

COUNSEL IDENTIFICATION AT END

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA – FRESNO DIVISION**

THE DELTA SMELT CASES

**SAN LUIS & DELTA-MENDOTA WATER
AUTHORITY et al. v. SALAZAR et al. (Case
No. 1:09-cv-407)**

**STATE WATER CONTRACTORS v.
SALAZAR et al. (Case No. 1:09-cv-422)**

**COALITION FOR A SUSTAINABLE DELTA
et al. v. UNITED STATES FISH AND
WILDLIFE SERVICE et al. (Case No. 1:09-cv-
480)**

**METROPOLITAN WATER DISTRICT v.
UNITED STATES FISH AND WILDLIFE
SERVICE et al. (Case No. 1:09-cv-631)**

**STEWART & JASPER ORCHARDS et al. v.
UNITED STATES FISH AND WILDLIFE
SERVICE et al. (Case No. 1:09-cv-892)**

1:09-cv-00407-OWW-GSA

1:09-cv-00422-OWW-GSA

1:09-cv-00631-OWW-GSA

1:09-cv-00892-OWW-GSA

PARTIALLY CONSOLIDATED WITH:

1:09-cv-00480-OWW-GSA

**STIPULATION AND ORDER
AMENDING SUMMARY
JUDGMENT SCHEDULE**

Judge: Honorable Oliver W. Wanger

1 Pursuant to Local Rule 143(b) and as set forth on the record at the conclusion of the
2 coordinated hearings in the Consolidated Delta Smelt Cases and the Consolidated Salmonid
3 Cases on April 7, 2010, all parties in this action, by and through their respective counsel of
4 record, as identified below, hereby stipulate to amend the briefing and hearing schedule on the
5 motions for summary judgment as follows:

6 1. Federal Defendants and Defendant-Intervenors shall file their opposition to
7 Plaintiffs' and Plaintiff-in-Intervention California Department of Water Resources' ("DWR")
8 motions for summary judgment and shall file any cross-motion for summary judgment by **April**
9 **19, 2010.**

10 2. Plaintiffs and DWR shall file their reply briefs and any opposition to any cross-
11 motions for summary judgment by **May 14, 2010.**

12 3. The hearing on the parties' motions for summary judgment is continued to **June**
13 **8-9, 2010**, commencing at 9:00 a.m. Extended time has been reserved on the Court's calendar
14 for the hearing.

15 4. The page limits previously set and ordered by the Court remain in effect.

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17 **SO STIPULATED**
18

19 Dated: April 12, 2010

KRONICK, MOSKOVITZ, TIEDEMANN &
GIRARD, A Law Corporation
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A Professional Corporation
WESTLANDS WATER DISTRICT

23 By: /s/ [Eileen M. Diepenbrock]
24 EILEEN M. DIEPENBROCK
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26 SAN LUIS & DELTA-MENDOTA WATER
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28 DISTRICT

1 Dated: April 12, 2010

WESTLANDS WATER DISTRICT

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3 By: /s/ [Thomas W. Birmingham] (as authorized)
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6 Dated: April 12, 2010

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12 Dated: April 12, 2010

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COALITION FOR A SUSTAINABLE DELTA
and KERN COUNTY WATER AGENCY

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19 Dated: April 12, 2010

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1 Dated: April 12, 2010

PACIFIC LEGAL FOUNDATION

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6 BRANDON M. MIDDLETON
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10 PISTACHIO GROVE

11 Dated: April 12, 2010

THE BRENDA DAVIS LAW GROUP

12 By: /s/ [Brenda W. Davis](as authorized)

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14 LESLIE R. WAGLEY
15 Attorneys For Plaintiff
16 FAMILY FARM ALLIANCE

17 Dated: April 12, 2010

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GENERAL OF THE STATE OF CALIFORNIA

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25 CALIFORNIA DEPARTMENT OF
26 WATER RESOURCES

27 Dated: April 12, 2010

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28 United State Department of Justice,
Environmental & Natural Resources Division
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1 Dated: April 12, 2010

NATURAL RESOURCES DEFENSE COUNCIL

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5 DOUG OBEGI

6 Attorneys for Defendant-Intervenor

NATURAL RESOURCES DEFENSE

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7 Dated: April 12, 2010

THE BAY INSTITUTE

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9 By: /s/ [Trent W. Orr] (as authorized)

10 TRENT W. ORR

11 GEORGE M. TORGUN

12 Attorneys For Defendant-Intervenor

13 THE BAY INSTITUTE

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19 IT IS SO ORDERED.

20 Dated: April 14, 2010

/s/ Oliver W. Wanger

21 UNITED STATES DISTRICT JUDGE