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8 *Department of Water Resources*

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

12 **THE DELTA SMELT CASES**

1:09-cv-407 OWW

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14 **SAN LUIS & DELTA-MENDOTA WATER
AUTHORITY, et al. v. SALAZAR, et al.**

Consolidated With:

Case No. 1:09-cv-422 OWW GSA

Case No. 1:09-cv-631 OWW GSA

Case No. 1:09-cv-892 OWW GSA

Partially Consolidated with:

Case No. 1:09-cv-480 OWW GSA

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

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16 **STATE WATER CONTRACTORS v.
SALAZAR, et al.**

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18 **COALITION FOR A SUSTAINABLE
DELTA, et al. v. UNITED STATES FISH
19 AND WILDLIFE SERVICE, et al.**

**STIPULATION AND ORDER TO
EXTEND TIME FOR DWR TO FILE
20 JOINDER TO PLAINTIFFS' MOTION
FOR INJUNCTIVE RELIEF**

21 **METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA v.
22 UNITED STATES FISH AND WILDLIFE
SERVICE, et al.**

Date: February 25, 2011

Time: 9:00 a.m.

Courtroom: 3

23 **STEWART & JASPER ORCHARDS, et al.
24 v. UNITED STATES FISH AND
WILDLIFE SERVICE, et al.**

Judge: Honorable Oliver W. Wanger

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26 **FAMILY FARM ALLIANCE v.
27 KENNETH SALAZAR, et al.**

1 WHEREAS the parties to the Delta Smelt Consolidated Cases are engaged in settlement
2 discussions regarding an interim remedy for operating the Central Valley Project and the State
3 Water Project through June 2011;

4 WHEREAS the Water Contractor Plaintiffs have been informed of and do not object to the
5 proposed filing date set forth below.

6 In consideration of the above recitals, Plaintiff Intervenor California Department of Water
7 Resources (DWR), Federal Defendants, and Defendant Intervenors hereby stipulate and agree that
8 DWR may have until Friday February 11, 2011, to file any joinder to Plaintiffs' Motion for
9 Injunctive Relief (Doc. 767), filed January 28, 2011. Any such joinder to Plaintiffs' motion
10 would not present any new argument or evidence.

11 Nothin herein limits DWR from taking any position with regard to Plaintiffs' motion.

12 Dated: February 1, 2011

Respectfully submitted,

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14 KAMALA D. HARRIS
Attorney General of California
15 ROBERT W. BYRNE
Supervising Deputy Attorney General
16 CLIFFORD T. LEE
CECILIA L. DENNIS
17 ALLISON GOLDSMITH
Deputy Attorneys General

18
19 /S/ CECILIA L. DENNIS

20 CECILIA L. DENNIS
Deputy Attorney General
21 *Attorneys for Plaintiff Intervenor California
Department of Water Resources*

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23 Dated: January 31, 2011

U.S. DEPARTMENT OF JUSTICE

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25 /S/ ETHAN C. EDDY

26 _____
ETHAN C. EDDY
27 *Attorneys for the Federal Defendants*

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Dated: February 1, 2011

NATURAL RESOURCES DEFENSE
COUNCIL

/S/ KATHERINE POOLE

KATHERINE POOLE
*Attorneys for Defendant Intervenor Natural
Resources Defense Council*

Dated: February 1, 2011

EARTHJUSTICE

/S/ GEORGE TORGUN

GEORGE TORGUN
*Attorneys for Defendant Intervenor The Bay
Institute and Natural Resources Defense
Council*

IT IS SO ORDERED.

Dated: February 2, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE