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10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 THE CONSOLIDATED SALMONID CASES

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

16 STOCKTON EAST WATER DISTRICT, et
17 al. v. NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION, et al.
18 (Case No. 1:09-cv-1090)

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

21 KERN COUNTY WATER AGENCY, et al. v.
22 UNITED STATES DEPARTMENT OF
COMMERCE, et al. (Case No. 1:09-cv-1520)

23 OAKDALE IRRIGATION DISTRICT, et al.
24 v. UNITED STATES DEPARTMENT OF
COMMERCE, et al. (Case No. 1:09-cv-1580)

25 THE METROPOLITAN WATER DISTRICT
26 OF SOUTHERN CALIFORNIA v.
NATIONAL MARINE FISHERIES
27 SERVICE, et al. (Case No. 1:09-cv-1625)

Case No.
1:09-cv-01053-LJO-DLB

CONSOLIDATED WITH
1:09-cv-01090-OWW-DLB
1:09-cv-01378-OWW-SMS
1:09-cv-01520-OWW-SMS
1:09-cv-01580-OWW-DLB
1:09-cv-01625-OWW-SMS

**PLAINTIFF STATE WATER
CONTACTORS' AND FEDERAL
DEFENDANTS' JOINT STIPULATION
AND ORDER EXTENDING STAY
REGARDING MOTION FOR
ATTORNEYS' FEES AND OTHER
EXPENSES**

Judge: Hon. Lawrence J. O'Neill
Date:
Time:
Courtroom:

1 On March 19, 2015, in response to a joint motion and stipulation by the parties, this Court
2 ordered a stay of the briefing related to the Plaintiff State Water Contractors' ("SWC") motion for
3 an award of attorneys' fees and other expenses (Doc. 772) ("Attorneys' Fees Motion") against
4 Defendants Sally Jewell, Secretary of Interior, et al. ("Federal Defendants") for 180 days from the
5 date of said order. Doc. 771. The Court additionally ordered that at the conclusion of 180 days,
6 SWC and the Federal Defendants must apprise the Court of any settlement or further requested
7 action. *Id.* The 180-day deadline expires on September 15, 2015.

8 SWC and the Federal Defendants hereby jointly inform the Court that they are proceeding
9 diligently with settlement discussions regarding the Attorneys' Fees Motion. To further facilitate
10 the completion of the pending settlement discussions, SWC and the Federal Defendants hereby
11 jointly move this Court for an extension of the stay of briefing related to the Attorneys' Fee
12 Motion for an additional 14 days until September 29, 2015. In support of this motion SWC and
13 the Federal Defendants further stipulate as follows:

14 1. Briefing and argument on the Attorneys' Fees Motions may be unnecessary in
15 light of the parties' intent to attempt to settle the SWC's claims, and accordingly, further
16 proceedings on the Attorneys' Fees Motion should be stayed until September 29, 2015, to allow
17 for further settlement discussions.

18 2. On or before September 29, 2015, SWC and the Federal Defendants will apprise
19 the Court of any settlement or further requested action, or jointly propose a briefing schedule to
20 address SWC's motion for fees and other expenses if there has been no complete settlement. That
21 schedule will provide for SWC to supplement its motion for recovery of attorneys' fees and other
22 expenses with documentation of all time and expenses sought, including the additional time spent
23 in seeking fees, opposition by the Federal Defendants, and reply by SWC, with a hearing for the
24 motion if the Court deems a hearing necessary.

25 Based on the joint stipulation set forth above, SWC and the Federal Defendants
26 respectfully request that this Court stay briefing and argument on SWC's motion for recovery of
27 attorneys' fees and other expenses until September 29, 2015.

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Respectfully submitted this 14th day of September 2015.

Dated: September 14, 2015

BEST BEST & KRIEGER, LLP

By: /s/ Steven G. Martin
Steven M. Anderson
Steven G. Martin
Attorneys for Plaintiff,
STATE WATER CONTRACTORS

Dated: September 14, 2015

U.S. DEPARTMENT OF JUSTICE
Environmental & Natural Resources Division

By: /s/ William Shapiro
William Shapiro, Trial Attorney
Attorneys for FEDERAL DEFENDANTS

IT IS SO ORDERED.

Dated: September 15, 2015

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

BEST BEST & KRIEGER LLP