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9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13
14 **ROCKY MOUNTAIN FARMERS UNION,
et al.,**

15
16 Plaintiffs,

17 v.

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

20
21 Defendants.

22
23 **NATIONAL PETROCHEMICAL &
REFINERS ASSOCIATION, et al.,**

24 Plaintiffs,

25 v.

26 **JAMES GOLDSTENE, et al.,**

27 Defendants.

LEAD CASE NO. :
1:09-CV-02234-LJO-DLB

Consolidated With Case No.:
1:10-CV-00163-LJO-DLB

**REQUEST FOR CONTINUANCE OF
HEARING ON MOTION TO COMPEL
AND ORDER**

Date: March 18, 2011
Time: 9:00 a.m.
Courtroom: Nine
Judge: The Honorable Dennis L. Beck
Trial Date: Not Set
Action Filed: December 23, 2009

1 Defendants and Defendant-Intervenors (“Defendants”) respectfully request continuance of
2 the hearing on their Motion to Compel (ECF Doc. 162) which is currently scheduled for March
3 18, 2011. Counsel for Defendants has had a conflict arise with another matter and will be out of
4 town on the date currently scheduled for the hearing. Accordingly, based on the Court’s calendar
5 and Defendants’ calendars,¹ Defendants request that the hearing be continued until April 8, 2011,
6 or as soon thereafter as the Court can accommodate.
7

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9 Dated: March 16, 2011

Respectfully Submitted,

10 KAMALA D. HARRIS
11 Attorney General of California
12 ROBERT W. BYRNE
Supervising Deputy Attorney General

13 /s/ Gavin G. McCabe
14 GAVIN G. MCCABE
15 Deputy Attorney General
Attorneys for Defendants
James N. Goldstene et al.

16 David Pettit
17 Nancy S. Marks
18 Vivian H. Wang
NATURAL RESOURCES DEFENSE
19 COUNCIL

20 /s/ David Pettit
21 DAVID PETTIT
22 Attorneys for Defendant-Intervenor,
Natural Resources Defense Council, Inc.

23 SIERRA CLUB

24 /s/ Pat Gallagher
25 PAT GALLAGHER
26 Attorney for Defendant-Intervenor,
Sierra Club

27 ¹ Defendants inquired about the calendar availability of Plaintiffs’ counsel but did not
28 receive a response prior to filing this request.

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CONSERVATION LAW FOUNDATION

/s/ Jane West
JANE WEST
Attorney for Defendant-Intervenor,
Conservation Law Foundation

ENVIRONMENTAL DEFENSE FUND

/s/ James Tripp
JAMES TRIPP
Attorney for Defendant-Intervenor,
Environmental Defense Fund

ORDER

The Defendants having requested a continuance of the hearing on their motion to compel, and good cause showing, it is hereby ORDERED: The hearing on Defendants' Motion to Compel is continued until April 8, at 9:00 a.m.

IT IS SO ORDERED.

Dated: March 16, 2011

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE