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11 **UNITED STATES DISTRICT COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13 **FRESNO DIVISION**

14 PADRES HACIA UNA VIDA MEJOR, an)
15 unincorporated association, and EL PUEBLO)
16 PARA EL AIRE Y AGUA LIMPIO, an)
unincorporated association,)

17 Plaintiffs,)

18 vs.)

19 LISA P. JACKSON, in her official capacity as)
20 Administrator of the U.S. Environmental)
21 Protection Agency, and U.S.)
22 ENVIRONMENTAL PROTECTION)
AGENCY,)

23 Defendants.)
24

Case No.: 1:11-cv-01094-AWI-DLB

**STIPULATION AND ORDER TO
EXTEND BRIEFING DEADLINES**

25
26 Plaintiffs Padres Hacia una Vida Mejor and El Pueblo para el Aire y Agua Limpio
27 (collectively “Padres”), and Defendants, Lisa P. Jackson, in her official capacity as
28

1 Administrator of the U.S. Environmental Protection Agency, and the U.S. Environmental
2 Protection Agency (collectively “EPA”), stipulate as follows:

3 1. On September 7, 2012, EPA filed a Motion to Dismiss on Mootness Grounds, and
4 set the Motion for hearing on November 19, 2012 [ECF 42]. On November 5, 2012, Padres filed
5 an opposition to EPA’s Motion [ECF 45] and a Motion for Sanctions [ECF 46]. On November
6 7, 2012, the Court entered an order resetting the hearing date on both motions for December 3,
7 2012, setting a November 12, 2012 deadline for EPA to file its reply brief on the Motion to
8 Dismiss, setting a November 19, 2012 deadline for EPA to file its opposition brief to Padres’
9 Motion for Sanctions, and setting a November 26, 2012 deadline for Padres to file a reply brief
10 on the Motion for Sanctions [ECF 48].

11 2. Due to the closure of EPA and Department of Justice offices in observation of the
12 Veterans Day holiday on November 12, 2012, EPA desires additional time to prepare and file its
13 reply brief in support of its Motion to Dismiss. In addition, undersigned counsel for the
14 government is scheduled to be on travel for a hearing in another matter on November 14 and 15.
15 In light of the upcoming Veterans Day holiday and the travel schedule of government counsel,
16 EPA requests, with Padres’ consent, that the deadline for its reply brief in further support of its
17 Motion to Dismiss be reset for November 16, 2012.

18 3. EPA’s opposition to Padres Motion for Sanctions is due on November 19, 2012,
19 the Monday preceding Thanksgiving. Padres requests, with EPA’s consent, that the Court
20 extend the deadline for its reply brief two days from November 26, 2012 to November 28, 2012
21 to account for the Thanksgiving holiday.

22 4. The parties respectfully submit that good cause exists for the relief requested and
23 that the requested extensions will not prejudice the Court.

24
25 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between the
26 undersigned, subject to approval of the Court, that:

27 1. EPA’s reply brief in support of its Motion to Dismiss on Mootness Grounds will
28 be filed with the Court by November 16, 2012; and

1 2. Padres' reply brief in support of its Motion for Sanctions will be filed with the
2 Court by November 28, 2012.

3
4 Dated: November 9, 2012.

Respectfully submitted,

5
6 /s/ Brent Newell

BRENT NEWELL

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15
16 /s/ Andrew Zee

M. ANDREW ZEE (CA Bar #272510)

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18 *Counsel for Defendants*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the 9th day of November, 2012, I electronically transmitted the
3 foregoing document and all accompanying attachments to the Clerk of Court using the ECF
4 System for filing.

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6
7 /s/ Andrew Zee
8 M. ANDREW ZEE

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11 IT IS SO ORDERED.

12 Dated: November 9, 2012

13 
14 UNITED STATES DISTRICT JUDGE