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

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12 **ROCKY MOUNTAIN FARMERS UNION;  
REDWOOD COUNTY MINNESOTA  
13 CORN AND SOYBEANS GROWERS;  
PENNY NEWMAN GRAIN, INC.;**  
14 **GROWTH ENERGY and the  
RENEWABLE FUELS ASSOCIATION,**

15 Plaintiffs,

16 v.

17  
18 **JAMES N. GOLDSTENE, in his official  
capacity as Executive Officer of the  
19 CALIFORNIA AIR RESOURCES BOARD,**

20 Defendant.  
21

1:09-CV-02234-LJO-DLB

**STIPULATION AND ORDER  
GRANTING EXTENSION OF TIME FOR  
FILING OF DEFENDANT'S  
RESPONSIVE PLEADING**

Action Filed: December 23, 2009

22 WHEREAS on December 23, 2009, Plaintiffs Rocky Mountain Farmers Union, Redwood  
23 County Minnesota Corn and Soybean Growers, Penny Newman Grain, Inc., Growth Energy, and  
24 Renewable Fuels Association (collectively "Plaintiffs") filed their Complaint for Declaratory and  
25 Injunctive Relief against Defendant James N. Goldstene, in his official capacity as Executive  
26 Officer of the California Air Resources Board ("Defendant") in this action, and delivered a copy  
27 of the complaint to the Sacramento Office of the Attorney General on December 24, 2009.  
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1 WHEREAS on January 11, 2010, Plaintiffs filed their First Amended Complaint for  
2 Declaratory and Injunctive Relief in this action, which named Rex Nederend as a Plaintiff in this  
3 action.

4 WHEREAS on January 20, 2010, Plaintiffs served a copy of the First Amended Complaint  
5 on Defendant.

6 WHEREAS by Order dated January 26, 2010, Plaintiffs were granted leave to file their  
7 Second Amended Complaint for Declaratory and Injunctive Relief, and Defendant's responsive  
8 pleading was ordered to be filed thirty (30) days following the filing of the Second Amended  
9 Complaint.

10 WHEREAS on January 28, 2010, Plaintiffs filed and served their Second Amended  
11 Complaint for Declaratory and Injunctive Relief in this action, which added the Nisei Farmers  
12 League, the Fresno County Farm Bureau, and the California Dairy Campaign as Plaintiffs in this  
13 action.

14 WHEREAS Defendant's responsive pleading to the Second Amended Complaint is  
15 presently due on March 1, 2010.

16 WHEREAS on February 2, 2010, a related case, *National Petrochemicals & Refiners Assn*  
17 *v. Goldstene*, Case No. CV-F-10-0163 AWI GSA, was filed in United States District Court for the  
18 Eastern District of California.

19 WHEREAS on February 3, 2010, by Order of the Court, the related case of *National*  
20 *Petrochemicals & Refiners Assn v. Goldstene*, was reassigned to District Judge Lawrence J.  
21 O'Neill and Magistrate Judge Dennis L. Beck pursuant to Local Rule 123(c) and assigned new  
22 Case No. CV-F-10-0163 LJO DLB.

23 WHEREAS Defendant needs additional time in order to prepare his responsive pleadings in  
24 these two related cases.

25 IT IS HEREBY STIPULATED between Plaintiffs and Defendant through their respective  
26 counsel, pursuant to Local Rule 143, that:

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**ORDER**

The Court having reviewed the foregoing Stipulation, and good cause appearing therefore:

IT IS HEREBY ORDERED that Defendant James N. Goldstene is granted an extension of thirty (30) days for the filing of his responsive pleading. Defendant's responsive pleading shall be due on March 31, 2010.

IT IS SO ORDERED.

Dated: February 27, 2010

/s/ Dennis L. Beck  
UNITED STATES MAGISTRATE JUDGE