1	IGNACIA S. MORENO Assistant Attorney General		
2			
3	KEVIN W. McARDLE, Trial Attorney (D.C. Bar No. 454569) (Counsel for Service) United States Department of Justice Environment and Natural Resources Division Wildlife and Marine Resources Section Benjamin Franklin Station, P.O. Box 7369 Washington, D.C. 20044-7369 Telephone: (202) 305-0219		
4			
5			
6	Facsimile: (202) 305-0275		
7	Attorneys for Defendants		
8			
9	UNITED STATES DISTRICT COURT FOR THE		
10	EASTERN DISTRICT OF CALIFORNIA		
11	COALITION FOR A SUSTAINABLE DELTA and)	
12	KERN COUNTY WATER AGENCY,) No: 1:09-cv-02024-OWW-DLB	
13	Plaintiffs,	DEFENDANTS' UNOPPOSED MOTION FOR LEAVE TO	
14	v.	EXCEED PAGE LIMIT; ORDER THEREON	
15	FEDERAL EMERGENCY MANAGEMENT AGENCY and WILLIAM CRAIG FUGATE,) Date: N/A	
16	in his official capacity as Administrator of the Federal Emergency Management Agenc; UNITED	Time: N/A Location: Courtroom No. 3	
17	STATES DEPARTMENT OF HOMELAND SECURITY; and JANET NAPOLITANO, in her	Fresno Division	
18	official capacity as Secretary of Homeland Security))	
19	Defendants.)	
20	Defendants, the Federal Emergency Management Agency, et al. ("FEMA"), respectfully		
21	request leave to file a 16-page reply brief in support of their Motion for Partial Summary		
22	Judgment (Dkt. 121). FEMA's reply is due February 7, 2011. Counsel for Plaintiffs has		
23	informed the undersigned that Plaintiffs do not oppose this motion. As demonstrated below,		
24	good cause exists for granting FEMA leave to file a reply brief not to exceed16 pages.		
25	1. The Court's Standing Order in all civil cases provides that "all moving and		
26	opposition briefs or legal memorandum in civil cases shall not exceed 25 pages. Reply briefs		
27	filed by moving parties shall not exceed 10 pages."		
28			
	Defs.' Unopposed Mot. to Exceed Page Limit	Case No. 1:09-cv-2024-OWW-GSA	

2. By Order dated November 19, 2010 (Dkt. 128), the Court approved the parties'		
Stipulation and granting FEMA leave to file a 36-page memorandum in support of its Motion for		
Partial Summary Judgment and granting Plaintiffs leave to file an opposition brief not to exceed		
40 pages. The parties sought leave to exceed the page limits due to the number and complexity		
of the issues raised by FEMA's Motion. See Dkt. 127.		
3. On January 31, 2011, Plaintiffs filed a 40-page Opposition to FEMA's Motion fo		
Partial Summary Judgment. Given the number of issues raised in Plaintiffs' Opposition brief,		
good cause exists for granting FEMA leave to file a reply not to exceed 16 pages.		
CONCLUSION		
For the foregoing reasons, FEMA's Unopposed Motion for Leave to Exceed Page Limit		
for its reply brief, such that FEMA may file a reply not to exceed 16 pages, should be granted.		
DATED: February 4, 2011 OF COUNSEL: BARBARA MONTOYA Dep. Assoc. Chief Counsel Federal Insurance and Mitigation Federal Emergency Management Agency U.S. Department of Homeland Security 1800 S. Bell Street, Rm 730 Arlington, VA 20598-3020	Respectfully submitted, IGNACIA S. MORENO Assistant Attorney General /s/Kevin W. McArdle KEVIN W. McARDLE, Trial Attorney, DC Bar # 454569 Kevin.McArdle@usdoj.gov United States Department of Justice Environment & Natural Resources Division Wildlife and Marine Resources Section Benjamin Franklin Station, P.O. Box 7369 Washington, D.C. 20044-7369 Telephone: (202) 305-0219 Facsimile: (202) 305-0275 Attorneys for Defendants	
IT IS SO ORDERED. Dated: February 4, 2011	/s/ Oliver W. Wanger UNITED STATES DISTRICT JUDGE	