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 9 Richard W. Corey, et al.

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

<p>14 <b>ROCKY MOUNTAIN FARMERS UNION,</b>          15 <i>et al.,</i></p> <p>16 Plaintiffs,</p> <p>17 v.</p> <p>18 <b>RICHARD W. COREY, in his official</b>          19 <b>capacity as Executive Officer of the</b>          20 <b>CALIFORNIA AIR RESOURCES BOARD,</b>  <i>et al.,</i></p> <p>21 Defendants.</p>	<p>LEAD CASE NO.          1:09-cv-02234-LJO-BAM</p> <p><i>Consolidated With Case No.</i>          1:10-cv-00163-LJO-BAM</p> <p><b>STIPULATION AND ORDER RE:          SCHEDULING CONFERENCE ORDER</b></p>
<p>22 <b>and Related Consolidated Action.</b></p>	

1           WHEREAS the parties have received the court’s minute order, dated June 11, 2015,  
2 indicating that the Scheduling Conference previously set for June 18, 2015 has been continued to  
3 Tuesday, August 18, 2015 at 9:00 AM in Courtroom 8 before Magistrate Judge Barbara  
4 McAuliffe;

5           WHEREAS the minute order indicates that the August 18 scheduling conference may be  
6 continued if the “preliminary motions are not resolved before August 2015”;

7           WHEREAS the parties have reached an agreement regarding the timing of one of those  
8 “preliminary motions” (Defendants’ stay motion);

9           WHEREAS the California Air Resources Board is currently scheduled to consider adopting  
10 a new Low Carbon Fuel Standard at its July 22-23, 2015 hearing; and

11           WHEREAS it is Defendants’ position that the new regulation, if it is adopted and becomes  
12 law, will replace the current Low Carbon Fuel Standard which is the subject of Plaintiffs’  
13 challenges here;

14           THE PARTIES THEREFORE STIPULATE, pursuant to Local Rule 143, as follows:

15           THAT no briefing need occur on Defendants’ stay motion until after the August 18, 2015  
16 scheduling conference;

17           THAT, if Defendants believe a stay remains necessary, the schedule for briefing  
18 Defendants’ stay motion will be set at the August 18, 2015 scheduling conference.

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2 Dated: June 25, 2015

Respectfully Submitted,

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7 /s/ Sean H. Donahue  
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14 *Defense Council; Sierra Club; Conservation Law*  
15 *Foundation*

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29 **IT IS SO ORDERED.**

30 Dated: June 26, 2015

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE

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