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Family Farm Alliance

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

FAMILY FARM ALLIANCE, a nonprofit
organization;

Plaintiff,

v.

KENNETH LEE SALAZAR, as Secretary
of the United States Department of the
Interior, *et al.*,
Defendants.

Case No.: 1:09-cv-01201-OWW-DLB

Order Regarding Consolidation

Date: January 11, 2010
Time: 11:15 a.m.
Courtroom: 3

Honorable Oliver W. Wanger

Having reviewed the parties' responses and replies to the Court's December 3, 2009 Order to Show Cause Re Consolidation and oral argument from the parties on January 11, 2010, the Court hereby ORDERS that the above-captioned matter be partially consolidated with *The Delta Smelt Consolidated Cases*, Case No. 09-407 OWW-DLB.

Plaintiff's second and third causes of action will remain separate from *The Delta Smelt Consolidated Cases* and shall maintain the current case number for those causes of action. Plaintiff Family Farm Alliance's first cause of action will be consolidated with *The Delta Smelt Consolidated Cases*. Plaintiff Family Farm Alliance will receive the pleadings and reports related to the upcoming evidentiary hearings in *The Delta Smelt Consolidated Cases* to evaluate the necessity of adding any

1 of its own experts for those hearings, coordinate with the other *Delta Smelt Consolidated Cases*
2 parties, and prepare a status report to the Court regarding that evaluation by January 26, 2010.

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4 **IT IS SO ORDERED.**

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7 DATED: January 22, 2010__

/s/ OLIVER W. WANGER_____
HON. OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE