

1 KAMALA D. HARRIS, State Bar No. 146672
 Attorney General of California
 2 GAVIN G. MCCABE, State Bar No. 130864
 Supervising Deputy Attorney General
 3 NOAH GOLDEN-KRASNER, State Bar No. 217556
 JONATHAN WIENER, State Bar No. 265006
 4 DAVID A. ZONANA, State Bar No. 196029
 M. ELAINE MECKENSTOCK, State Bar No. 268861
 5 Deputy Attorneys General
 1515 Clay Street, 20th Floor
 6 P.O. Box 70550
 Oakland, CA 94612-0550
 7 Telephone: (510) 622-4450
 Fax: (510) 622-2272
 8 E-mail: Elaine.Meckenstock@doj.ca.gov
Attorneys for Defendants
 9 *Richard W. Corey, et al.*

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

14 **ROCKY MOUNTAIN FARMERS UNION;**
 15 *et al.,*

16 Plaintiffs,

17 v.

18 **RICHARD W. COREY, in his official**
 19 **capacity as Executive Officer of the**
 20 **CALIFORNIA AIR RESOURCES**
BOARD; et al.,,

21 Defendants.

22 **and Related Consolidated Action.**
 23

LEAD CASE NO
 1:09-cv-02234-LJO-BAM

Consolidated With Case No.
 1:10-cv-00163-LJO-BAM

**STIPULATION AND ORDER RE:
 SCHEDULING CONFERENCE**

24 WHEREAS on June 11, 2015, this court set these cases for a scheduling conference on
 25 Tuesday, August 18, 2015 at 9:00 AM in Courtroom 8 before Magistrate Judge Barbara A.
 26 McAuliffe (Minute Order, Doc. 338);
 27
 28

1 WHEREAS the California Air Resources Board has recently re-scheduled its consideration
2 of a new Low Carbon Fuel Standard (“LCFS”) from July 22-23, 2015 to September 24-25, 2015;

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

4 THAT the scheduling conference currently set for August 18, 2015 be continued to October
5 15 or 16, 2015, or a date thereafter that is convenient for the Court;

6 THAT, if convenient for the Court and to accommodate travel for Defendants’ counsel, the
7 scheduling conference be set for the early afternoon (e.g., 1:00 PM) or, failing that, for no earlier
8 than 10:30 AM;

9 THAT, pursuant to the parties’ previous stipulation (Doc. 339), no briefing need occur on
10 Defendants’ stay motion until after the scheduling conference; and

11 THAT, if Defendants believe a stay remains necessary, the schedule for briefing
12 Defendants’ stay motion will be set at the scheduling conference.

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: August 7, 2015

Respectfully Submitted,

KAMALA D. HARRIS
Attorney General of California
GAVIN G. MCCABE
Supervising Deputy Attorney General

/s/ Sean H. Donahue
SEAN H. DONAHUE
DONAHUE & GOLDBERG, LLP
1130 Connecticut Avenue, N.W., Suite 950
Washington, D.C. 20036
*Attorney for Defendant-Intervenors
Environmental Defense Fund; Natural Resources
Defense Council; Sierra Club; Conservation Law
Foundation*

/s/ M. Elaine Meckenstock
M. ELAINE MECKENSTOCK
Deputy Attorney General
*Attorneys for Defendants
Richard W. Corey, et al*

/s/ Timothy Jones
WANGER JONES HELSLEY PC
265 East River Park Circle, Suite 310
PO Box 28340
Fresno, CA 93720
Telephone: (559) 233-4800
Facsimile: (559) 233-9330
Timothy Jones, State Bar No. 119841
John P. Kinsey, State Bar No. 215916
Attorneys for: All RMFU Plaintiffs
Case No. 1:09-CV-02234-LJO-BAM

/s/ Paul J. Zidlicky
SIDLEY AUSTIN LLP
555 California Street, Suite 2000
San Francisco, CA 94104-1715
Telephone: (415) 772-1200
Facsimile: (415) 772-7400
Marie L. Fiala (CA Bar No. 79676)
Roger R. Martella, Jr., pro hac vice
Paul J. Zidlicky, pro hac vice
Counsel for Plaintiffs In Consolidated Case
No. 1:10-CV-00163-LJO-BAM

/s/ John C. O'Quinn
KIRKLAND & ELLIS LLP
655 15th St. N.W.
Suite 1200
Washington, D.C. 20005
Telephone: (202)879-5000
Facsimile: (202) 879-5200
Stuart A. C. Drake, pro hac vice
John C. O'Quinn, pro hac vice
Attorneys for Growth Energy

/s/ Howard R. Rubin
KATTEN MUCHIN ROSENMAN LLP
2900 K Street, N.W.
North Tower - Suite 200
Washington, D.C. 20007
Telephone: (202) 625-3500
Facsimile: (202) 298-7570
Howard R. Rubin, pro hac vice
Charles H. Krause, pro hac vice
Shannon S. Broome, State Bar No. 150119
Attorneys for Renewable Fuels Association

SF2010400011
90538586.doc

1 **ORDER**

2

3 **IT IS SO ORDERED.**

4

5 The August 18, 2015 Telephonic Scheduling Conference is hereby continued to October

6 **16, 2015 at 2:00 PM in Courtroom 8 before Judge McAuliffe.** Defendant's counsel shall make

7 arrangements and have a one line conference call, with ALL counsel on the line, and shall

8 initiate the call at the designated time. After all parties are on the line, the call should then

9 be placed to Judge McAuliffe's chambers at (559)499-5789.

10 Dated: August 10, 2015

11 *1st Barbara A. McAuliffe*

12 UNITED STATES MAGISTRATE JUDGE

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28