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**COUNSEL IDENTIFICATION ON FINAL PAGE**

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**CONSOLIDATED SALMON CASES**

SAN LUIS & DELTA-MENDOTA WATER  
AUTHORITY, et al. v. GARY F. LOCKE,  
et al. (Case No. 1:09-cv-1053)

STOCKTON EAST WATER DISTRICT v.  
NOAA, et al. (Case No. 1:09-cv-1090)

STATE WATER CONTRACTORS v.  
GARY F. LOCKE, et al.  
(Case No. 1:09-cv-1378)

KERN COUNTY WATER AGENCY, et al.  
v. U.S. DEPARTMENT OF COMMERCE,  
et al. (Case No. 1:09-cv-1520)

OAKDALE IRRIGATION DISTRICT, et al.  
v. U.S. DEPARTMENT OF COMMERCE,  
et al. (Case No. 1:09-cv-1580)

METROPOLITAN WATER DISTRICT OF  
SOUTHERN CALIFORNIA v. NMFS, et al.  
(Case No. 1:09-cv-1625)

**CASE NOS.**

1:09-cv-1053-LJO-DLB  
1:09-cv-1090-LJO-DLB  
1:09-cv-1378-LJO-DLB  
1:09-cv-1520-LJO-DLB  
1:09-cv-1580-LJO-DLB  
1:09-cv-1625-LJO-SMS

**STIPULATION AND ORDER RE  
MOTION FOR ATTORNEYS' FEES  
AND/OR COSTS**

Judge: Honorable Lawrence J. O'Neill

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**RECITALS**

A. On December 12, 2011, the Court entered its “Final Judgment (Including Schedule for Remand)” (Doc. 655) (“Final Judgment”) in the above-captioned *Consolidated Salmon Cases*. Paragraph (B) of the Final Judgment provides as follows:

“The parties shall meet and confer regarding any request by Plaintiffs, or any of them, and/or DWR for recovery of attorneys’ fees and/or costs. Any motion for recovery of attorneys’ fees and/or costs shall be filed on or before March 1, 2012.”

(Final Judgment at 3:11-13.) The Final Judgment remains in effect except as modified by this stipulation and [proposed] order.

B. On January 19, 2012, the Pacific Coast Federation of Fishermen’s Associations/Institute for Fisheries Research, The Bay Institute, California Trout, Friends of the River, Natural Resources Defense Council, Northern California Council of the Federation of Fly Fishers, San Francisco Baykeeper, Sacramento River Preservation Trust, and the Winnemem Wintu Tribe, Defendant-Intervenors in the above-captioned *Consolidated Salmon Cases*, appealed to the United States Court of Appeals for the Ninth Circuit from the Final Judgment entered in the action, and all interlocutory orders and decisions contributing to that Final Judgment. (Doc. 661.) On February 10, 2012, Federal Defendants James W. Balsiger, Michael L. Connor, Donald R. Glaser, Gary Locke, Jane Lubchenco, Rodney R. McInnis, National Marine Fisheries Service, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, National Oceanic and Atmospheric Administration, Ken Salazar, Lester Snow, United States Bureau of Reclamation, United States Department of Commerce, United States Department of the Interior filed a notice of appeal (Doc. 676). On February 9, 2012, notices of cross-appeal were filed by Plaintiffs San Luis & Delta-Mendota Water Authority and Westlands Water District (Doc. 667), State Water Contractors (Doc. 669), Coalition for a Sustainable Delta and Kern County Water Agency (Doc. 671), and Metropolitan Water District of Southern California (Doc. 672).

1 ///

2 C. The parties, by and through their respective counsel of record, as identified below,  
3 have met and conferred and hereby seek to continue the deadline for any motion for recovery of  
4 attorneys' fees and/or costs.

5 **STIPULATION**

6 The parties hereby stipulate as follows regarding any motion for recovery of attorneys'  
7 fees and/or costs:

8 1. Plaintiffs San Luis & Delta-Mendota Water Authority, Westlands Water District,  
9 State Water Contractors, Metropolitan Water District of Southern California, Coalition for a  
10 Sustainable Delta, Kern County Water Agency, Stockton East Water District, Oakdale Irrigation  
11 District, and South San Joaquin Irrigation District ("Plaintiffs"), or any of them, and/or Plaintiff-  
12 Intervenor California Department of Water Resources ("DWR") shall be entitled to file any  
13 motion for recovery of attorneys' fees and/or costs ("Fee Motion") beyond the date specified in  
14 paragraph (B) of the Final Judgment.

15 2. Any Fee Motion shall be filed by Plaintiffs, or by any of them, and/or by DWR no  
16 later than 90 days following the entry of a final order disposing of all appeals and cross-appeals in  
17 the above-captioned *Consolidated Salmon Cases*.

18  
19 Dated: February 21, 2012

H. CRAIG MANSON  
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A Professional Corporation  
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A Professional Corporation

24 By /s/ [Daniel J. O'Hanlon]  
25 DANIEL J. O'HANLON  
26 EILEEN M. DIEPENBROCK  
27 Attorneys for Plaintiffs SAN LUIS & DELTA-  
28 MENDOTA WATER AUTHORITY and  
WESTLANDS WATER DISTRICT

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Dated: February 21, 2012

BROWNSTEIN HYATT FARBER SCHRECK LLP

By     /s/ [Steven O. Sims]      
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Dated: February 21, 2012

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Dated: February 21, 2012

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Dated: February 21, 2012

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SUSTAINABLE DELTA

Dated: February 21, 2012

HERUM CRABTREE

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JENNIFER L. SPALETTA  
Attorneys for Plaintiff  
STOCKTON EAST WATER DISTRICT

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Dated: February 21, 2012

O'LAUGHLIN & PARIS LLP

By     /s/ [William C. Paris III]      
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SAN JOAQUIN IRRIGATION DISTRICT

Dated: February 21, 2012

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Attorney General of the State of California

By     /s/ [Clifford T. Lee]      
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CALIFORNIA DEPARTMENT OF WATER  
RESOURCES

Dated: February 21, 2012

IGNACIA S. MORENO, Assistant Attorney General  
United States Department of Justice  
Environment & Natural Resources Division  
SETH M. BARSKY, Section Chief

By     /s/ [Bridget Kennedy McNeil]      
BRIDGET KENNEDY McNEIL, Trial Attorney  
Wildlife and Marine Resources Section  
Attorneys for FEDERAL DEFENDANTS

Dated: February 21, 2012

NATURAL RESOURCES DEFENSE COUNCIL

By     /s/ [Katherine S. Poole]      
KATHERINE S. POOLE  
DOUG OBEGI  
Attorneys for Defendant-Intervenor NATURAL  
RESOURCES DEFENSE COUNSEL

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Dated: February 21, 2012

EARTHJUSTICE

By           /s/ [Michael R. Sherwood]            
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CALIFORNIA COUNCIL OF THE FEDERATION  
OF FLY FISHERS, PACIFIC COAST  
FEDERATION OF FISHERMEN’S  
ASSOCIATIONS/INSTITUTE FOR FISHERIES  
RESOURCES, SACRAMENTO RIVER  
PRESERVATION TRUST, SAN FRANCISCO  
BAYKEEPER, THE BAY INSTITUTE,  
WINNEMEM WINTU TRIBE

IT IS SO ORDERED.

Dated:           February 21, 2012          

          /s/ Lawrence J. O’Neill            
UNITED STATES DISTRICT JUDGE