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**COUNSEL IDENTIFICATION ON FOLLOWING PAGE**

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

**THE CONSOLIDATED SALMONID CASES**

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

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

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

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

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

**THE METROPOLITAN WATER DISTRICT  
OF SOUTHERN CALIFORNIA v.  
NATIONAL MARINE FISHERIES  
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' FOURTH JOINT  
STIPULATION AND ORDER  
EXTENDING STAY REGARDING  
MOTION FOR ATTORNEYS' FEES  
AND OTHER EXPENSES**

Judge: Hon. Lawrence J. O'Neill  
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Attorneys for FEDERAL DEFENDANTS

1 To facilitate settlement discussions, this Court has previously ordered a stay of the  
2 briefing related to the Plaintiff State Water Contractors' ("SWC") motion for an award of  
3 attorneys' fees and other expenses (Doc. 772) ("SWC Attorneys' Fees Motion") against  
4 Defendants Sally Jewell, Secretary of Interior, et al. ("Federal Defendants"), as stipulated to by  
5 these parties. *See* Docs. 771, 779, 781. Through these settlement discussions, these parties have  
6 reached a recommended agreement in principle to settle the SWC Attorneys' Fees Motion,  
7 subject to review within the Department of Justice and the Department of Interior.

8 To allow additional time for the review of the proposed settlement, the SWC and Federal  
9 Defendants jointly request that this Court extend the stay on the SWC Attorneys' Fees Motion for  
10 an additional 45 days, to January 29, 2016. This extension coincides with the deadline requested  
11 by Plaintiff San Luis & Delta-Mendota Water Authority and the Federal Defendants for  
12 reviewing their settlement in principle. *See* Doc. 784.

13 In support of this request, the SWC and Federal Defendants stipulate, as follows:

14 1. On March 20, 2015, the SWC filed a motion for an award of attorneys' fees and  
15 other expenses for this litigation. Doc. 772.

16 2. On March 19, 2015, these parties stipulated and the Court approved the parties'  
17 stipulation to stay further briefing and argument on the SWC Attorneys' Fees Motion until  
18 September 15, 2015, to allow for settlement discussions. Docs. 765, 771. That order directed the  
19 parties to apprise the Court of any settlement or further requested action, or jointly propose a  
20 briefing schedule to address the SWC's motion for fees and other expenses if there was no  
21 settlement, upon expiration of the stay.

22 3. On September 14, 2015, the SWC and Federal Defendants stipulated, and on  
23 September 16, 2015, the Court approved the SWC's and Federal Defendants' stipulation, to  
24 further stay the briefing and argument on the SWC Attorneys' Fees Motion until September 29,  
25 2015, to allow completion of pending settlement discussions. Docs. 776, 779.

26 4. On September 28, 2015, the SWC and Federal Defendants stipulated, and on  
27 September 29, 2015, the Court approved the SWC's and Federal Defendants' stipulation, to  
28 further stay the briefing and argument on the SWC Attorneys' Fees Motion until December 15,

1 2015. Docs. 780, 781.

2 5. The SWC and Federal Defendants have reached a recommended agreement in  
3 principle to settle the SWC’s claims in the SWC Attorneys’ Fees Motion. Before any settlement  
4 can be concluded, the proposed settlement terms must be reviewed within and approved by the  
5 Department of Justice and the Department of Interior. If the recommended settlement agreement  
6 is eventually adopted, the SWC and Federal Defendants agree that further briefing and argument  
7 on the SWC Attorneys’ Fees Motion, and a decision by this Court, will be unnecessary. A stay  
8 will therefore conserve the parties’ and the Court’s resources.

9 6. Based on the joint stipulation set forth above, the parties respectfully request that  
10 this Court extend the stay of briefing and argument on the SWC Attorneys’ Fees Motion until  
11 January 29, 2015. By that date, the parties will either report that settlement has been completed  
12 and the SWC is withdrawing its motion for fees and expenses, or request other action by the  
13 Court in the absence of a completed settlement.

14 Respectfully submitted this 14th day of December 2015.

15 Dated: December 14, 2015

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

19 Dated: December 14, 2015

U.S. DEPARTMENT OF JUSTICE  
Environmental & Natural Resources Division  
By: /s/ William Shapiro  
William Shapiro, Trial Attorney  
Attorneys for FEDERAL DEFENDANTS

22 IT IS SO ORDERED.

23 Dated: December 15, 2015

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

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