

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DELTA SMELT CONSOLIDATED CASES)	1:09-cv-0407 OWW DLB
)		ORDER RE: FEDERAL
SAN LUIS & DELTA-MENDOTA WATER)	DEFENDANTS' PRIVILEGE LOG
AUTHORITY, et al. v. SALAZAR, et)	SUBMISSION CONCERNING
al.)	ATTORNEY-CLIENT PRIVILEGE
)		AND SEALING ORDER
STATE WATER CONTRACTORS v.)	
SALAZAR, et al.)	
)		
COALITION FOR A SUSTAINABLE)	
DELTA, et al. v. UNITED STATES)	
FISH AND WILDLIFE SERVICE, et)	
al.)	
)		
METROPOLITAN WATER DISTRICT v.)	
UNITED STATES FISH AND WILDLIFE)	
SERVICE, et al.)	
)		
STEWART & JASPER ORCHARDS, et)	
al. v. UNITED STATES FISH AND)	
WILDLIFE SERVICE.)	
)		

The Court has reviewed *in camera* the documents to which attorney-client privilege is claimed by Federal Defendants.

26 Document 6 contains a portion of privileged communications
27 in which an attorney participated and/or was copied. Those
28 portions are privileged and shall be redacted.

1 Document 8 is privileged as it reports a Federal Defendant
2 attorney's analysis for FWS of issues concerning legal filings
3 and preparation of the Biological Opinion and RPAs.

4 Document 10 is privileged as it includes attorney-client
5 communications and agency response to completion of remedial
6 actions.

7 These documents shall be maintained under seal pending
8 further order of the Court or review by any higher court.
9

10 IT IS SO ORDERED.

11 Dated: October 22, 2009

12 /s/ Oliver W. Wanger
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28