matter where a motion for a temporary restraining order and/or preliminary injunction is expected imminently;

WHEREAS, that expected emergency motion threatens to make Federal Defendants' counsel's ability to comply with the Court's schedule in this action unmanageable;

WHEREAS, the parties, by and through their respective counsel of record, as identified below, have conferred and agree that it is prudent and appropriate to modestly extend the deadlines under the Court's *Limited Scheduling Order* to accommodate Federal Defendants' counsel's scheduling conflict, so long as the same length of time is maintained between the opposition and reply deadlines, and no further extensions on this basis will be sought; and

WHEREAS, the parties agree that the deadline to file oppositions to the pending motions should be extended to May 5, 2015, and the deadline to file reply briefs should be extended to May 14, 2015.

STIPULATION

NOW THEREFORE, the parties hereby stipulate as follows regarding the deadline to file oppositions and reply briefs to the pending motions to stay and bifurcate:

The April 29, 2015, deadline to file oppositions shall be extended to May 5, 2015.

The May 8, 2015, deadline to file reply briefs shall be extended to May 14, 2015.

DATED: April 28, 2015

ALTSHULER BERZON LLP

By: /s/ Hamilton Candee
Hamilton Candee

HAMILTON CANDEE (SBN 111376)
BARBARA JANE CHISHOLM (SBN 224656)
TONY LOPRESTI (SBN 289269)
ALTSHULER BERZON LLP
177 Post St., Suite 300
San Francisco, CA 94108
Telephone: (415) 421-7151
Facsimile: (415) 362-8064
Attorneys for Plaintiff NRDC

KATHERINE POOLE (SBN 195010)
DOUGLAS ANDREW OBEGI (SBN 246127)
NATURAL RESOURCES DEFENSE COUNCIL
111 Sutter Street, 20th Floor
San Francisco, CA 94104
Telephone: (415) 875-6100
Facsimile: (415) 875-6161
Attorneys for Plaintiff NRDC

TRENT W. ORR (SBN 77656)
TAMARA ZAKIM (SBN 288912)
EARTHJUSTICE
50 California St. Suite 500
San Francisco, CA 94111
Telephone: (415) 217-2000
Facsimile: (415) 217-2040
*Attorney for Plaintiffs NRDC, California Trout,
San Francisco Baykeeper, Friends of the River,
and The Bay Institute*

DATED: April 28, 2015

U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
DIVISION

By: /s/ Bradley H. Oliphant (as authorized on
4/28/15)
Bradley H. Oliphant

BRADLEY H. OLIPHANT (SBN 216468)
U.S. DEPARTMENT OF JUSTICE
ENVIRONMENT & NATURAL RESOURCES
DIVISION
999 18th Street
South Terrace, Suite 370
Denver, CO 80202

Telephone: (303) 844-1381

Facsimile: (303) 844-1350

Attorneys for Respondents Sally Jewell, in her official capacity as Secretary of the Interior, et al.

DATED: April 28, 2015

SOMACH SIMMONS & DUNN, PC

By: /s/ Andrew M. Hitchings (as authorized on 4/28/15)

Andrew M. Hitchings

STUART L. SOMACH (SBN 90959)

ANDREW M. HITCHINGS (SBN 154554)

SOMACH SIMMONS & DUNN, PC

500 Capitol Mall, Suite 1000

Sacramento, CA 95814

Telephone: (916) 446-7979

Facsimile: (916) 446-8199

Attorneys for Petitioners Glenn-Colusa Irrigation District, et al.

DATED: April 28, 2015

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD PC

By: /s/ Daniel J. O'Hanlon (as authorized on 4/28/15)

Daniel J. O'Hanlon

DANIEL J. O'HANLON (SBN 122380)

HANSPETER WALTER (SBN 244847)

REBECCA ROSE AKROYD (SBN 267305)

KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD, PC

400 Capitol Mall, 27th Floor

Sacramento, CA 95814

Telephone: (916) 321-4500

Facsimile: (916) 321-4555

Attorneys for Respondents San Luis & Delta-Mendota Water Authority, et al.

DATED: April 28, 2015

DOWNEY BRAND LLP

By: /s/ Steven P. Saxton (as authorized on 4/28/15)

Steven P. Saxton

STEVEN P. SAXTON (SBN 116943)

DOWNEY BRAND LLP

621 Capitol Mall, 18th Floor

Sacramento, CA 95814

Telephone: (916) 444-1000

Facsimile: (916) 444-2100

Attorneys for Reclamation District 108, et al.

ORDER

Based on the above stipulation between the parties, the Limited Scheduling Order (ECF No. 953) is modified as follows:

The April 29, 2015, deadline to file oppositions shall be extended to **May 5, 2015**.

The May 8, 2015, deadline to file reply briefs shall be extended to **May 14, 2015**.

IT IS SO ORDERED.

Dated: April 29, 2015

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE