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8 *John McCamman, Director,*
California Department of Fish & Game

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10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA

12 **COALITION FOR A SUSTAINABLE**
13 **DELTA, BELRIDGE WATER STORAGE**
14 **DISTRICT, BERRENDA MESA WATER**
15 **DISTRICT, LOST HILLS WATER**
16 **DISTRICT, WHEELER RIDGE-MARICOPA**
17 **WATER STORAGE DISTRICT, AND DEE**
18 **DILLON,**

19 PLAINTIFFS,

20 v.

21 **JOHN McCAMMAN, DIRECTOR,**
22 **CALIFORNIA DEPARTMENT OF FISH**
23 **AND GAME,**

24 DEFENDANT,

25 **CENTRAL DELTA WATER AGENCY,**
26 **ET AL.**

27 DEFENDANTS-INTERVENORS,

28 **CALIFORNIA SPORTFISHING**
PROTECTION ALLIANCE, ET AL.,

DEFENDANTS-INTERVENORS.

1:08-CV-00397-OWW-SKO
(Related to Case Nos. 1:05-CV-022-GSA and
1:06-CV-00245-OWW-GSA)

**STIPULATION AND [PROPOSED]
ORDER CONTINUING SETTLEMENT
CONFERENCE DATE**

Date: September 16, 2010

Time: 10:30 a.m.

Courtroom: 3

Judge: The Honorable Oliver W.
Wanger

Settlement Judge:

The Honorable Sheila K. Oberto

Trial Date: January 25, 2011

1 **STIPULATION**

2 All parties to this action hereby stipulate and agree as follows:

3 A. Whereas the mandatory settlement conference date in this matter is now set for
4 September 16, 2010 before the Honorable Sheila K. Oberto;

5 B. Whereas Defendant John McCamman, Director, California Department of Fish and
6 Game (“State Defendant”) has taken steps to consider settlement options in this case, but is not
7 able to make a substantive settlement offer at this time;

8 C. Whereas the State Defendant anticipates (but cannot guarantee) that he will be able to
9 make a substantive settlement offer if given approximately 30 (thirty) additional days to prepare
10 one;

11 D. Whereas Plaintiffs Coalition for a Sustainable Delta, Belridge Water Storage District,
12 Berrenda Mesa Water District, Lost Hills Water District, Wheeler Ridge-Maricopa Water Storage
13 District, and Dee Dillon (“Plaintiffs”) are amenable to continuing the settlement conference date
14 to provide the State Defendant additional time to prepare a substantive settlement offer;

15 E. Whereas Defendants in Intervention Central Delta Water Agency, South Delta Water
16 Agency, Honker Cut Marine, Inc., Rudy Mussi, and Robert Souza, and Defendant in Intervention
17 California Sportfishing Protection Alliance have also agreed to the requested continuance;

18 F. Whereas the State Defendant is not seeking to alter any other deadline in the case and
19 will make a concerted, good faith effort to be prepared for the continued settlement conference;

20 G. Whereas counsel for all parties are available for a settlement conference on
21 October 21, 2010, and have been informed that the Court is also available that date.

22 Now, therefore, the parties agree as follows:

23 1. The parties agree and respectfully request that the settlement conference date of
24 September 16, 2010 should be vacated and re-set to October 21, 2010, at 10:30 a.m.

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Dated: September 9, 2010

EDMUND G. BROWN JR.
ATTORNEY GENERAL OF CALIFORNIA
CLIFFORD T. LEE
DEBORAH A. WORDHAM
DANIEL M. FUCHS
DEPUTY ATTORNEYS GENERAL

*/s/ DANIEL M. FUCHS (as authorized on
09/09/10)*

DANIEL M. FUCHS
DEPUTY ATTORNEY GENERAL
*Attorneys for Defendant John
McCamman, Director of the California
Department of Fish and Game*

Dated: September 9, 2010

NOSSAMAN LLP
ROBERT D. THORNTON
PAUL S. WEILAND
HENRY S. WEINSTOCK
BENJAMIN Z. RUBIN

*/s/ PAUL S. WEILAND (as authorized on
09/09/10)*

PAUL S. WEILAND
*Attorneys for Plaintiffs
Coalition for a Sustainable Delta, et al.*

Dated: September 9, 2010

NOMELLINI, GRILLI & McDANIEL
PROFESSIONAL LAW CORPORATION

*/s/ DANIEL A. MCDANIEL (as authorized
on 09/09/10)*

DANIEL A. MCDANIEL
*Attorneys for Defendants in Intervention
Central Delta Water Agency, et al.*

1 Dated: September 9, 2010

MICHAEL B. JACKSON

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*/s/ MICHAEL B. JACKSON (as authorized
09/09/10)*

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MICHAEL B. JACKSON
*Attorneys for Defendants in Intervention
California Sportfishing Protection
Alliance, et al.*

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ORDER

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10 FOR GOOD CAUSE SHOWN,

11 1. The settlement conference date of September 16, 2010 is hereby VACATED. The
12 settlement conference is set for 10:30 a.m. on October 21, 2010.

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16 IT IS SO ORDERED.

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Dated: September 10, 2010

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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